



Old Dominion Association of Church Schools

Report from the General Assembly

January 9, 2019

Dear ODACS Friends,

The 2019 session of the Virginia General Assembly begins today! I will be making my first trip to the Capitol tomorrow, and it already appears that tomorrow will be a busy day. There are several important bills that you need to know about; we'll start with the biggest one first.

SB 1095

This one is huge! **The short version of SB 1095 is that it transfers all policy and regulatory authority over childcare from the Department of Social Services to the Department of Education.** Those of you who attended my SB 539 workshop at the last ODACS convention may recall my talking about the potential benefits of such a transfer of authority. However, the bill is 56 pages long, the transfer would take two or three years to complete, and the trick throughout the legislative process and the transfer process would be to try to maintain the protections that are already in place for our ministries. Also, you recall that in 2012 the Lord helped us to get a new seat on the State Board of Social Services that represents all Religiously Exempt childcare centers in the Commonwealth. I am not sure yet whether such representation would be transferred to the State Board of Education. Furthermore, the bill's patron is a very liberal Democrat, Senator Janet Howell who represents parts of Fairfax and Arlington counties. I think the safe thing at the beginning of this process is to assume that helping church-run daycares and preschools is not her motive, but we also do not yet know what her motive is.

Please pray that the Lord will guide me as I read the details in this bill and as I talk to people at the Capitol tomorrow. We're going to hold back on taking a position until we can gather more information.

HB 1627

HB 1627 is the bill that Delegate Bobby Orrock is sponsoring in response to the recent VDSS inspection program targeted at Religious Exempt childcare centers that do not accept taxpayer subsidies. The bill requires VDSS to prioritize its inspection resources in this order: filed complaints, licensed centers, unlicensed centers that accept subsidies, all others. I do not hold out high hopes for the bill to pass into law, but it at

least should give us a platform for some interesting debates in committee. ODACS is supporting HB 1627.

HB 2203

HB 2203 seeks to repeal the sunset clause on the fingerprint background check requirement for Religious Exempt childcare centers. You will recall that ODACS opposed the new requirement because it is fundamentally unfair to place requirements on non-recipients of federal funding as a means of qualifying recipients of federal funding. Over the past several decades, churches and church-run ministries have been able to shield themselves from government intrusion by saying “No thank you” to taxpayer funded subsidies. This new requirement changes that dynamic completely. In fact, we saw a year ago just how serious the matter is; VDSS tried to force our ministries to accept a subsidy against our will, but the Lord protected us by means of an Attorney General opinion request that forced VDSS to change its policy. Delegate Eileen Filler-Corn from Fairfax County is the new Democratic floor leader in the House, and she is the patron of HB 2203. ODACS is opposing the bill on the grounds of Separation of Church and State.

HB 2043

HB 2043 allows for portability of fingerprint background checks from one childcare center to another. Currently, a new employee at a childcare center would have to get a new fingerprint background check, even if that person had just worked at another childcare center and had been fingerprinted only a year or two previously. ODACS is supporting HB 2043.

HB 1994 and SB 1407

These bills would allow VDSS required fingerprint background checks to be processed through local law enforcement agencies instead of through Fieldprint only. Some of our ministries experienced significant inconvenience last summer because of the Fieldprint requirement. We need to find out a little bit more information about HB 1994 and SB 1407, but it is likely that ODACS will support these companion bills.

I have looked at all the bills that are in the education committees so far, and I have yet to see one that would affect our ministries. I will keep an eye on that, but at least for the beginning of session it appears that we will be very busy in the committees that handle social services issues.

Thank you for your support and prayers! Stay tuned!

Sincerely,

Dan Zacharias
Executive Director