

# EQUALITY VIRGINIA

## **All Children Deserve Loving Permanent Homes Support SB 569 (Ebbin) and SB 647 (McEachin) Oppose SB 349 (McWaters) and HB 189 (Gilbert)**

**OPPOSE SB 349 (MCWATERS), HB 189 (GILBERT)** These so-called "conscience clause" bills would authorize licensed, state-funded adoption and foster care agencies to discriminate in making adoption and foster care services available to children and prospective parents.

- This is NOT a religious freedom issue. Offering adoption and foster care services to the public is a secular not a religious activity. Children in foster care are the state's children while they are in the system.
- Adoption is not a private act. No adoption can be finalized without the approval of the state and a court order.
- Agencies licensed to facilitate adoptions and foster care are functioning as agencies of the state.
- Just as the state cannot deny any citizen the equal protection of the laws, neither can the agents of the state, i.e., the licensed child-placing agencies, even if they are run by faith-based organizations.
- As agents of the state, licensed child-placing agencies are not engaged in private acts (as would be the case with respect to private employment decisions by those organizations).

**SUPPORT SB 569 (Ebbin) and SB 647 (McEachin)** This legislation would ban discrimination by adoption and foster care agencies that contract with the state or receive state funding (directly or indirectly).

- The best interests of the child should be the sole basis for child placement decisions.
- Research shows children raised by GLBT parents are not disadvantaged in any way. Such home environments are just as likely to be good for children.
- Virginia ranks 1st in nation in the percentage of children who age out of foster care (32%) and in 2009 had the lowest rate of public adoptions in the U.S. More than 1,600 Virginia children are still waiting for loving permanent homes.
- This bill does not change the law on who can adopt or foster children. It simply ends discrimination against those legally eligible and the children in the system.
- Ending discrimination against prospective loving parents is in the best interest of children who have a right to a loving permanent home. It is also in the best interests of children who should not be denied services simply because of who they are.