



Commonwealth of Pennsylvania
House of Representatives

M E M O R A N D U M

TO : All House Members
FROM : Representative Will Tallman
SUBJECT : Religious Child Care Facilities Act
DATE : February 15, 2011

WJT

I will soon be introducing legislation that would create the Religious Child Care Facilities Act. This legislation has been the subject of debate in prior sessions and would create standards under which religious child care facilities would operate that are different than the standards outlined in the current child care regulations.

Specifically, this legislation would prohibit the Department of Public Welfare, any other governmental agency, political subdivision or other governmental entity from attempting to exercise authority over the program, curriculum, ministry, teaching or instruction offered in a religious child care facility, the selection of personnel or children who enroll in such a facility.

The dispute over the Departments authority to regulate religious child care facilities dates back to the 1960s. Last year, 2010, the Commonwealth court ruled in favor of the Departments ability to regulate the standards – regardless of affiliation. This case is known as the St. Elizabeth case.

The intent of this legislation is to uphold the health and safety standards of child care facilities while ensuring the ability to determine their own curriculum, staff and pupils with respect to the provider's religious mission.

I ask that you join me in allowing religious child care facilities to operate as they see fit and according to their own conscience without the intrusion of government. Please contact Jodi Addington in my Harrisburg office at (717) 783-8875 or via email jaddingt@pahousegop.com.