

Municipal Recreation Programs and House Bill 1831

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Good Morning. My name is Tanya Vasquez, and I am the Certification Director for the Office of Child Development and Early Learning (OCDEL) in the Department of Human Services (DHS). Thank you for the opportunity to testify today regarding how the state regulates child care programs and its implication for preschoolers attending summer camp. I will give an overview of child care licensing, provide clarification around child care licensing and municipal recreation programs, and discuss our concerns with House Bill 1831 and a proposal by the Pennsylvania Parks and Recreation Society, Inc.

The Bureau of Certification Services within OCDEL impacts the lives of thousands of children and families in Pennsylvania. The Bureau has the responsibility to certify (license) child care facilities in Pennsylvania. There are currently 4,895 child care centers (facilities serving more than 7 children), 709 group child care homes (facilities serving 7 to 12 unrelated children) and 1,553 family child care homes (facilities serving 4 to 6 unrelated children) that are caring for approximately 300,000 children on any given day in Pennsylvania.

Of all the various types of facilities regulated by the Department of Human Services, child care represents the largest group. Bureau staff inspect child care facilities to ensure they are following the law (Articles IX and X of the Human Services Code) and the child care regulations authorized by the law (Chapter 3270, 3280, 3290), making more than 13,000 visits to child care facilities on an annual basis.

Regulations identify the minimum level of compliance necessary to obtain the Department's certificate of compliance (license) and provide standards to aid in protecting the health, safety and rights of children, and to reduce risks to children. If a child care facility is compliant, regulations require the facility to post the license in a conspicuous location with instructions for parents on how they may contact the appropriate regional OCDEL office. If a child care facility does not meet regulations, the facility is cited and can receive a provisional license or, if necessary, a license revocation.

Some licensing exemptions exist within the Child Care Regulations for programs serving children. The exemption relevant to our discussion today is the exemption in Title 55, Chapter 3270.3a(1), which exempts "A part-day school-age program that operates for less than 90 consecutive days per calendar year from the date the program opens to the date the program closes...." This exemption allows children who have completed kindergarten or who are older to participate in a summer camp program that is not regulated by any authority.

As you consider House Bill 1831, it is important to understand that distinction. OCDEL does not require summer camps to operate as certified child care providers if they choose to serve children who have, at a minimum, completed kindergarten. We are strongly opposed to exempting municipalities from licensure when serving preschool children in summer camps.

DHS has the following concerns with the proposal shared with us by the Pennsylvania Parks and Recreation Society, Inc. and the proposed HB 1831:

- Parks and Receptions programs are not monitored to ensure compliance. There is no licensing or oversight authority.
- Staff, who may have responsibility for children and are included in the staff to child ratio, may be as young as 16 years of age in the proposal; current child care regulations require a minimum age of 18.
- The proposal does not contain specific requirements for transportation. Under current DHS regulations, an individual transporting children may not be considered part of the staff-child ratio when preschool children are included.
- The proposal does not provide specific requirements for preschool aged children when swimming activities take place beyond requiring a lifeguard to be present. Under current DHS regulations, when a swimming activity occurs with preschool children, a qualified lifeguard must be present and may not be included in the staff-child ratio. Further, child care regulations require an additional life guard to be on duty beyond those designated by the swim facility operator. This extra person is designated to specifically monitor the child care children.
- The proposal does not address summer camp staff competencies, especially training and knowledge of very young children. 3- and 4-year-old children have not yet reached certain developmental milestones. They are not able to follow directions or be independent (which is why kindergarten generally starts at age 5). Many three-year-olds are still working to dress themselves and take care of their own toileting needs. They eat things off the ground, they nap after lunch, they find joy in mess and no joy in standing in line. They need help transitioning from one activity to another, they need someone to open their lunch for them and help with their drinks.
- The proposal does not require an assessment of the safety of the children's environment, such as an outside playground area, as part of the program. A key component of licensure under DHS regulations is that assessment by inspectors to ensure toxins and environmental safety hazards are not present.

OCDEL is supportive of programming offered by municipal recreation programs in affording school- aged children an opportunity to participate in summer camps.

I want to thank the committee for your dedication to ensuring the safety and wellbeing of Pennsylvania's children and their families and for the opportunity to testify today.