



Pennsylvania Senate Aging and Youth Committee

Informational meeting on House Bill 1155

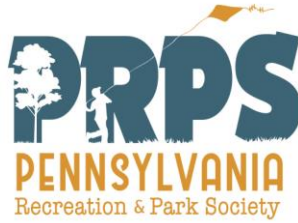
Senator Judy Ward, Majority Chair

Senator Maria Collett, Minority Chair

September 12, 2022

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Testimony of Tim Herd, Chief Executive Officer,
Pennsylvania Recreation and Park Society
Certified Park and Recreation Executive

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Introduction

I am Tim Herd, CEO of the Pennsylvania Recreation and Park Society. PRPS is the statewide professional association providing industry leadership, advocacy, training and resources to those who work in the parks, recreation, and related essential community services.

Chairwoman Ward, Chairwoman Collett, and members of the committee, **PRPS, on behalf of municipal preschool recreation programs of all sizes across the Commonwealth, comes before you today, as we came before the House Children & Youth Committee, in search of solutions and meaningful compromise.**

We are seeking a way to keep these vital programs, some of which have been in existence for over 40 or 50 years, open and serving children and their families.

Preschool recreation programs fill an educational, developmental and economic niche that private day care centers cannot. They provide irreplaceable and unique learning experiences and instill lessons and perspectives that can last a lifetime. For many families who can't afford daycare, these programs may be the only care that a child receives before starting school.

Background and Department of Human Services Overreach

Pennsylvania Department of Human Services Day Care Certification regulations provide standards to aid in protecting the health, safety and rights of children to reduce risks in child day care centers.

The purpose of PA Code Title 55 Chapter 3270 is to facilitate the safe and healthful care of a child in a “child day care center.” **These regulations have been extended *by interpretation* by the Department of Human Services to be broadened from regulating private day care centers, which we believe was the intent of the General Assembly, to regulating seasonal, partial day municipal recreation and park services as daycare programs.**

The safety and security of children enrolled in day camps, swim lessons, nature play, and other indoor and outdoor recreation programs is always vitally important, (and these programs include strict legal and ethical standards in staff recruitment and training); municipal recreation agencies also provide for the emotional, cognitive, communicative, perceptual-motor, physical and social development of children outside the confines of a private and traditional “child day care center.”

Municipal recreation and park agencies are also integrated with other essential local governmental services and provide robust layers of protection for children. These programs are managed by professional park and recreation staff, are aligned with municipal police and emergency services, and are overseen by solicitors and elected municipal officials. They are governed by codes, policies and operating procedures, including state child protective services laws, enacted to always provide for the wellbeing and safety of the public. A municipal public recreation system is a well-designed, collaborative and comprehensive approach utilizing the collective best of the local resources.

PRPS affirms the tremendous personal and community value of (and popular demand for) safe and secure, developmentally appropriate, child-centered recreation services provided apart from certified child day care centers. However, the highly limiting restrictions imposed by the DHS interpretation of the Human Services Code prevent most recreation providers from feasibly complying with such certification requirements in the outdoor settings of parks and the indoor multi-use amenities of recreation centers and other facilities.

Impact of Enforcement

The DHS is attempting to enforce the private daycare facility regulations to public recreation programs. I say “attempting” because they certainly don’t have the capacity, and even their own field inspectors have questioned why and how daycare facility regulations even apply to outdoor programming. Tiny toilets and places for napping are not applicable out in the park.

And a recreation center in Philadelphia or Allentown cannot close to all other members of the public simply because it might have a dozen preschoolers enrolled in a Making Music class.

Yet, because of the risk of noncompliance, and threats from DHS including substantial fines and cease and desist letters, many recreation departments have either scaled back or simply cancelled their popular preschool programming, some of which have been a vital part of the community for 30, 40, even 50 years! To give you just several examples:

- Radnor Township, Montgomery County, which has offered youth programming for over 80 years, strove mightily to comply with onerous DHS regulations that were ill-suited for a seasonal, mainly outdoor recreation program. As you can read in the 2019 letter to the House Children & Youth Committee attached to my testimony, the township went well beyond normal and required child protection requirements, yet in the end it was not practical to come into compliance and the preschool program was terminated.
- Cumru Township, Berks County, was forced to terminate the municipality's six-week "tot lot" summer playground program because it was not feasible to come into compliance with DHS regulations. Their announcement for parents is attached to my testimony.
- Upper Dublin Township, Montgomery County, had to discontinue its Small Folks and Camp B.I.G. six-week preschool summer camps because of DHS actions. The camps operated for nearly 20 years, employing six seasonal, part-time staff managed by municipal park staff, and served approximately 40 campers per week.
- Nether Providence Township, Delaware County, was forced to terminate its popular preschool program in 2016, much to the dismay of many parents. Among a variety of reasons is that the program used a public school building but did not have access to that building until days before camp started, thereby making it impossible to do building pre-screening under the regulations.
- Whitpain Township, Montgomery County, operated a half-day, six-week preschool program called Park N Tots. DHS regulations forced the township to scale back then ultimately cancel the program, which served 30 children per day and always had a waiting list.
- The City of Philadelphia received a cease-and-desist order from DHS regarding the operation of its preschool recreation programs, though it has continued its programs despite threats from DHS. These programs serve thousands of youths each summer,

many of whom come from families who simply cannot afford private daycare. In 2019, the Philadelphia Parks and Recreation Department estimated that it would take \$2.8 million in annual additional staff costs, and \$50 million in physical improvement costs, to be able to comply with DHS regulations. Simply stated, DHS is threatening to deny vital recreational access to thousands of children in Philadelphia including some of the most vulnerable children in the community.

True to the very philosophy of public parks and recreation is the idea that all people – no matter the color of their skin, age, income level or ability – have access to programs, facilities, places and spaces that make their lives and communities great. Forcing public recreation programs to function as certified daycare center facilities—which is definitely not their purpose! —actually creates social inequities! And that is a very great shame.

As one of our members testified to the House in 2019,

*We do not classify ourselves as a “childcare facility.” We are not interested in pursuing childcare for our Township. We provide **programming** for our community to fill voids that are not offered from other businesses/organizations in our community. Parents are not dropping off children to go to work. They are going to the grocery store, cleaning their house or taking a nap.*

And social equity is not just an urban problem. The attached testimony to the House Children & Youth Committee from Dover Township, York County, discusses how **the ability to participate in a seasonal municipal preschool recreation program with modest cost may be the only care outside the home or a relative’s home that the child receives before starting school.**

PRPS Efforts at Compromise and the Evolution of House Bill 1155

To attempt to resolve the conflict between the indispensable public municipal services for enriched development of our children and DHS efforts to regulate these programs as traditional daycare programs, PRPS began extended contact in 2016 with the Pennsylvania Bureau of Certification Services, Office of Child Development and Early Learning, Departments of Education and Human Services (DHS). However, our dialogue fell flat, and DHS refused to acknowledge the legitimacy of our position, let alone discuss any potential compromise.

Last session, we developed bi-partisan legislation to address this issue in conjunction with Representatives Barry Jozwiak and Mary Jo Daley, and the House Children & Youth Committee held an informational hearing on the issue.

This session, House Children & Youth Committee chairs Sheryl Delozier and Pam DeLissio conducted extensive stakeholder discussions on the issue. They wanted to find a way forward to preserve these valuable programs yet address the concerns of DHS. To our knowledge, neither DHS nor the daycare associations offered any compromises nor were they willing to entertain any. They simply and steadfastly said “no” to these programs and to the ability of parents to choose these valuable programs for their children.

PRPS proposed a compromise that was accepted by both chairs as an amendment to House Bill 1155 and led to a unanimous vote in both the Children & Youth Committee and the full House of Representatives.

House Bill 1155 as amended now requires municipalities to adopt by ordinance or resolution a rigorous and detailed set of best health and safety practices to offer these preschool recreation programs. These standards will ensure child safety and address the core concerns of parents, professional recreation providers, and state regulators alike. The protocol referenced in the bill includes the following components. It should be thought of as a floor, which municipalities can go beyond and tailor to their unique circumstances. What is best for the City of Philadelphia may not be the best for Cumru Township.

The Protocol addresses:

- Program duration
- Exclusive supervision
- Minimum age and toilet training
- Parental consent and authorizations
- Food and drink
- Industry certifications and training
- Staffing and personnel
- Personnel supervision
- Safety and security provisions
- Provisions for health and well-being of participants
- Compliance documentation
- Compliance with other state and federal Laws.

It’s not a matter of having only one “right” way to educate, care for and enrich the lives of our preschoolers—as DHS would like to dictate! Municipal recreation programs for preschoolers address the legitimate and popular needs and desires by parents and other caregivers. One that offers rewards and values that cannot be achieved through private day care centers.

Value and Benefits

Let me also explain that today's recreation and parks are not your mom and dad's playground program! They are multifaceted physical and socioeconomic systems that daily deliver the foundational needs and essential human services of our modern existence. It's not just fun and games!

The loss of these programs to the community creates a void. In them, not only do the children develop physically, mentally and socially, they keep engaged in developmentally appropriate activities as they age into other levels and offerings of recreation and park programming.

Providing public recreational programming to preschoolers of all socioeconomic classes permits parents with a choice in their children's development. Introductory play programs developing physical motor and social skills are imperative to their proper growth. In addition, the research proving the many and varied benefits for children connecting to nature is strong and continues to build. Just a smattering: The research proves that engagement with nature...

- strengthens motor and cognitive skills in young children
- builds experiential learning, team cooperation and leadership
- alleviates attention deficit disorders
- fosters risk resiliency and independent mobility skills
- expedites medical recovery and boosts immune systems
- fosters diversity and cross-cultural cooperation
- establishes a sense of place and belonging

In addition, a [2018 report](#) from the American Academy of Pediatrics confirms that play enhances creativity, imagination, dexterity, boldness, teamwork skills, stress-management skills, confidence, conflict resolution skills, decision-making skills, problem-solving skills and learning behavior. Play is an essential part of the human experience, and a lack of play can have troubling short and long-term ramifications for children.

I want to share just three comments from our member's survey conducted several years ago:

"Our swim lessons have introduced thousands of children to water. We teach swimming and safety skills in each class held six times per year."

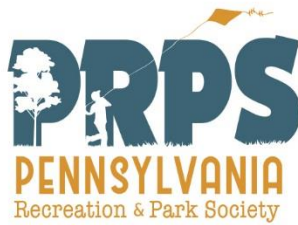
"The Little Sprouts preschool and pre-kindergarten programs have provided a valuable resource for our community. The class is affordable and accessible for all. The kindergarten teachers in our school district claim that Little Sprouts students are the most prepared for kindergarten."

“[Our] outdoor play program has been a staple of municipal recreation since the 1950s. To force municipal departments to provide the kinds of facilities stipulated would not only be cost prohibitive but also negate the benefits of introducing preschoolers to the park system and outdoor play.”

Such services are clearly not being fulfilled by private day care centers. And it makes little sense to enforce the private daycare regulations and terminate highly successful, long-term programs.

The foundational experiences that recreation—not daycare— structured recreation programs— bring to our youngest members of society form the basis of life skills, lifelong learning, and responsible citizenship in a world increasingly at odds with itself. This is why we do this. This is why municipal recreation needs to be recognized—and unregulated as a certified day care center facility— for its own unique contributions to a better society.

Thank you again for the opportunity to testify. **We stand ready to work with you and other senators on House Bill 1155 as amended and other meaningful compromise solutions that arise through our discussions.** I would be happy to answer any questions.



Protocol for Public Preschool Recreation Programs

22 October 2021

The Pennsylvania Recreation and Park Society (PRPS) is the principal state association providing professional leadership, development, advocacy and resources for those working and volunteering in the parks and recreation field.

The Society's members include managers of municipal and state recreation and park systems, recreation therapists and wellness specialists, higher education professors and students, managers and programmers of commercial recreation facilities, suppliers and manufacturers of recreation and park products and services, and citizen members of community recreation and park boards across the Commonwealth.

PRPS assists and represents recreation and park professionals in solving community problems and meeting the recreational needs of all Pennsylvanians.

On behalf of recreation and park professionals and political subdivisions of the Commonwealth, PRPS submits the following protocol as an official standard for providing public preschool recreation programming.

This protocol addresses the core concerns of professional recreation providers and the Department of Human Services (DHS) Office of Child Development and Early Learning, while not conceding the DHS's authority to regulate municipal preschool summer camps and other preschool programming.

1. Program Duration

All programs will run less than 90 consecutive days on a maximum four hours per day schedule, with fully adequate insurance coverage. No overnight operations allowed.

2. Exclusivity

Although program participants may not have exclusive use of any indoor or outdoor recreational facilities they will be closely and exclusively supervised by the highly qualified and well-trained program staff.

3. Minimum Age

All program participants will be at least 3 years of age and toilet trained.

4. Parental Consent/Authorizations

Parental consent forms will require the parent/guardian to provide the following:

- a. necessary contact information;

- b. disclosure of any disabilities, allergies and vaccination histories;
- c. contact information and relationship of those persons who are allowed to pick up the children from the program premises.

5. Food & Drink

There will be ready access to tap or bottled water. Food and snacks, if provided, are managed in accordance with parent/guardian provided dietary restrictions.

6. Industry Certifications and Training

The Recreation and Park profession maintains a system of national certifications to ensure commitments to the highest standards of ethical and professional practice in the delivery of park and recreation programs. PRPS endorses the educational standards for certifications and encourages all Pennsylvania recreation and park professionals and agencies to seek, obtain and adhere to their standards. See the *Appendix* for a brief description of these certifications.

7. Staffing and Personnel

While individual titles vary, the following list describes the operational roles in a public preschool recreation program or camp. A staff to child ratio of 1:8 shall be maintained at all times.

a. Organizational Director

The Organizational Director is a professional who creates or organizes a program/camp. This person is responsible for program/camp registration, employment and other duties related to the preparation of the program/camp prior to it beginning. This person is not necessarily delivering the program/camp or on-site at the program/camp on a daily basis.

- 1) Must be 21 years or older and have completed training in preschool recreation program development and management; first aid; and in child, fire, and environmental safety;
- 2) Comply fully with all applicable Pennsylvania Child Protective Services Law (CPSL) training and certification requirements.

b. Program Instructors/ Camp Supervisors

The Program Instructor/Camp Supervisor is an individual who directly administers and oversees a program/camp. This person is on-site during the delivery of the program/camp and is responsible for the daily well-being of the participants, running the program/camp and is in charge of other on-site employees (where applicable).

- 1) Must be 18 years or older and have completed training in preschool recreation program delivery; first aid; and in child, fire, and environmental safety;
- 2) Comply fully with all applicable Pennsylvania Child Protective Services Law (CPSL) training and certification requirements;

c. **Assistant Program Instructors/ Assistant Camp Supervisors**

The Assistant Program Instructor/Assistant Camp Supervisor is an individual who assists the Program Instructor/Camp Supervisor in delivery of a program/camp. This position exists only if needed.

- 1) Must be 18 years or older and have completed training in preschool recreation program delivery; first aid; and in child, fire, and environmental safety;
- 2) Comply fully with all applicable Pennsylvania Child Protective Services Law (CPSL) training and certification requirements.

d. **Program/Camp Counselors**

The Program/Camp Counselor is an individual who assists the supervisory staff and is under their direct supervision at all times, but whose primary responsibility is to participate in activities with the preschool participants. This position would exist only if needed.

- 1) Must be 16 years or older and have completed training in preschool recreation program delivery; first aid; and in child, fire, and environmental safety;
- 2) Comply fully with all applicable Pennsylvania Child Protective Services Law (CPSL) training and certification requirements.

e. **Lifeguards**

Certified Lifeguards shall be employed for all programs involving aquatic instruction and activities, and shall enforce industry standards for water safety.

f. **Training Documentation**

All training documentation shall be maintained by the Organizational Director.

8. Personnel Supervision

- a. The Organizational Director shall supervise the Program Instructor/Camp Supervisor(s), who shall be on-site at all times; and
- b. The Program Instructor/Camp Supervisor(s) shall directly supervise the Assistant Program Instructor(s) /Assistant Camp Supervisor(s) and Program/Camp Counselor(s) in the presence of all preschool participants.

9. Safety and Security Provisions

a. **Supervision**

- 1) Program Instructor(s)/Camp Supervisor(s) shall oversee the children's activities and be in their presence at all times.

b. **Program Procedures**

- 1) Listing of authorized persons to drop off/pick up children;
- 2) Emergency drills (evacuation and lost/missing children);

- 3) Security procedures to prevent “escape” and/or abduction;
- 4) Incident reporting and investigation procedures;
- 5) Use of safety restraints when transporting children on field trips; and
- 6) Aquatics, when applicable: mandatory life vests for non-swimmers with a Program/Camp employee in the pool at all times.

c. Facilities

- 1) All playgrounds and related apparatus used by program participants will be inspected and certified by a Certified Playground Safety Inspector (CPSI);
- 2) All facilities shall be in compliance with local codes;
- 3) Ready access to fire and emergency personnel.

10. Provisions for Health and Well-Being of Participants

- a. Implementation of all standard Human Resources hiring and employment prerequisites and requirements;
- b. Accommodation of special needs and provisions for children who become ill;
- c. Identification of unvaccinated children and appropriate advice to parents;
- d. Verification that participants are healthy enough for physical activities;
- e. Identification of allergies;
- f. Administration of medications and Epi-Pens (with parental consent);
- g. Provision of adequate shelter from inclement weather with ready access to lavatory facilities;
- h. Supervision of children by at least 2 staff members when going to the lavatory; and
- i. Application of sunscreen when needed.

11. Compliance Documentation

All the compliance documentation will be maintained by the Organizational Director subject to inspection by DHS; and

12. Compliance with Other State and Federal Laws

All public preschool recreation programming will fully comply with all other applicable federal and state laws.

Appendix: Recreation and Park Industry Certifications

Certified Park and Recreation Professional (CPRP)

The CPRP certification is the national standard for all parks and recreation professionals at the forefront of their profession. Attaining the CPRP designation shows that they have met education and experience qualifications, and illustrates commitment to the profession as well as knowledge and understanding of key concepts within parks and recreation.

Certified Park and Recreation Executive (CPRE)

The CPRE certification is the national standard for managerial, administrative and executive parks and recreation professionals. This mastery-level credential focuses on the practical knowledge and current real-world skills necessary in today's changing park and recreation environment.

Certified Playground Safety Inspector (CPSI)

The CPSI is the industry leading certification program in playground safety. The certification program provides the most comprehensive and up-to-date training on playground safety issues including hazard identification, equipment specifications, surfacing requirements and risk management methods.

Aquatic Facility Operator (AFO)

The AFO is the premier certification program in swimming pool operations. It provides the most comprehensive and up-to date training for pool operators and includes information on water chemistry, disinfection, mechanical systems, operations, healthy pools and safety. Other certifications in aquatics include an Aquatics Management Professional Certificate (AMP), Aquatic Facility Technician (AFT).

Certified Pool Operator (CPO)

A Certified Pool/Spa Operators certification from the National Swimming Pool Foundation provides individuals with the basic knowledge, techniques, and skills of pool and spa operations. An Advanced Service Technician (AST) Certification provides service professionals with the knowledge and skills to fully service residential pools and spas.

Certified Therapeutic Recreation Specialists (CTRS)

The CTRS certification by the National Council for Therapeutic Recreation Certification signifies that a recreational therapist has the essential knowledge, skills, and abilities for the practice of recreational therapy.

Agency Accreditation

The Commission for Accreditation of Park and Recreation Agencies (CAPRA) provides quality assurance and quality improvement of accredited park and recreation agencies throughout the United States. CAPRA is the only national accreditation of park and recreation agencies, and is a valuable measure of an agency's overall quality of operation, management, and service to the community.

Academic Accreditation

The Council on Accreditation of Parks, Recreation, Tourism and Related Professions (COAPRT) accredits baccalaureate programs in parks, recreation, tourism, sport management, event management, therapeutic recreation, and leisure studies, within the United States and its territories, Canada, and Mexico. COAPRT is the only accreditation of recreation, park resources and leisure services curricula recognized by the Council for Higher Education Accreditation.

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October 14, 2019

Pennsylvania House of Representatives
Attention: Children & Youth Committee
Harrisburg, PA 17120

Subject: Impact of Pre-School Legislation

Dear Children & Youth Committee,

My name is Tammy Cohen and I am the Director of Recreation & Community Programming for Radnor Township, Delaware County – while I have served in various roles over the years, I have been working for the Radnor Township community to provide recreational programming for 20 years. Our largest youth program is Radnor Day Camp, which hails itself as being the longest, consecutively running day camp in the country, starting in 1941 by the Radnor Township School District athletic staff because gasoline was rationed for the war and residents could not head off to the shore for the weekend. Little did we know these roots would extend so far into the future for what has now evolved into a summer camp for children in the community filled with enriching activities, opportunities to boost development, and memories to last a lifetime.

Today, we not only take great pride in continuing to offer this summer camp tradition, but we also take great responsibility in how we do it. Recreational leaders have an enormous amount of accountability to provide programming that meets the social, emotional, and physical needs of children and to combat the growing child epidemics that exist today with mental health concerns, obesity, and excessive screen time. This requires preparing an intense curriculum to address these issues along with hiring qualified staff members who are not only skilled in these areas but incur rigorous screening methods that go far beyond Pennsylvania's Child Protective Service Laws. This involves utilizing the service resources that are nearest to us, many of which are operating next to us that include Police and Public Safety and Fire and Emergency Management along with the Township's contracted risk management and legal advisors. Our responsibility further extends to professional human resources and labor management practices along with hiring methods that include annual background checks, structured training and emergency communications, and abuse and molestation awareness training. We further must work closely to ensure we reach and serve the diverse populations in our communities; accommodate individuals that require inclusive support and expertise; reduce adverse impacts to the environment; and ensure quality control of programming through constant needs assessments and evaluations. At the end of the day, our core focus is on the residents who comprise our tax-paying community and ensuring that their quality of life services is not only met but exceed their expectations at any cost; the focus is not on making money.

Our Department has served thousands of children in the community, inclusive of preschoolers, for almost 80 years through Radnor Day Camp and other programs. These programs take place at various schools in our community and range from one-day programs or series of programs to the summer camp that takes place for six weeks during the summer. Not only does our ability to offer these programs greatly impact this age group, it also hinders us from providing programming to school-aged children since many parents select programs based on their ability to serve multiple ages of children in one location. If one program does not serve the needs for both their preschooler and school-aged child, they are less likely to choose the program altogether. This has an adverse impact on the efficacy of numerous community recreation services that offer opportunities for physical activity, self-expression, cultural arts, and education.

Our Department made a gallant effort to meet the licensing regulations promulgated by the Pennsylvania Department of Welfare that require day care facilities to obey strict guidelines as well as obtain a Department approved Certificate of Compliance in order to operate. These regulations, which were adopted in 1992 and amended in 2008, apply to any facility providing out-of-home care to seven or more pre-school age children (Preschool age is defined as a child from 3 years old to the date the child enters kindergarten). Consequently, we worked with the Township's legal consultants to develop a roadmap towards achieving compliance along with taking the actual steps to get there. In our effort to achieve licensing, we encountered the following obstacles, some not seeming applicable to our public recreational services and structure, but rather to that of business delivery:

One of the biggest challenges facing Radnor Township in the application process for licensing is the lack of a permanent designated facility. The Township cannot obtain a Certificate of Compliance to run the camp unless it specifies the location of the camp and ensures the location meets all the requirements described in 55 Pa. Code §20.57. Because Radnor Day Camp runs out of a non-Township-owned facility (albeit a Radnor Township School District Facility) that is subject to change each year, the Township will have difficulty ensuring and demonstrating the above requirements are always met.

Once a Certificate has been issued, the Department remains authorized to conduct both announced and unannounced inspections (*Id.* at §20.33). At least one on-site inspection, which will be announced, must be conducted every twelve (12) months (*Id.* at §20.31). During these inspections, the facility must allow the Department full access to its records and allow it to interview staff and clients (55 Pa. Code §20.34). This seems applicable to a business operation that is operating year-round, rather than a seasonal government-run recreational program in various facilities. Also, our staff are hired on a seasonal basis and change each year, therefore making it difficult to have them available for unscheduled interviews and visits.

A representative of the legal entity must participate in an orientation training provided by the Department within twelve (12) months prior to commencing operation of the facility (¹ *Id.* at §3270.11). This training does not count towards the annual minimum of six (6) hours of child care training as required in 55 Pa. Code §3270.31(e) for all staff. Again, staff are hired on an annual, seasonal basis where commitments from them are often not made until the months (or weeks) leading up to a program start; having them available within 12 months prior to the facility operation is impractical in the field of public recreation. Hence, this is another example of where the licensing requirements appears to apply to a year-round operation and not a government-run recreational program.

Based on the foregoing, it was Radnor Township's decision to cease the application process and accordingly not permit preschool ages to take part in Radnor Day Camp moving forward. This has proven detrimental to the opportunities that have traditionally been available to the members of our community, leaving them to seek private services and/or opt out of participation in recreational camp programming all together. It has robbed our children of local, affordable programs that provide the social interaction, physical activity, school-readiness, and overall enrichment that is so vital to their success today.

On behalf of Radnor Township and the Radnor Township Recreation & Community Programming Department, we respectfully request that the Children & Youth Committee closely consider the Pennsylvania Recreation & Parks Society's petition for exemption from the licensing guidelines that are outlined by the Pennsylvania Department of Welfare, or for some practical alternative. There is an array of beneficial services provided by so many municipal recreation entities and the loss of these services has caused a negative impact to preschool children across the Commonwealth.

Sincerely,



Tammy S. Cohen
Director of Recreation & Community Programming

Intro

Good Morning. My name is Chalet Harris and I am the Parks & Recreation Director of Dover Township, York County. Dover Township is located Northwest of York and Southwest of Harrisburg. We are a Class II Township with 21,000 residents. The southern portion of our Township is suburban, and our northern portion is rural. Most people who live in Dover Township work in York, Lancaster, Harrisburg, or Baltimore. Children from Dover Township attend the Dover Area School District. More than one half of the student population at Dover Area School District qualify for free or reduced lunch.

Demographics

We have a definite divide between the “haves” and “have nots” in our community. As mentioned previously, more than half of children in the school district qualify for free or reduced lunch. We have families where grandparents, great-grandparents, or other family members are serving as the guardians for the children. Many of our families do not place their children in childcare because they cannot afford it or don’t need it. There are many families with either a stay-at-home-parent, a work-from-home-parent, a retired grandparent, or parents who work split shifts (one parent works day and another night) so they don’t have to use childcare. Many of these families do not put their little children into day care or traditional preschool programs because of the cost. For some families, our Preschool Playground program is the only organized program their child will have before school starts. If we were to cancel our program, we would be eliminating a socio-economical class from receiving any type of organized preschool program prior to kindergarten.

Programming

For more than 40 years, Dover Township has offered a Preschool Playground program for children ages 3-5. This program meets Monday through Thursday from 9:30 am – 11:30 am for six weeks in the summer. The program costs \$45 for the entire six weeks. We always lose one day of the program because of our Old-Fashioned Carnival event. This means that the children are with us for a maximum of 46 hours throughout the duration of the program. There are some children who are in daycare for that many hours *a week*. The Preschool Playground is the only program that we are running for preschool aged children. We do not want to offer more programming until more clarity can be provided regarding this bill.

We do not classify ourselves as a “childcare facility”. We are not interested in pursuing childcare in our Township. We provide **programming** for our community to fill voids that are not offered from other businesses/organizations in our community. Parents are not dropping children off at our program to go to work. They are going to the grocery store, cleaning their house or taking a nap.

Our program meets or exceeds many requirements set forth by the State. Our staff have their appropriate clearances. The staff are all CPR/First aid certified. We have Mandated Reporters on staff. We exceed ratio requirements of 1 staff member to 10 children. We have three staff to a maximum of 20 children.

Our Township does not have a facility that would pass the inspection necessary to gain state licensure. The Preschool Playground program is currently offered in a 1750s era log house. In order to meet the necessary requirements for licensure, we would need to do a massive renovation or build an entire new building. These are not feasible for our department. In the past, our programs were offered in the school district’s buildings. Previous school administrators decided not to allow any Township recreation programming in the school spaces. With new (current) administration in place, the use of the schools may become a possibility in the future. For now, we must use our own spaces. Our buildings are pavilions, park buildings, etc. that would not meet the qualifications.

Clarification

I am here to ask for clarification of the law to show that municipal **programming** should not be expected to meet the same requirements as **childcare facilities**. I feel that municipal programs should have requirements that must be met – i.e. clearances for staff, appropriate ratios, CPR/first aid training, proper sign-in/sign-out procedures, etc.

I thank you for your time and attention to this matter. Recreation departments are here to provide positive experiences for our residents. I hope you will see that many opportunities will be lost if clarification is not addressed on this issue.

Township of Cumru, Berks County, Pennsylvania

Building a better community for YOU!

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FUTURE CENTRAL FIRE STATION



Summer Playground Programs

At this time Summer Playground will not be occurring for the year 2021. Please check back next year for potential programs.

Parent Update:

Amendments to the PA Child Protective Services Law (CPSL) now require all playground programs running "tot lots" with preschool age children to be fully licensed as a day care provider. Unfortunately, it is not feasible for Cumru Township to meet these requirements for our six week summer program, and as such we will now be restricting our program to children 6 years of age through 6th grade. We apologize for any inconvenience this may cause, but it is the best way for us to continue to run a safe, high quality, low cost playground program.





CITY OF PHILADELPHIA
Parks & Recreation
Kathryn Ott Lovell
Commissioner

One Parkway
1515 Arch Street, 10th Floor
Philadelphia, PA 19102-1587
Phone: 215.683.3600

October 21, 2019

Pennsylvania House Children & Youth Committee
Representative Karen Boback, Majority Chair
Representative Joseph Petrarca, Minority Chair
Harrisburg, Pa. 17120

RE: HB 1831 Testimony

Dear Committee Chairs& Members:

On behalf of the City of Philadelphia, acting through the Parks & Recreation Department ("PPR"), we respectfully submit the following written testimony concerning House Bill 1831.

In its simplest terms, HB 1831 as currently drafted, exempts municipal recreation programs from the State Human Services Code definition of "child (day) care center". PPR firmly believes that the exemption is warranted and appropriate in the context of municipal recreation programming. All concerned parties clearly want the shared end-goal of child safety while away from home and in our care. To that end, you have our full and unequivocal departmental commitment now and in the future. Where we diverge is with the Pa. Department of Human Services' ("DHS") interpretation and enforcement of child day care facility regulations at local recreation facilities and over local recreation programs.

It has been stated in other settings that, "Quality, relevant content can't be spotted by an algorithm." So, here as well. The "algorithm" of DHS child day care regulations does not allow nor encourage the quality and relevant programmatic content inherent in well-established municipal recreation programs. Attempting

to shoe-horn municipal recreation programs into DHS child day care regulations is unwieldy at best and very often truly unworkable from a cost, staffing and program perspective. In Philadelphia alone, we estimate over \$2.8 million annually to bring the aggregate staffing structure to conform to the DHS regs and approximately \$50 million to make necessary physical improvements to facilities.

Consequently, while PPR supports the exemption aim of HB 1831, we also understand that public skepticism and valid questions may follow as to what replaces the DHS child care regulations to ensure our children's safety and well-being at our recreation facilities.

Therefore, we propose that HB 1831 be amended to include the following specific language:

"The term (i.e. child day care center) does not include municipal recreation programs that are operated in accordance with the Pennsylvania Recreation and Park Society, Inc. ("PRPS") Protocol for Public Municipal Recreation programs as adopted by municipal ordinance or resolution. Municipal means any 'local government' under 53 Pa. C.S.A. Sect.2302 (relating to definitions)."

In this way, PPR and hundreds of other local/county/township parks & recreation departments throughout the Commonwealth will commit to adopt and adhere to a relevant, rigorous and realistic set of twelve (12) core standards covering public recreation programming content and certifications as previously vetted by PRPS. PRPS, its constituent members, and DHS will all share and commit to child safety goals but in a manner and through methods which make logical programmatic and staffing sense.

Furthermore, adoption of this proposed amendment will allow local communities to properly fashion program and facility standards which address their unique needs. The regulatory rubric will then be local standards tailored to local communities with local accountability through the PRPS Protocol.

The choice becomes clear—well-intentioned but largely unworkable DHS child day care regulations forcing the closure of many local facilities under threat of

State legal action and fines, or the adoption of on-point PRPS standards locally reviewed and passed.

The former choice is indirectly promoting social inequity by denying vital recreational access to the most vulnerable children in our communities; while the latter choice will speak to our shared goal of safety and relevant regulations.

We respectfully ask this Committee to weigh the choices and pass HB 1831 as proposed to be amended.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Ott Lovell', with a stylized, cursive script.

Kathryn Ott Lovell
Commissioner