



September 19, 2022

The Honorable Judy Ward
Majority Chair
Senate Aging & Youth Committee

The Honorable Maria Collett
Democratic Chair
Senate Aging & Youth Committee

Dear Chairwoman Ward and Chairwoman Collett:

The Pennsylvania Recreation and Park Society (PRPS) enthusiastically supports House Bill 1155 sponsored by Representatives Barry Jozwiak and Mary Jo Daley, and urges an affirmative vote when the legislation is considered by the Senate Aging & Youth Committee. This legislation ensures that municipalities across the Commonwealth can continue to offer preschool recreation programs that are extremely valuable to children and their families.

We appreciated the opportunity to testify before your committee on September 12 and commend you for the thoughtful agenda and discussion. It was good for senators to be able to hear from House Children & Youth Committee Democratic Chair Pam DeLissio, who was able to explain how the committee worked through the issues raised by House Bill 1155 in a bipartisan manner that yielded a unanimous vote in committee, and then in the full House of Representatives.

PRPS is the principal statewide association providing industry leadership, professional development, advocacy, and resources for those working and volunteering in the parks and recreation field.

Background and need for House Bill 1155

Pennsylvania daycare regulations provide standards to aid in protecting the health, safety, and rights of children in private day care facilities. Unfortunately, these regulations have been extended *by interpretation* by the Department of Human Services (DHS) to municipal preschool recreation programs even though they are not private daycare centers.

As a result of DHS interpretation and action, municipal preschool recreation programs across the Commonwealth, including some that have been in existence more than 50 years, have been forced to close their doors to children and their families because it is physically impossible (especially in cases of pools and outdoor classrooms) or financially or otherwise infeasible for these municipal programs to be licensed by DHS. Other programs are operating under threat of fines, while some, such as the Philadelphia Department of Parks and Recreation, have received “cease and desist” orders from DHS.

For example, Radnor Township, Delaware County, has offered youth recreation programs for 80 years and has served thousands of children in its preschool programs. The township strove mightily to comply with onerous DHS requirements that were ill-suited for a seasonal, mainly outdoor recreation program. Radnor Township went over-and-beyond normal child protective requirements, yet in the end it was not practical to come into compliance and the preschool program was terminated.

Protecting children, providing services, enriching lives

Unlike a private daycare facility, which is subject to an annual or bi-annual inspection, a municipal recreation program features additional and robust layers of protection for children. Municipal recreation and park agencies, run by professional staff, are closely aligned with essential local government services, such as police and emergency services. They are governed by laws, codes and policies developed by elected officials and overseen by municipal solicitors.

As amended in the House Children & Youth Committee, House Bill 1155 requires municipalities to adopt by ordinance or resolution a rigorous and detailed set of best health and safety practices to govern 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:

- Program duration
- Exclusive supervision
- Minimum age and toilet training
- Parental consent/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

The municipal preschool recreation programs, at risk if House Bill 1155 does not pass, provide wonderful opportunities for healthy recreation in the outdoors, pools, and recreation centers, which are not part of the typical daycare experience. These experiences help instill habits, interests, and skills that can last a lifetime. There is extensive research showing the benefits of connecting children with nature and introducing play programs at an early age.

Please do not hesitate to contact us if you have any questions, or need further information, regarding House Bill 1155 and municipal preschool recreation programs in Pennsylvania.

Sincerely,



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