

**ORIGINAL: 2549**

Joint Submission to

Robert Frein, Director  
Bureau of Subsidized Child Care Services  
Office of Child Development  
Room 521, Health & Welfare Building  
P.O. Box 521  
Harrisburg, PA 17105

Regarding  
Proposed Rulemaking Regulation No. 14-505

Presented by

Rev. Theodore E. Clater  
Keystone Christian Education Association  
(KCEA)  
6101 Bell Road  
Harrisburg, PA 17111

Mr. Michael Geer  
Pennsylvania Family Institute  
(PFI)  
23 N. Front Street  
Harrisburg, PA 17101

Mr. Andrew LeFavre  
REACH Alliance  
(REACH)  
P.O. Box 1283  
Harrisburg, PA 17108

On  
July 31, 2006

INDEPENDENT REGULATORY  
REVIEW COMMISSION

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Dear Mr. Frein:

The topics of overall parental choice (including the choice of choosing a religious facility) and freedom of religion for both citizens and religious institutions are overriding concerns of this submission. We, and other likeminded groups, have addressed our concerns to the Department of Public Welfare through the years. Similarly, we and others have additionally articulated our concerns to legislators. We are impelled to restate our position.

The Department has an opinion on licensing that is grounded on their attempt to blur the distinction between Article IX and Article X Child Care facilities. The Department has sought to impose its opinion that licensing applies equally to institutions covered by both Articles. Many church and Christian education groups, including KCEA, and many family and education groups, including PFI, and parental choice groups, including REACH, have consistently raised objection to the Department's imposition. (Clearly, we have not objected to government involvement in health and safety issues.)

The purpose of this submission is not to rehearse all of the Article IX / Article X arguments. Rather, we as a coalition of church groups, Christian education groups, family groups, and education groups wish to convey that we have reviewed the detailed submission by the Pennsylvania Catholic Conference and concur with its content.

National studies indicate that when a family needs child care assistance, the most popular choice after a family member is the church or religious association. We would hope that all would agree that if one takes away the legitimate, most sought-after, trusted choice of a parent, one has not offered a broad range of options. Rather, one might as well take away all choices.

This current Department proposal clearly states, "The proposed rulemaking supports families and children by promoting ... parent choice by providing parents with a broad range of child care options and empowering them to make their own decisions on the child care that best meets the needs of the child and the family." However, it should be clearly understood that the "broad range of child care options" envisioned by the Department *excludes* enrollment at legal, safe, religious child care institutions if those institutions function, due to religious objection, without the Department's license. Thus, as relates to the current Department proposal, the Department is proposing to deny parents eligible for a child care subsidy the option of choosing what may be the family's first choice, a quality religious provider like the myriad of religious institutions that recognize the objectionable implications of licensing.

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Thank you for your consideration. If you have any questions, feel free to contact us.

Sincerely,



cc: Mr. Alvin C. Bush, Chairman  
Independent Regulatory Review Commission;  
Hon. George T. Kenney, Jr., Chair, House Committee  
on Health and Human Services (Majority Chair);  
Hon. Frank L. Oliver, House Committee on Health and  
Human Services (Minority Chair);  
Hon. Jake Corman, Chair, Senate Committee on Public  
Health and Welfare (Majority Chair);  
Hon. Vincent J. Hughes, Senate Committee on Public  
Health and Welfare (Minority Chair);  
Hon. Jerry Birmelin, Chair, House Committee on  
Children and Youth (Majority Chair);  
Hon. Michael C. Gruitza, House Committee on  
Children and Youth (Minority Chair);  
Hon. Jane C. Orié, Chair, Senate Committee on Aging  
and Youth (Majority Chair);  
Hon. LeAnna Washington, Senate Committee on Aging  
and Youth (Minority Chair);  
Hon. Thomas W. Corbett, Jr.,  
Attorney General of Pennsylvania