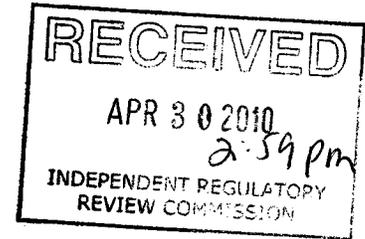


April 30, 2010

2817



Mr. James Smith  
Independent Regulatory Review Commission  
333 Market Street, 14th Floor  
Harrisburg, PA 17101  
Re: Pre-K Counts Final-Omitted Regulations  
IRRC Number 2817/#6-319

Dear Commission members:

The Pennsylvania Child Care Association (PACCA) reviewed the final regulations regarding Pennsylvania Pre K Counts, and wrote a letter of support to the IRRC in February 2010. The Association writes to comment today to address concerns raised by the Disability Rights Network of Pennsylvania received and date stamped by IRRC on April 9, 2010.

The Pennsylvania Child Care Association (PACCA) is a statewide, 501c3 non profit organization with a membership base that includes regulated child care providers in center, group and family home based settings. The association's mission is to speak on behalf of those programs and their staff who care and educate young children. We advocate for policies that help parents continue to work while their children are being cared for and educated in developmentally appropriate, safe and healthy environments.

Many of our members operate STAR 3 and 4 programs which provide Pre K Counts services in rural and urban settings. PACCA staff, board members, and volunteer committee leadership have participated on OCDEL task forces and committees that have examined the research and developed the standards that are the foundation of these regulations. Our industry and policy leaders recognize the value of quality care and early education for those children who are at risk of falling behind and staying behind. Children with disabilities are in the "at risk" definition and certainly are potentially at risk of falling behind and staying behind. Disability is not the only at risk factor. PACCA feels that the time is now for Pennsylvania to continue the journey to improve outcomes for ALL children. Pre K Counts helps move that forward.

PACCA recognizes that it can be challenging to put values and judgment into regulation. Children with special needs currently have various existing interventions and programs that are entitlements, and these programs are available to them from birth or at the time of diagnosis. In general, we understand that Pre K Counts focuses on children that have one or more at risk factors. These children would benefit from the program. We agree with DRN that those with disabilities should "not be denied an equal opportunity to enroll." However, at this point in time, we interpret this to mean equal preference/opportunity but not special preference/opportunity for children with disabilities. PACCA supports inclusion in natural environments. Various programs, including Head Start, stipulate a percentage of children with disabilities/special needs to be included in the service. Finding the ideal "tipping" point or percentage to be included may seem like a philosophical discussion. Many feel the ideal number should reflect community demographics. In any case, the goal is to be inclusive and balance inclusion with best practice along with adult to child ratios. A classroom of 20 children with a significant percentage of children with disabilities must have additional highly qualified staff support or the program and children suffer.



**Pennsylvania Child  
Care Association**

"Serving Pennsylvania's  
Child Care Professionals"

PACCA knows that ratios are a significant cost driver. In these economic times, this is not an insignificant consideration.

Returning to the point of natural proportions, we see that they can vary so much from community to community. Working in the wide range of communities, our board members have seen incidence rates for children with disabilities and special needs from under 10% to 25%. The greater the risk factors in the community – ie poverty, environmental, etc. – the higher the incidence. Coming up with one percentage for the whole state might miss some communities. PACCA asks could the 20% possibly be a guideline for planned enrollment but not a target to hit or a disqualifier for potential enrollment provided appropriate staffing is in the equation.

Another consideration is to implement a point system (similar to Head Start) for determining enrollment at the start of the Pre K counts program year, and a child with a disability would get additional points. More information can be provided to the commission if needed.

To the degree that Pre K providers (and other preschool providers) may at times have shown reluctance to enroll children with disabilities, it is as a result of not having adequate staff with the qualifications and expertise to properly care for children with disabilities. When adequate staffing, technical assistance, and financial resources are available, Pre K providers are more than willing to serve children with disabilities.

Pre K Counts regulations are important for the Commonwealth because they ensure that taxpayer investments in pre-kindergarten programs will return the best possible education. The regulations set forth the standards, implementation, expectations, and management of Pre K Counts that are consistent for all types of Pre K providers.

On behalf of our members, PACCA views the changes to regulation wording as moving toward clarification, and we look forward to the public hearing for an opportunity to offer provider perspective and comment.

The association will make its leadership available to the Commission should you have questions. Thank you for your commitment to young children and their families.

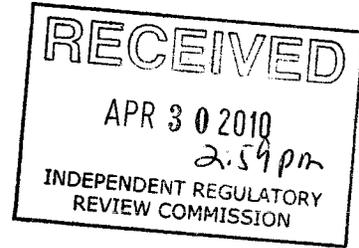
Sincerely,

A handwritten signature in black ink that reads "Terry Casey". The signature is written in a cursive, flowing style.

Terry Casey  
President

2817

**From:** Smith, James M.  
**Sent:** Friday, April 30, 2010 2:39 PM  
**To:** IRRRC  
**Subject:** FW: PACCA Pre K counts comments  
**Attachments:** Pre K Regulation Support Letter 2010 April.doc



#2817

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**From:** Terry Casey [mailto:Terry@pacca.org]  
**Sent:** Friday, April 30, 2010 2:21 PM  
**To:** Smith, James M.  
**Subject:** PACCA Pre K counts comments

Attached is letter to you from our association in regards to the Pre K Counts regulations. Please let me know if there is a date set for hearing. Thank you and have a good weekend.

Terry  
Terry Casey  
President  
Pennsylvania Child Care Association  
2300 Vartan Way, Suite 270  
Harrisburg, PA 17110  
(717) 657-9000 ext. 114