



5604 Solway Street, Pittsburgh, PA 15201



May 15, 2023

To: IRCC Commissioners

Dear Commissioners,

Thank you for the opportunity to provide public comment to the final-form regulation for Regulation #14-545 Subsidized Child Care Eligibility.

Trying Together supports high-quality care and education for young children by providing advocacy, community resources, and professional growth opportunities for the needs and rights of children, their families, and the individuals who interact with them. Trying Together is pleased to partner with PennAEYC to support the Pittsburgh Chapter of PennAEYC.

As a principal partner of Start Strong PA, we are also writing to express our opposition to the removal of §3042.14(d) from the regulation, which permits child care providers to charge parents/caretakers receiving subsidized child care the difference between the provider's private pay rate and their state subsidy reimbursement. Eliminating the ability to charge the difference will negatively impact Pennsylvania families, as well as child care programs.

The child care sector is under-resourced and programs operate on razor thin budgets, especially those serving a high number of families utilizing subsidies. The estimated \$16.5 million loss to child care programs if this change would occur would also impact families. Child care providers may have to make the difficult decision to no longer serve children/families using subsidies in order to keep their doors open, further decreasing the availability of child care to working families who need it the most.

While much of the remaining regulation seeks to comply with federal child care subsidy rules, it is important to note that the federal Child Care and Development Block Grant regulations do not prevent child care providers from charging the difference in payments. We applaud the Office of Child Development and Early Learning's (OCDEL) and the Department of Human Services' leadership for the efforts to align eligibility requirements with the federal Child Care and Development Block Grant Act of 2014 and sections of the Human Services Code. Many of the other proposed changes are very beneficial to the families who utilize subsidies and that are served by the Early Learning Resource Centers. We have provided additional specific comments on the regulations in the chart attached to this letter.

Thank you for your consideration,

A handwritten signature in black ink that reads 'Cara Ciminillo'.

Cara Ciminillo  
Executive Director, Trying Together



<b>Topic and Proposed Regulation</b>	<b>Trying Together Comment</b>
<b>Subsidy benefits</b>  3042.13	Trying Together supports the efforts taken to remove barriers for parents and caretakers that work non-traditional hours, such as requiring a parents’ shift to end between certain hours. This change will allow more families to become eligible and to receive care when they need it.
<b>Subsidy limitations</b>  3042.15(b)	Trying Together strongly supports parent choice. Allowing a kindergarten-age child one additional year of kindergarten at the parent or caretaker’s request, allows parents or caretakers eligible for child care subsidy to make the same decision a private pay parent or caretaker may make. Allowing for parent choice here provides equity between parents and caretakers who receive a child care subsidy and parents and caretakers who are private pay.
<b>Subsidy limitations</b>  3042.15(d)	<p>Trying Together appreciates the clarification in response to feedback during proposed rulemaking: “Department clarified this section to provide that a child is ineligible for failure to enroll within 30 days unless the eligibility agency determines that enrollment has been delayed because of circumstances outside of a parent’s or caretaker’s control.”</p> <p>The child care sector is currently facing severe staffing shortages as a result of the low pay, which is leading to classroom closures. Our campaign conducted a survey of programs in February 2023 to assess the impacts. Of the over 1,100 programs which responded, they indicated over 30,000 children were on their waiting lists for child care and that almost 1,600 classrooms were closed as a result of almost 4,000 open positions. There are 6,491 child care programs in Pennsylvania so our survey is only estimating the minimal impacts of the current staffing crisis. Closed classrooms and waiting lists at the program level may impact a family's ability to enroll in a program and they should not lose eligibility.</p>

<p><b>Absence</b></p> <p>3042.18(a), 3042.18(d)</p>	<p>Trying Together supports the intent of this change to meet the CCDBG requirement to delink payment for child care from a child’s occasional absences.</p> <p>These changes remove barriers for parents and caretakers, to allow the eligibility agency to suspend enrollment if the child is absent for more than five consecutive days and increase the number of total paid absences to 40, allowing parents and caretakers to maintain eligibility and increase stability for the child and family.</p>
<p><b>Face-to-face meeting</b></p> <p>3042.56(e)</p>	<p>Trying Together supports removing barriers for parents and caretakers who have hardship in participating in a face-to-face meeting with the eligibility agency. We applaud the department for taking it a step further in removing “face-to-face” meeting and replacing with “personal interview” to clarify that a meeting can take place in person, by telephone, or by other means approved by the Department.</p>
<p><b>Waiting list</b></p> <p>3042.57(c)</p>	<p>Trying Together appreciates clarification that children must enroll with an eligible child care provider within 30 calendar days of funding becoming available, unless the eligibility agency determines that enrollment has been delayed because of circumstances outside of a parent’s or caretaker’s control. The staffing crisis is referenced above as a potential circumstance that may delay enrollment.</p>
<p><b>Homelessness</b></p> <p>3042.142</p>	<p>Trying Together supports permitting waivers to parents or caretakers who are experiencing homelessness.</p>

