



Pennsylvania Association for the
Education of Young Children



Champions for Early Education

Position Statement on House Bill 309, Printer's Number 3133

Issued March 13, 2020

Position

The Pennsylvania Association for the Education of Young Children (PennAEYC), Trying Together and First Up: Champions for Early Education support House Bill 309, PN 3133. The legislation recognizes the importance of quality care and education as parents choose a provider for their children and we commend the bill sponsors, Rep. Mehaffie and Rep. Solomon, for their support of continuous quality improvement through the Keystone STARS system. We also appreciate the bill sponsors for their willingness to work with us to amend the bill in the previous session to ensure it applied to all certified child care programs, reflected current terminology and addressed other technical issues. While we support the legislation, we recommend consideration be given to improving the penalty section of the legislation.

Bill Summary

HB 309 requires child care providers to post their Keystone STAR rating (1-4) on their websites. The Department of Human Services (DHS) must issue placards that include the name of the provider, the name of and contact information for DHS, the date the placard was issued and the STAR rating of the provider. The provider must post the placard in any public-facing window on or adjacent to their entrance or at the entrance if there is no window. In addition, the provider must inform families of their STAR level in writing at the time of application and enrollment. DHS must ensure the placard is posted and accurate on an annual basis. Providers that fail to display their placard or alter their placard to misrepresent their STAR level will be cited the first time with a written warning from DHS. A written warning triggers a return visit from DHS in six months. If noncompliance persists it will result in a reduction of one STAR from the provider's rating. After a second violation DHS will visit six months later and continued non-compliance would result in a STAR 1 designation for one year or until the provider is compliant. The act takes effect in 180 days.

Background

All certified (licensed) child care providers in Pennsylvania are required to post the certificate of compliance issued by DHS in a public place in the facility, according to regulation. They also must post written notice of any DHS action to revoke, refuse to renew or downgrade a provider's certificate of compliance.

Keystone STARS is Pennsylvania's quality rating and improvement system for early care and education providers. All certified child care providers are now included in Keystone STARS and the system has four STAR level ratings, STAR 1-4. Providers maintaining a certificate of compliance with no additional activities are designated as STAR 1 programs and STAR 3 and 4 providers represent programs that have achieved high-quality designations. Similar to the certification process, DHS, through the Office of Child Development and Early Learning (OCDEL), issues a STARS designation certificate, which is intended to be prominently posted as well. This is part of DHS policy. In addition to the posting of this information on-site, DHS also maintains the www.findchildcarepa.gov which displays child care provider inspection history and STAR rating, along with other helpful information to aid families in the decision of choosing a program for their child.

OCDEL partners with regional Early Learning Resource Centers (ELRCs) to support quality for providers and access for families through the Keystone STARS and Child Care Works Subsidized Child Care programs. Regionally, the ELRCs provide continuous quality improvement through individualized

coaching of providers to obtain higher STAR levels and to support understanding and meeting compliance measures. ELRC Quality Coaches can be utilized to guide providers through this change and offer assistance if needed.

Recommendations and Rationale

We believe requiring providers to post their STARS certificate on their website and at their physical location, along with sharing it in writing at application and enrollment, is an important tool in helping families understand the importance of quality in their decision-making about child care options. This is a timely requirement now that all certified providers are participating in Keystone STARS. We believe all of Pennsylvania's children deserve the opportunity to attend a child care program which has met high-quality standards, so they have the opportunity to grow, learn and succeed. The more information which can be provided to families, so they understand the importance of quality early care and education in preparing their children for school and life success will ultimately increase demand for STAR 3 and 4 providers.

At the same time, our organizations recognize the unmet need in the child care system is significant. Further investments are needed at the state and federal levels to help families afford high-quality child care that elevates their child's potential, pay providers adequately so children get the consistency in routines and relationships that they need and attract, compensate and retain additional talented adults to become early childhood educators so every deserving child can grow, learn and succeed.

Penalty Provision

We believe there is a difference between a provider that does not post their STAR rating versus a provider that misrepresents it, with the latter being much more egregious. The first penalty of a written warning is reasonable. This ensures a provider that simply forgets to post their rating is able to rectify the issue quickly, without harm to the program. However, the second two penalties will not have an impact on STAR 1 providers, as the penalties relate to reducing STAR levels and moving to a STAR 1. Consideration should be given to treating lack of posting versus misrepresenting a STAR level differently.