

HOUSE OF REPRESENTATIVES  
**Education Committee**

Representative James R. Roebuck, Jr.

**Democratic Chairman**

Christopher Wakeley, *Executive Director*

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**House Education Committee Public Hearing**

**May 26, 2010**

**205 Ryan Office Building, Harrisburg, PA**

**Subject: HB2205**

**Agenda**

**9:00-9:10am**

**Opening Remarks**

*Chairman James R. Roebuck - House Education Committee*

*Chairman Paul Clymer*

**HB2205**

**9:10-10:00am**

**Panel 1**

*Todd Klunk; Acting Deputy Secretary, Office of Child Development and Early Learning (OCDEL)*

**10:00-10:30am**

**Panel 2**

*Kirsten Wolfe; Special Education Supervisor, Early Childhood Programs Smethport Area SD*

*Amber Straub; Partnerships Coordinator, Pittsburgh Public Schools Early Childhood Program*

*Joan Benso; President and CEO, PA Partnerships for Children (PPC)*

**10:30-10:35am**

**Closing Remarks / Adjournment**

*Chairman James R. Roebuck - House Education Committee*

**Todd Klunk, Acting Deputy Secretary**  
**Office of Childhood Development and Early Learning**  
**Testimony before the House Education Committee on HB 2205**  
**May 26, 2010**

Good morning Chairman Roebuck, Chairman Clymer, and House Education Committee members. Thank you for the opportunity to discuss the importance of early childhood education with you today.

As this is my first appearance before the committee, I would like to take a few moments to introduce myself. I am Todd Klunk, and I was appointed Acting Deputy Secretary of OCDEL in January of this year. Prior to this temporary appointment, I served in the civil service position as the Director for OCDEL's Finance, Administration, and Planning Unit. I have worked in a finance role for the last 12 years making it my priority to ensure good stewardship of state and federal funding through sound fiscal policy and monitoring.

Governor Rendell entered office with a goal of building the nation's best infrastructure for early childhood education. He will leave Harrisburg with the foundation set. Eight years ago, Pennsylvania was one of nine states to offer no publicly-funded pre-kindergarten. Today we are a leader nationally. Eight years ago, there were no children in state-funded, high-quality Pre-Kindergarten programs. Thanks to your support, Pennsylvania now provides quality early childhood education for over 11,000 children through the Pre-K Counts Program. In addition, our investments have increased full-day kindergarten enrollment 88 percent since 2002.

The investment has come at a critical time. In every county and every community there are children who are at risk of failing in school because of factors beyond their control. Research has shown that low family income and education levels of the mother place the child at risk of starting kindergarten developmentally behind, doing poorly in school, dropping out, being unemployed and getting involved with crime. Early failures create lasting burdens. Continuing to fund early childhood education, and focusing our limited resources on at-risk children, is the right policy. Our path will reap future savings.

Pennsylvania's Pre-K Counts program, the focus of Chairman Clymer's House Bill 2205, is a major part of our investment. Pre-K Counts was designed to complement other early education programs in the commonwealth, helping to fill a major need for quality pre-kindergarten. In designing the program, we made it possible for both school-based and community-based early education programs to participate, strengthening and solidifying our early education infrastructure for families within 300 percent of the federal poverty level. We insisted on high quality. Pennsylvania Pre-K Counts quality expectations meet or exceed nearly every benchmark set by the National Institute for Early Education Research.

Our program has seen results. In 2008-2009:

- Nearly three times as many children were proficient in Personal and Social Development, from 2,984 children upon entry to 8,763 at the end of the year;
- Nearly four times as many children were proficient in Language and Literacy, from 2,164 children upon entry to 8,135 at the end of the year;
- More than four times as many children were proficient in Mathematical Thinking, from 1,792 children upon entry to 7,910 at the end of the year;
- Five times as many children were proficient in Scientific Thinking, from 1,429 children upon entry to 7,686 at the end of the year.

Children who graduate from the program leave better prepared for kindergarten than their peers who did not have access to such a program. Last school year, only 2 percent of Pre-K Counts children entering kindergarten had Individualized Education Plans (IEPs) compared to 14 percent of the total kindergarten population with IEPs. Minimizing special education costs has the potential to save Pennsylvania millions of dollars in future expenditures.

Pre-K Counts works. We will continue to work to improve it. We routinely meet with the Early Learning Council and the Pa Pre-K Counts Advisory Board, both staffed with members from school districts, higher education and non-profits for ongoing program improvements and feedback. In September of last year, at the request of members of the General Assembly, OCDEL strengthened the income verification policies by requiring families provide evidence that they earned up to 300 percent of the federal poverty level for their child to be enrolled.

We have expanded the program's reach and its impact. Pre-K Counts now serves 62 counties with a good mix of provider types including nearly 65 school districts. Applicants must provide a detailed community needs assessment to show their classrooms will be in the highest poverty areas. They must also show how they are working with other early learning programs such as Head Start, and with their Child Care Information Services Agency to identify and recruit the highest risk children. In 2008-2009, 81 percent of classrooms were located in a zip code where at least 30 percent of children under age five live in low-income families; nearly half of our Pre-K Counts classrooms were located in zip codes where 50 percent of the children under age five live in low-income families. We expect similar numbers for the current year.

Recently adopted regulations also solidify the design and accountability practices OCDEL has put in place to help ensure consistent quality outcomes for children. Current guidelines require grantees meet quality expectations, collaborate and coordinate with their local early learning community, and appropriately use public funds. The regulatory language follows very closely to our present practice, keeping the program consistent across different administrations and agency leadership.

Chairman Clymer's House Bill 2205 addresses many of these issues. However, if passed in its current form, this legislation would negatively impact our Pre-K Counts

program by imposing a fee schedule on parents who cannot afford it and by lowering its quality.

The existing 300-percent poverty level cutoff was established based on evidence that children within this category have a higher risk of academic failure. A recent study by the aforementioned National Institute for Early Education Research found a marked performance gap between kindergarten children whose family federal poverty level falls between 235 to 300 percent and children above the 300-percent income level. The findings are clear: the group of children slightly above the federal line is as much at-risk as the children below.

Forcing co-pays from these parents is bad policy for several reasons. First, these payments are contrary to the purpose and mission of the program. Second, and most relevant, the targeted families do not have the resources to afford the fee. The PA Department of Labor and Industry's Self-Sufficiency Standard Index shows families earning up to 300 percent of the federal poverty level are at the brink without another cost to bear. Making it harder for children to access to free, high-quality pre-kindergarten only adds costs in the end.

A second contention with HB 2205 is the guideline exemption. The bill allows providers with any accreditation to be eligible for the program regardless of whether they meet the high program standards set by the Department. This could threaten program quality, as a provider could apply to USDE to be an accrediting agency and then approve themselves for accreditation. One major reason for the success of our Pre-K Counts program is our program standards – only the highest quality providers are approved, ensuring state funding pays for top-notch instruction.

I applaud you for bringing this issue before the Committee today. Despite our disagreements with the bill, discussions such as this bring needed attention to early child education. Governor Rendell and the work of this Committee have laid the necessary groundwork during the last eight years. There is more to be done and an early commitment from both candidates for Governor is a win for Pennsylvania's children. I look forward to working with you in the days and weeks ahead.

**PA House of Representatives Education Committee Testimony**

Submitted by Kirsten Wolfe, M.S.Ed

Supervisor of Special Education and Early Childhood Programs, Smethport Area School District

**Public Hearing on HB2205**

May 26, 2010

Chairman Roebuck, Chairman Clymer and members of the PA House Education Committee, thank you for the opportunity to testify before you today. It is truly an honor. My name is Kirsten Wolfe. I am the Supervisor of Special Education and Early Childhood Programs at the Smethport Area School District in Smethport, Pennsylvania. Smethport is the county seat for McKean County. We are located in the North Central portion of the state. Our school district is comprised of one campus for grades Pre-K – 12 with enrollment at 953 students.

Smethport is a community rich in historical heritage as well as a beautiful lush rolling landscape that surrounds the borough. In 1822 a dam was build in the center of town to create a millpond and used to power a water-powered sawmill. The start of this began a great heritage of the logging industry for the region. The lake is now named Hamlin Park and offers an excellent fishing or picnicking experience. The first magnetic toys were also invented in Smethport at the Smethport Specialty Company in 1908. The most popular of these is the Woolly Willy magnetic face which gained popularity in the 1950s.

As with any rural communities over the years, Smethport has seen its' explosion of economic growth but is now experiencing many economic hardships. Last year the Ethan Allen plant in Eldred, Pennsylvania closed the doors leaving a significant amount of area residents without employment. Pittsburgh Corning located in Port Allegany, Pennsylvania down sized and left many people without wages. Both the Bradford Regional Medical Center and Charles Cole Memorial Hospital have downsized and reduced staff as well. The logging industry took a plunge leaving loggers and construction businesses with less and less hope of making a fair wage. The percent of adults in Smethport with a college degree or higher is 13.4%. Most of the residents earn a living in and around the community. As you can see, this has become very difficult for many. The most recent data indicates that the median household income in the borough is %34,934.

The school district is the center of the community. Parents are passionate about extra curricular events including sports, and music events. We take great pride in the accomplishments of our students. The staff goes the extra mile to assist students in achievement. This idea of pride and accomplishment begins at an early age and stage for our students. This was most evident at a recent field trip and picnic the Pre-K students took last week. I witnessed many children laughing, smiling, singing, and eating healthy lunches. I also observed parents scuttling around assisting in pushing swings, opening juice containers and interacting with the students. The teachers and para-professionals were interacting and

providing support to students. It was a wonderful sight to see. This also is evident in a classroom visit on a typical Tuesday morning. Students are engaged in learning while staff plan and guide them in reaching crucial milestones.

For the past three years we have been recipients of the Pre-K Counts grant. Since the onset of the grant, parents are able to experience this excitement in learning and development for their children in our elementary building beginning at age 4. We have had and continue to maintain a partnership with the Bradford Area School District in which we are the lead agency. We initially started with 17 funded spots and now are up to 34 funded spots in the two elementary classrooms in Smethport. This increase to two classrooms was a result of the number of students in need of Pre-K services.

Both of the teachers and para-educators we employ receive professional development set forth by OCDEL and are highly qualified. Not only do these teachers and para-educators provide a nurturing environment, they utilize the Pennsylvania State Early Learning Standards in conjunction with a PDE approved pre-school curriculum, The Creative Curriculum. As part of the grant the staff also takes part in and utilizes the Early Childhood Environment Rating Scale. The ECERS gives our teachers and para-educators the ability to rate the effectiveness and the needs of our program. The blending of the revised Early Learning Standards, with the Creative Curriculum and the ECERS provide the structure and instructional focus to enable the staff to plan and implement high quality programming. Along with the instructional focus we are able to conduct partner meetings with Bradford Area School District personnel to plan events, professional development, and problem solve. Our Pre-K Specialist is in constant contact with us in how to implement the instruction, reflect on the ECERS, as well as budgeting our funds to provide the most effective programming.

Our local community lacks resources and services and many families do not get a chance to send their children to a Pre-K program. One of the local churches runs a "pre-school" although there is a long waiting list. The Intermediate Unit 9 runs an Early Intervention program although not all students qualify for this option. With the increased emphasis of inclusionary practices, the Early Intervention programs are seeking ways of being inclusive and working within programs. We are able to provide an inclusive setting with our Pre-K classes to enable Pre-K students with developmental delays the opportunity in attending with non-disabled peers. Head Start is an option for many of the students although it is not a full day program and not available to a wide array of students. Parents in our community have spoken out and need programming to be accessible yet high quality. Families lack the finances to individually support payment for a Pre-K program. Many of our families lack the educational background to prepare their children for kindergarten. It is imperative that we continue to offer this educational opportunity free of charge.

Parents watch the news. The research and data supports early childhood education for students to be successful throughout their school career. I received an overwhelming amount of phone calls and questions before we began advertising for the beginning of enrollment for our Pre-K Counts 2010-2011 classroom sign ups. I was excited at the overwhelming amount of interest and applications that were returned soon after enrollment began. The high quality instruction and reputation our staff and

program exhibit is evident through the inquiries I receive on a daily basis. Through the use of quarterly reporting I am able to capture the parent voice directly to staff at OCDEL of the progress of students. The quarterly reports give us an opportunity to report on many aspects of the progression throughout the school year. I have received numerous reports from parents of the progress they see in their children. All of this would not be a reality in our community if it was without the assistance of OCDEL and the Pre-K Counts grant funded programming. Our district would not be able to ensure that parents would be able to, or make a commitment to pay a co-payment for education of their children.

In March, 50 students were brought in for Kindergarten registration. Thirty-three of those students were income eligible for Pre-K Counts and are currently attending our Pre-K Counts classroom. The remaining 16 students registered for Kindergarten were either enrolled in Head Start, Early Intervention, or were non funded Pre-K Counts recipients in our program. This data indicates that we were able to provide programming for 66% of our incoming class of Kindergarten students because they fell below the 300% poverty guideline. It is highly likely that if we began charging co-payments for Pre-K, many parents would choose to keep their children at home or with a relative due to economic reasons. We would see a decline in the readiness of our students which in turn would affect their long term success.

Since the economic crisis has struck our community parents are continuing to struggle and to make up for wages lost. Jobs can be found in a local supermarket, convenience store, or shift work at the local refinery although it takes months, even years to make up for what is lost. One parent called me in distress. Her child would be of age to participate in the Pre-K class. We talked for 5 to 10 minutes about the staff and enrollment process. As the conversation lengthened she began to tell me about their family struggle. She is a local professional and along with her mortgage, car payments, and student loans, she has two other children of school age. Her husband had been employed for many years at Ethan Allen although he lost his job last year and has been on unemployment. Recently he made plans to start attending college at age 44. The devastation this has caused her family has been immense and they struggle to make ends meet. She was ecstatic that her child would be able to attend and was eligible for the program. This family, like many others would not be able to make a co-payment for educational programming.

Since the Pennsylvania Department of Education has reviewed and revised the Early Learning Standards to parallel and align with the Pennsylvania Grade Level Standards, it seems logical to offer free public education to those students, especially students who may be at risk to take advantage of the opportunity to begin the instructional journey. Since 66% of our incoming Kindergarten students were income eligible students, we were able to provide an opportunity for them to prepare for Kindergarten as well as for the district in providing a head start in securing a trajectory toward AYP and student achievement. If these students were not able to take part in a funded program, they may have not attended. Students who fall below the 300% poverty could be at risk for special education services or failure to meet grade level standards. The research on children living in poverty is astounding. If we can continue to reach and teach children living in poverty at an early stage, their potential and outcome for life will be more successful.

I have led the school age re-evaluation meetings for several of our Pre-K students who may need special education services in Kindergarten. I have listened to the teachers and therapists report on the progress students have made from the initial weeks of school and how far skills have progressed. Eight out of this year's Pre-K students entered into Pre-K with an IEP. These students are going to be entering Kindergarten with nothing more than a need for speech/language support or occupational therapy as a related service. This is also a testament to the effectiveness of the instruction and environmental structure of the program.

The Smethport Area School District and community is not much different than other rural communities. Locally, the Galeton Area School District and the Austin Area School District also provide Pre-K programming with the aid of the Pre-K Counts funding. I believe that it is highly likely that parents in those communities would not be accepting of paying a fee for Pre-K. Those two community schools are smaller than our district and are also "feeling" the burden of the economic times. I urge you to support full funding of the Pre-K Counts initiative and to not support a co-payment for services. The research that supports early childhood education is solid as well as the testimonies of parents who are struggling to make ends meet and regain their own economic stability. Consider the median household income as well as the percentage of adults with college degrees in Smethport. The 66% of children that we served this year were possibly at risk of educational failure to meet grade level standards and/or special education services. With the continued support of a fully funded Pre-K program and guidance of OCDEL we are committed to provide and support the growth of students.



## Pittsburgh Bon Air Early Childhood Center

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House Education Committee Hearing

May 26, 2010

Good morning Mr. Chairman and committee members. My name is Amber Straub. I am the Pennsylvania Pre-K Counts Partnership Coordinator within the Early Childhood Program of Pittsburgh Public Schools. Pittsburgh Public Schools (PPS) has been and is a leader in Early Education programs, having Head Start since 1965 and full day Kindergarten since 1997. Pennsylvania Pre-K Counts was a natural extension of our continued effort to reach as many preschool children as possible in the district to provide high quality early learning programs prior to school entrance, given our resources. Our efforts have always started with the neediest children first.

Thank you to Chairman Clymer for scheduling this hearing. Thank you all for hearing our testimony today on Pre-K Counts, a program that has helped our district's young children come to school with the skills they need to be successful in Kindergarten and beyond. I'll present our data later in this testimony.

Currently, Pittsburgh Public Schools has 11 Pre-K Counts classrooms in school district buildings serving 140 children and 8 community partners serving an additional 140 children in facilities that meet the Pre-K Counts standards in our Pittsburgh neighborhoods. In addition, we have 91 additional school-based early childhood classrooms, using Head Start and Accountability Block Grant funds in our program. Further information can be accessed at the Pittsburgh Public Schools website at [www.pps.k12.pa.us](http://www.pps.k12.pa.us).

We work with families and children to provide a comprehensive, educational program to reinforce and respond to the unique strengths and needs of the individual child and family. We provide a wide range of services for children and families, including: Education, Social Services, Health, Nutrition, Disabilities, and Parent Involvement. We participate in continuous quality improvement and rely on the Early Childhood Environmental Rating Scale to support increased classroom quality. The Early Childhood Environmental Rating Scale (ECERS) rates multiple areas of the environment on a scale of 1-7 (7 being the highest). In general, the ECERS looks at the room arrangement, displays of children's work, types and amount of toys and materials available to students, areas of health and safety, as well as language and literacy (including talking to and having discussions with children). Through use of the Early Childhood Environmental Rating Scale, teachers are affording children more opportunities to access learning materials throughout the day. Teachers have also become more intentional in the ordering of materials for the classroom based on environmental needs.





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We use the PA Early Learning Standards for Pre-Kindergarten from the Office of Child Development and Early Learning, knowing that these standards reflect best practices. These standards are part of the PA continuum from Infants and Toddlers to Pre-Kindergarten to Kindergarten, 1<sup>st</sup>, and 2<sup>nd</sup> grade. This is what constitutes the definition of Early Childhood, from Birth to Grade 3. Pittsburgh Public Schools Early Childhood staff participated in writing these standards and brought our experience providing high quality early learning to this effort. We support the use of these standards, which are also based on more than 30 years of research defining what is necessary to promote a child's healthy growth and development in all domains of learning.

These are the Key Learning Areas in the Pennsylvania Early Learning Pre-Kindergarten Standards that assure each child's holistic development:

- Approaches to Learning Through Play: Constructing, Organizing and Applying Knowledge
- Creative Thinking and Expression: Communicating through the Arts
- Mathematical Thinking and Expression: Exploring, Processing, and Problem Solving
- Scientific Thinking and Technology: Exploring, Inquiry, and Discovery
- Social Studies Thinking: Connecting to Communities
- Health, Wellness, and Physical Development: Learning about My Body
- Language and Literacy Development: Early Literacy Foundations; Reading, Writing, Speaking, and Listening
- Partnerships for Learning: Families, Learning Environments, and Communities
- Social and Emotional Development: Learning about Myself and Others

We understand that it is the quality of the teachers coupled with a curriculum that incorporates these standards and other factors that will give us the results of children being successful.

We understand that OCDEL is committed to building and enhancing a pre-kindergarten program that is high quality and will in fact support all school districts and community partners as they strive to maximize the development of skills for each child enrolled in order to ensure positive progress.

We participated in the "Pre-K Counts in Pennsylvania: A Public-Private Partnership for Educational Success" research which was an independent program evaluation by Early Childhood Partnerships program of the University of Pittsburgh and affiliated with Children's Hospital of Pittsburgh. During this research, "high-risk and vulnerable children showed significant gains in development and early learning skills across numerous domains: spoken language, reading, writing,

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math, classroom behavior, and daily living skills” (Bagnato, 2009). We know that because all participating programs in Pennsylvania followed consistent standards, the measurement of the Pre-K Counts Program is valid and helps to paint an accurate picture of the success of Pre-K Counts in Pennsylvania.

We follow the progress of our children with our own data in to Kindergarten.

- Transitioning preschool children given the Kindergarten Readiness Checklist showed that 90% of the children mastered cognitive, physical and social-emotional goals by the end of July 2009.
- PPS Early Childhood children who entered Kindergarten in 2008-09 performed better in Letter Naming Fluency and Initial Sound Frequency than their non-PPS Early Childhood counterparts in the entry assessment of Reading Readiness from the DiBELS.
- Thirty-four percent (34%) of Early Intervention children that received inclusive services in 2008-09 PPS Early Childhood classrooms no longer required special education services in Kindergarten. This is a consistent trend for the past three years.
- At the end of the 2008-09 school year, 3.2% of the district Kindergarten children were retained. While only 1% of those children who attended PPS’s Early Childhood program were retained. This trend is consistent with 2006-07 and 2007-08 school years.

In conclusion, we know from independent research and our own data that children enrolled in Pre-K Counts are doing better than their non-Pre-K Counts peers.

Thank you for this opportunity to testify on this most significant early education program benefitting our children and families in Pittsburgh.

Respectfully Submitted,

Amber Straub

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## Pennsylvania Partnerships for Children

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David S. Feinberg  
*Chair of the Board*

Good morning. My name is Joan Benso and I am President & CEO of Pennsylvania Partnerships for Children (PPC). PPC is a statewide, independent, non-partisan, data-driven child advocacy organization. We seek to improve the health, education and well-being of the Commonwealth's children. Our vision is by 2014, PPC will have helped Pennsylvania move into the position as one of the top 10 states in the nation to be a child and raise a child. I'd like to thank Chairmen Roebuck and Clymer for the opportunity to share PPC's thoughts on House Bill 2205, which makes a number of changes to the Commonwealth's Pre-K Counts Program.

Eight years ago, Pennsylvania had the distinction of being one of nine states that failed to provide dedicated state funding to support high-quality pre-K. In recent years, the Commonwealth has established programs that support high-quality pre-K including the Head Start Supplemental Assistance Program, Education Accountability Block Grant and Pre-K Counts.

Many studies show a positive return for children, schools and communities by investing in high-quality pre-K. The most notable is the ongoing long-term study of the Perry Preschool program. The latest review of the program shows that each dollar invested returned up to \$16 in crime, education and welfare savings, and higher earnings for participants and increased taxes paid.<sup>i</sup> Children who attend high-quality pre-K programs enter kindergarten with better language, reading, math and social skills.<sup>ii</sup> They have fewer grade retentions, less remediation, higher standardized test scores and higher graduation rates.<sup>iii</sup> A recent study in Pennsylvania also showed school districts could recoup as much as 78% of pre-K spending in education savings and special education costs could be reduced statewide by at least 8% annually.<sup>iv</sup>

These great results are not achieved without a strong commitment to high-quality. Simply put – quality matters. It is high-quality that produces the positive academic results for children and the tremendous return on investments. PPC strongly supported the creation of Pre-K Counts in 2007. We touted the potential returns on investment that Pre-K Counts could produce but we cautioned that quality was the key. We conditioned and still do condition our support for Pre-K Counts legislation on the assurance that the program must be high-quality and we believe that the state should not sacrifice quality for increased access to Pre-K Counts.

The National Institute for Early Education Research's (NIEER), under the guidance of a prominent research council, created a list of ten benchmarks that constitute high-quality for pre-K programs. The benchmarks include comprehensive early learning standards; degreed teachers who engage in continued professional development and specialize in early learning; maximum class-size and staff: child ratios; and health, vision and hearing screenings and at least one family support service. The benchmarks are used to rate state pre-K programs. When Pre-K Counts programs requirements are fully phased in, Pennsylvania will receive a 9.5 on the NIEER scale.

The strength of the statutory and regulatory base makes Pre-K Counts a high-quality program when measured against the NIEER benchmarks. And, because it is high-quality, the program is achieving great success. Evaluation data shows that 75 percent of the nearly 12,000 children at risk of education failure who entered Pre-K Counts programs in 62 counties completed the most recent school year with age-appropriate proficiency in literacy, numeracy and social skills.<sup>v</sup> There is no question that the Commonwealth's investment in Pre-K Counts is producing great results for our youngest learners and quality is the key.

We must remind you that not all children who could benefit from high-quality publicly funded pre-K, and Pre-K Counts in particular, have access to it. There are about 295,000 3 and 4-year olds in Pennsylvania. Less than 18 percent of these children have access to high-quality publicly funded pre-K.<sup>vi</sup> We define high-quality publicly funded pre-K as public school pre-K, Head Start and Pre-K Counts. If we dig a little deeper into the data, we find that more than 57 percent of all 3 and 4-year olds live in families with

incomes below 300 percent of the federal poverty level (this is the income ceiling for eligibility for Pre-K Counts). But only 30 percent of children in these families have access to high-quality publicly funded pre-K.<sup>vii</sup> We must do more to help our youngest learners be ready for school and secure the gains promised by high-quality pre-K by increasing access to the program.

It is with these considerations in mind regarding high-quality pre-K that PPC examined HB 2205's proposed changes to Pre-K Counts. There are several provisions of the measure that don't raise red flags for us. A number of these provisions are consistent with recently IRRC-approved final regulations for Pre-K Counts. Examples include: verifying family income for participants; assuring that Pre-K providers engage in outreach and partnership with other early learning programs to target children for service; requiring 180 days of service; allowing families to voluntarily pay for all or part of the service; and more. Several provisions are also consistent with SB 1073 which we do not oppose.

On the whole, however, PPC opposes House Bill 2205 as presently drafted. We are very concerned with the potential impact of three specific provisions dealing with accreditation, authority for school districts to have their own early learning standards and authorizing co-pays without a legislative and regulatory process.

House Bill 2205 would exempt Pre-K Counts providers from complying with program guidelines as long as they are accredited by a national education accrediting agency. We are very concerned that this provision fails to protect the high-quality of Pre-K Counts programs. Pre-K Counts program guidelines are backed by nearly thirty years of research and analysis. They are rigorous and are designed to improve child outcomes.

A simple internet search turns up 15 or so national education accrediting bodies. Are their accreditation standards driven by improving student achievement and child outcomes? Are they on par with Pre-K Counts? Would 75 percent of children enrolled in a program accredited by the body have ended the most recent school year with age appropriate skills and behaviors? PPC has no confidence that we can confidently

answer yes to these questions. Furthermore, how would the Commonwealth review these accreditation standards when they are revised by their national bodies?

It is also important to note that national accreditation bodies such as Middle States and the National Association for the Education of Young Children would require their accredited programs to comply with the state requirements in place to become and remain accredited. We see no rationale to exempt providers from program guidelines just because they are accredited by some national organization. Pre-K Counts is successful; we know it is working. From PPC's point of view, there isn't a good reason to take a chance on reducing its success by opening up the door to exempt providers from program requirements. We run the risk of diminishing the positive results we are achieving in Pre-K Counts. That doesn't seem to be prudent fiscal policy.

We are also concerned that House Bill 2205 would allow a Pre-K Counts provider to align its curriculum with early learning standards established by the Department of Education or those established by a school district. School districts don't have the authority to develop academic standards in grades K-12. Neither do they have the option to pick and choose from Pennsylvania's academic standards. Pennsylvania's early learning standards are research-based and aligned with the Commonwealth's K-12 academic standards, creating a pre-K through 12<sup>th</sup> grade continuum.

Pre-K Counts is a voluntary program. Providers are fully informed of program guidelines and willingly participate by responding to a request for proposals. The Commonwealth does not mandate provider participation in the program. Those who choose to participate should be required to the program's statute, regulations and guidance.

Regardless of whether a child is receiving Pre-K Counts through a public school, Head Start, licensed nursery school, or regulated child care center, we need to ensure that the program is consistent. Otherwise, there is no assurance that the nearly 12,000 children currently enrolled in Pre-K Counts across the Commonwealth are on an equal path to school readiness.

Our third objection to House Bill 2205 deals with its provisions authorizing a study by the Legislative Budget and Finance Committee (LB & FC) on whether the program

should charge fees and co-pays. We believe that Pre-K Counts is a part of the public education continuum and parents should not have to pay for the education of their children – regardless of their age. However, we do not oppose a study to examine the issue. What we do oppose is the bill's language that requires the Department of Education to automatically implement co-pays effective with the 2011-12 school year if recommended by the study. The bill seems to take you, the members of the General Assembly, out of the equation and eliminate any opportunity for legislative input. It also ignores the regulatory process that has been used for many programs that have cost-sharing with families. We share the frustration of some that LB&FC studies – which are chock full of helpful information to guide policy – sometimes fail to be considered by anyone. We think that the General Assembly, especially the appropriate committees, should always play an oversight role when an LB & FC study is released.

Pre-K Counts is a very successful high-quality program that is achieving great results for children, schools and communities across the state. Our opposition to House Bill 2205 is based on our opinion that it isn't prudent fiscal policy to change the program in any way that could decrease its quality and likely decrease the positive results the program has already achieved. Let's remember what is at stake – the school readiness of 3 and 4-year olds who are at risk of education failure. We owe it to them and their families and to the taxpayers who fund Pre-K Counts to maintain the quality and consistency of the program.

Thank you.

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ii Peisner-Feinberg, E.S., Burchinal, M.R. Clifford, R.M., Culkin, M.L., Howes, C., Kagan, S.L., Yazejian, N., Byler, P., Rustici, J., & Zelazo, J (2000). *The children of the cost, quality and outcomes study go to school: Technical report*. Chapel Hill; University of North Carolina at Chapel Hill, Frank Porter Graham Child Development Center.

iii National Research Council and Institute of Medicine (2000) *From neurons to neighborhoods: The science of early childhood development*. Committee on Integrating the Science of Early Childhood Development. Jack P. Shonkoff and Deborah A. Phillips, eds. Board on Children, Youth, and Families, Commission on Behavioral and Social Sciences and Education. Washington, D.C.: National Academy Press.

iv Pennsylvania Build Initiative. (2006). *Invest now or pay more later: Early childhood education promises savings to Pennsylvania school districts*.

v Office of Child Development and Early Learning. (2009). *Pennsylvania Pre-K Counts: End of year report 2008-2009*. Harrisburg, PA: Pennsylvania Departments of Education and Public Welfare.

vi *School readiness in Pennsylvania*. Harrisburg, PA: Pennsylvania Partnerships for Children. (2009).

vii *Ibid*.

**HOUSE OF REPRESENTATIVES  
DEMOCRATIC COMMITTEE**

**BILL ANALYSIS**

BILL NO: **HB2205** PN3080  
COMMITTEE: Education

SPONSOR: Rep. Clymer  
DATE: March 15, 2010

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PROPOSAL/EXECUTIVE SUMMARY: This legislation amends the Public School Code by establishing fees and co-payments for the Pre-K Counts program, and other provisions.

EXISTING LAW: The Act of March 10, 1949(P.L.30 No.14), also known as the Public School Code, Article XV-D(b) Pre-K Counts Program is amended. Currently, the portion of the day that is funded through Pennsylvania Pre-K Counts is free to families; the program provider may charge for additional portions of the day (wrap-around care, etc.)

ANALYSIS:

- This Legislation states that nothing under the Pre-K counts program section of this act would prevent families with children that participate in early learning programs from paying part or all of the cost of participating.
- The Department has the following additional duties:
  1. To promulgate regulations and establish guidelines to implement the Pre-K Counts program;
  2. To ensure that any guidelines established shall be considered as statements of policy as established under the Documents Law.;
  3. To establish and publish a fee schedule based on the findings and recommendations of the Legislative Budget & Finance Committee Study required under Section 1517-D;
    - a. The fees schedule must be published on PDE's website and the PA Bulletin and shall apply to program applicants beginning in the 2011-2012 school year;
  4. Establish guidelines for approved providers to engage in outreach with Head Start, CCIS and other child care providers that would:
    - a. Inform the programs and families of Pre-K Counts and eligibility requirements for enrollment;
    - b. Coordinate the number and availability of openings for children on the waiting lists of other programs, such as Head Start and CCIS;
  5. To exempt eligible providers from complying with Pre-K Counts guidelines upon a national education accrediting agency accreditation in good standing.
- Priority grant funding will be given to at risk students, in the following order:
  1. First, to students, who prior to enrollment, were on a waiting list for Head Start programs or CCIS programs;
  2. Second, to all other at risk students.

- Approved providers that received grant funding in the previous year shall only be given consideration and **NOT** priority in receiving subsequent year funding.
- Approved providers shall have the following duties:
  1. Refrain from using grant funds for lobbying activities;
  2. Provide at least 180 days of pre-K over the school year;
    - a. at least 2.5 hours of instructional activities for a half day program; and
    - b. at least 5 hours of instructional activities for a full day program;
  3. Align Pre-K program curriculum with PDE or district early learning standards;
  4. Verify residence and income of program applicants.
- PDE or the Auditor General may conduct audits and reviews of the Pre-K Counts program, as deemed necessary or appropriate, for state funds accessed for the program;
  1. Copies of all audit reports shall be made available to the Chairmen of the House and Senate Education Committees.
- Legislative Budget & Finance Committee is directed to conduct a study on the appropriateness and efficacy of establishing fees and copayments for participation in the Pre-K Counts program;
  1. No recommendations shall require Head Start or CCIS income eligible participants to pay fees or a copayment for the Pre-K Counts program;
  2. The LB&F Committee may consult with PDE and DPW and other entities when conducting the study;
  3. The report of the study shall be completed and submitted to the Governor and General Assembly by December 30, 2010.

EFFECTIVE DATE: This act shall take effect in 60 days

PREPARED BY: Erin L. Dixon, 7-7044

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2205 Session of 2010

INTRODUCED BY CLYMER, S. H. SMITH, BRENNAN, DENLINGER, FLECK, GINGRICH, GROVE, HENNESSEY, KAUFFMAN, MAJOR, McILVAINE SMITH, MILLER, MILNE, MOUL, MURT, O'NEILL, PHILLIPS, QUIGLEY, RAPP, REESE, REICHLEY, ROCK, SAYLOR, STERN, TALLMAN, TURZAI AND VULAKOVICH, JANUARY 19, 2010

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 19, 2010

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," in early learning programs, further  
6 providing for establishment of program, for duties of  
7 department, for grant awards and for duties of approved  
8 providers; and providing for study.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Section 1512-D of the act of March 10, 1949  
12 (P.L.30, No.14), known as the Public School Code of 1949, added  
13 July 20, 2007 (P.L.278, No.45), is amended to read:

14 Section 1512-D. Establishment of program.

15 (a) General rule.--To the extent that funds are appropriated  
16 by the General Assembly, the department shall establish the  
17 Pennsylvania Pre-K Counts Program as a competitive grant program  
18 to expand pre-kindergarten opportunities for eligible students.

19 (b) Construction.--Nothing in this section shall be

1 construed to prevent families with children who participate in  
2 early learning programs and are willing and able to pay part or  
3 all of the cost of such participation from doing so.

4 Section 2. Section 1513-D(1) of the act, added July 20, 2007  
5 (P.L.278, No.45), is amended and the section is amended by  
6 adding paragraphs to read:

7 Section 1513-D. Duties of department.

8 The department shall have the following powers and duties:

9 (1) To promulgate regulations and establish guidelines  
10 and standards necessary to implement this subarticle. In  
11 promulgating the initial regulations, the department shall  
12 follow the procedures provided in the act of July 31, 1968  
13 (P.L.769, No.240), referred to as the Commonwealth Documents  
14 Law, and the act of June 25, 1982 (P.L.633, No.181), known as  
15 the Regulatory Review Act, for promulgation and review of  
16 final-omitted regulations. Subsequent regulations promulgated  
17 under this subarticle or amendments to the initial  
18 regulations shall not be in final-omitted form. Guidelines  
19 established by the department under this subarticle shall be  
20 considered as statements of policy under the act of July 31,  
21 1968 (P.L.769, No.240), referred to as the Commonwealth  
22 Documents Law.

23 \* \* \*

24 (8) To establish a fee schedule for persons enrolling in  
25 the program, taking into consideration the findings and  
26 recommendations of the study required under section 1517-D.  
27 The fee schedule shall be published on the department's  
28 Internet website and in the Pennsylvania Bulletin and shall  
29 be applied to program applicants beginning with the 2011-2012  
30 school year.

1           (9) To establish guidelines for approved providers to  
2 engage in outreach and partnership with Head Start, Child  
3 Care Works and other child-care programs:

4           (i) to inform the programs and client families about  
5 the availability of pre-kindergarten services under this  
6 subarticle, including the eligibility requirements for  
7 enrollment of children; and

8           (ii) to coordinate the number and availability of  
9 openings for children on the waiting lists of these other  
10 programs.

11           (10) To exempt eligible providers from complying with  
12 program guidelines established in paragraph (1) upon proof of  
13 accreditation, in good standing, from a national education  
14 accrediting agency.

15       Section 3. Section 1514-D of the act, added July 20, 2007  
16 (P.L.278, No.45), is amended to read:

17 Section 1514-D. Grant awards.

18       The department shall award grants under this subarticle to  
19 the extent that funds are appropriated for the program by the  
20 General Assembly. The grants shall be awarded on a per-student  
21 basis for each eligible student served by an approved provider  
22 and shall not exceed the per-student cost of administering the  
23 approved provider's pre-kindergarten program. [To the greatest  
24 extent possible, the] The department shall:

25           (1) Give higher priority in grant funding to approved  
26 providers serving [the highest number or the highest  
27 percentage of] at-risk eligible students as follows:

28           (i) First, those students who, prior to enrollment,  
29 were or are on the waiting lists for Head Start programs  
30 authorized by the Omnibus Budget Reconciliation Act of

1 1981 (Public Law 97-35, 95 Stat. 357) or Child Care Works  
2 programs authorized by the act of June 13, 1967 (P.L.31,  
3 No.21), known as the Public Welfare Code.

4 (ii) Second, other at-risk eligible students.

5 (2) In awarding grants to the providers identified under  
6 paragraph (1), to:

7 (i) Give [priority] consideration in grant funding  
8 to approved providers that received grant funds in the  
9 immediately preceding school year, have met the program  
10 standards and have demonstrated satisfactory  
11 implementation of the program.

12 ~~[(3)]~~ (ii) Ensure that grant funding is  
13 geographically dispersed to approved providers throughout  
14 this Commonwealth.

15 Section 4. Section 1515-D(a) of the act, added July 20, 2007  
16 (P.L.278, No.45), is amended and the section is amended by  
17 adding a subsection to read:

18 Section 1515-D. Duties of approved providers.

19 (a) General rule.--An approved provider that receives grant  
20 funds under this subarticle shall have the following duties:

21 (1) Maintain separate accounts in its budget to  
22 facilitate monitoring and auditing of the use of the grant  
23 funds[.] subject to the following:

24 (i) If the approved provider is a school district,  
25 the school district shall not place grant funds in a  
26 reserve account.

27 (ii) In no case shall the approved provider use  
28 grant funds for administrative costs as defined by the  
29 department.

30 (iii) In no case shall the approved provider use

1 grants funds for lobbying activities as defined by 65  
2 Pa.C.S. Ch. 13A (relating to lobbying disclosure).

3 (2) Plan to provide no fewer than 180 days of pre-  
4 kindergarten over the course of the school year. A half-day  
5 program shall provide no fewer than two and one-half hours of  
6 instructional activities per day. A full-day program shall  
7 provide no fewer than five hours of instructional activities  
8 per day.

9 (3) Align the pre-kindergarten program's curriculum with  
10 early learning standards established by the department or  
11 school district.

12 (4) Perform all other duties pursuant to applicable  
13 regulations and standards.

14 (5) Verify or cause to be verified by a third party the  
15 residency and income of applicants to the program through  
16 examination of any of the following: individual income tax  
17 Form 1040, W-2 forms, pay stubs, pay envelopes, written  
18 statements from employers and documentation showing current  
19 status as recipients of public assistance.

20 \* \* \*

21 (c) (1) The department or the Auditor General may conduct  
22 such audits and reviews of the grant program including  
23 average daily membership calculations in subsection (b),  
24 reporting requirements as specified in section 1516-D and as  
25 the department or the Auditor General determines to be  
26 necessary or appropriate. The scope of the audits shall be  
27 limited to the use of all State funds accessed for the Pre-K  
28 Counts Program.

29 (2) Copies of all audit reports or reviews conducted by  
30 the department or the Auditor General shall be made available

1 to the chairman and minority chairman of the Education  
2 Committee of the Senate and the chairman and minority  
3 chairman of the Education Committee of the House of  
4 Representatives.

5 Section 5. The act is amended by adding a section to read:  
6 Section 1517-D. Study.

7 (a) General rule.--The Legislative Budget and Finance  
8 Committee shall conduct a study on the appropriateness and  
9 efficacy of fees and copayments as an element of the program.  
10 The study shall include:

11 (1) The policy issues associated with fees and  
12 copayments, including the at-risk nature of the children, the  
13 availability of services to this population and the economic  
14 means of families to purchase high-quality pre-kindergarten  
15 services. The relationship between fees, copayments and  
16 tuition charged to private pay program enrollees should also  
17 be included.

18 (2) The use of copayments in state-funded pre-  
19 kindergarten programs of other states.

20 (3) The benefits and detriments of imposing a fee or  
21 copayment system including approaches to implementation that  
22 create the least burden for providers and the possibility of  
23 allowing access to the fee payment processing systems in  
24 place for such programs as Child Care Works or other child  
25 care programs, in order to ensure the lowest and most  
26 effective imposition of administrative costs upon the  
27 Commonwealth and so that such benefits and detriments do not  
28 impede the intent of the program.

29 (b) Limitations.--

30 (1) The study shall focus on income levels greater than

1 \$100 of Federal poverty guidelines, but less than 300% of  
2 Federal poverty guidelines.

3 (2) Income levels that meet eligibility requirements for  
4 Head Start or subsidized day care shall be outside the scope  
5 of the study.

6 (3) No recommendations of the study to establish a  
7 schedule of fees or copayments may include program  
8 participants who meet income eligibility requirements for  
9 Head Start or subsidized day care.

10 (c) Consultations.--The Legislative Budget and Finance  
11 Committee may consult with the department and the Department of  
12 Public Welfare, including the Office of Child Development and  
13 Early Learning, and other entities in conducting the study.

14 (d) Deadline.--The report shall be completed and submitted  
15 to the Governor and the General Assembly no later than December  
16 30, 2010.

17 Section 6. This act shall take effect in 60 days.