

SMALL WONDERS INC.

CHILD DAY CARE SCHOOL

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"Child care is an invisible part of the economy." -Ellen Galinsky

Child care is the foundation to everything else! Child care is the backbone of our communities. It supports children during the most critical years of development, gives parents the ability to work and provide for their families, and keeps our economy moving. Without reliable child care, families are forced to make impossible choices between income and care. Businesses lose workers, children lose stability, and communities suffer. Child care isn't a luxury; it's a necessity. Investing in it means investing in the future of every child, every family, and the strength of our society as a whole.

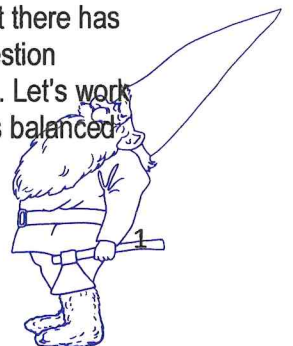
How many of you are using daycare right now or have used it in the past? This affects so many of us. For decades, we've been pleading with DHS to reconsider their regulations. And what's their answer every time? 'We're just following orders.' These decisions are impacting families, livelihoods, and children's stability. We deserve better. The children deserve better!

The thing about daycares is unless you need one, or know someone who does you don't realize just how essential they are. We're not just watching children. We are the lifeline that allows parents to work, support their families, and keep the economy moving. But too often, we're overlooked.

Our family business has served the community for nearly 50 years in Wilkes-Barre and the Back Mountain. Generations of families have come through our doors! Thousands of children who grew, played, learned, and were loved here. Recently, we've been forced to close our Back Mountain Center that served 82 families and people are finally feeling the impact. There comes a time when we have to stand up not just for ourselves, but for what's right. We need people to understand that childcare isn't optional! We've held our end of the deal for decades. Now it's time for the system to do the same.

What's the real goal of overregulating child care providers? Is it truly about safety or just about covering liability and avoiding responsibility? We already carry expensive insurance to handle high-risk scenarios. We're prepared for the real dangers. But some of these rules like banning swings because they are 7ft instead of 5ft go beyond reason. Stop overdoing it. We need smart, balanced regulation that supports children's development and keeps providers open; not red tape that shuts us down.

We're not asking for shortcuts. We care deeply about children's safety; we live it every day. But there has to be room for evaluation and transparency. Can we create a process where providers can question regulations? Right now, we're being told: "This is just how it is." That's not acceptable anymore. Let's work toward a better system! One where providers have a voice, parents have support, and safety is balanced with common sense.



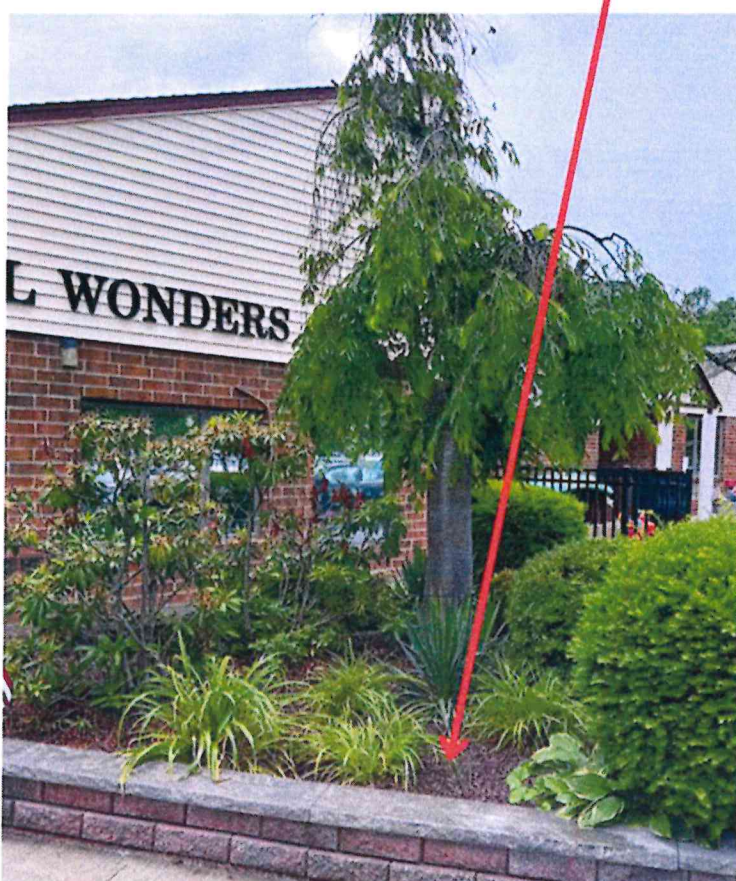
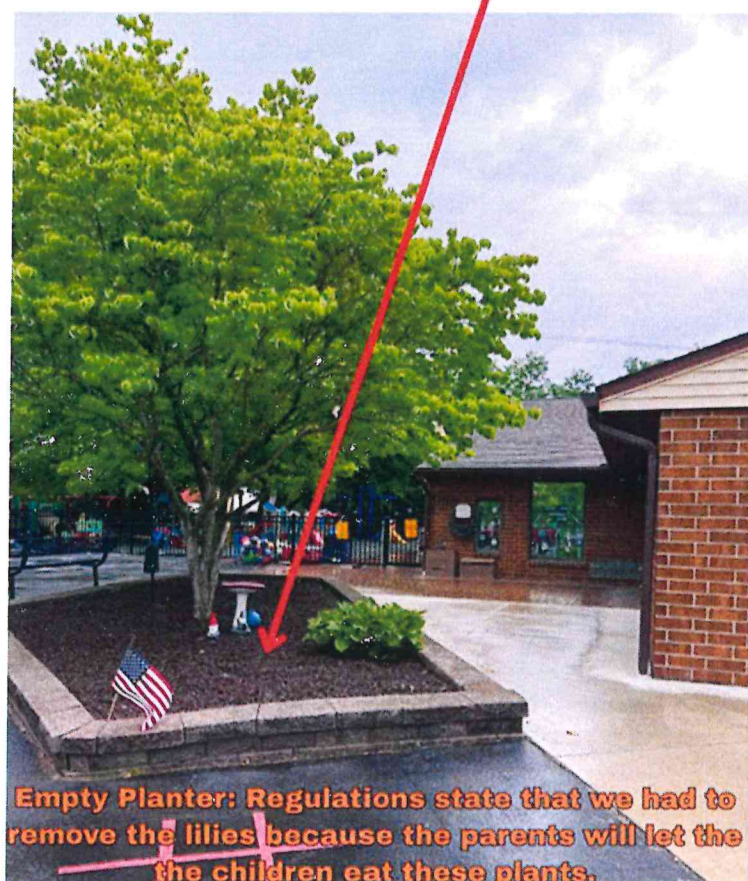
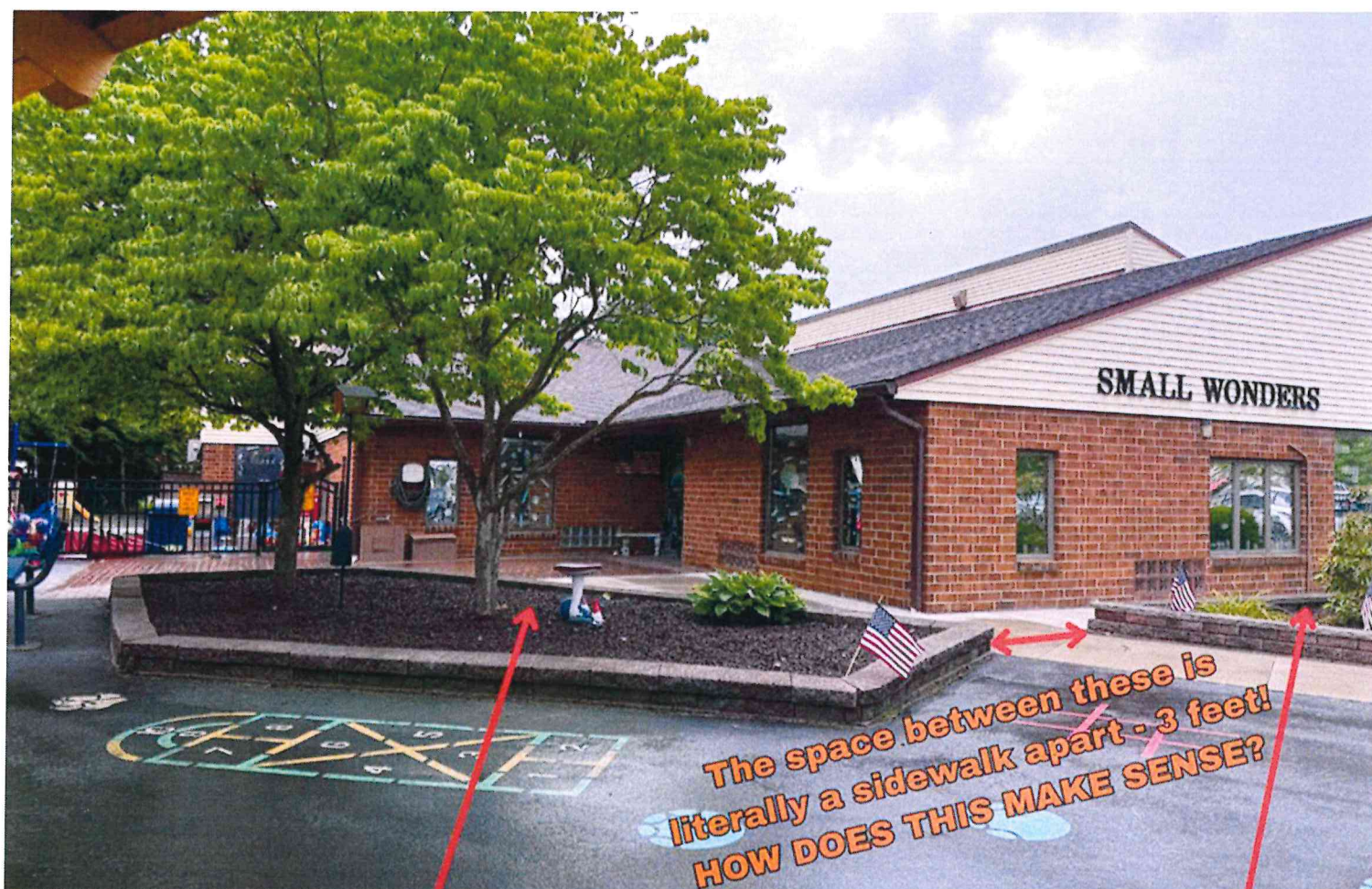
1. On **February 28, 2014**, the state passed a rule requiring all child care providers to have a certified lifeguard for any water activities. Facility persons serving as the provider's certified lifeguard must:
 - a. Be at least 16 years of age
 - b. Have clearances for the Pennsylvania Child Abuse Registry, Pennsylvania State Police criminal history check and results for FBI fingerprinting
 - c. Have a current staff health assessment, including TB test A health assessment is valid for 24 months if the individual does not contract a communicable disease or develop a medical problem.

Explain this: A lifeguard that is responsible for life or death situations can be 16 years old as a required worker in any water activity, but a daily employee of a child care center must be at least 18 and a high school graduate. By requiring 18 years old and a graduate the state is eliminating the opportunity for high school students to earn money and/or gain experience with children for possible future career goals in education.

So even if we have a fully certified lifeguard available, they legally can't supervise kids in a daycare setting unless they're 18 making the rule impossible to follow.

2. **55 Pa. Code §§ 3270.66(d), 3280.66(c), and 3290.64(c) – Toxics, as it pertains to plants.**

- a. On **June 17, 2024**, the state issued a new requirement: Guidance to Identifying Toxic Plants in the Child Care Setting Let's think about that. We're told to cut down plants and flowers in our child care spaces. Why? Because a child might eat one. Instead of encouraging children to explore nature, learn about plants, and experience outdoor beauty, we're told to eliminate it all because of a potential risk that a child might eat a flower. We don't let kids eat glue or climb fences—we teach them. Why should plants be any different?
 - i. We're responsible for every aspect of the children all day long, but the state doesn't trust us to have them walk past a plant? How does this make sense?



3. 55 Pa. Code § 3280.52 - Ratio requirements

(a) The minimum number of facility persons is as follows:

(1) A primary staff person shall be present in a facility when six or fewer children are in care, unless the staff:child ratio specified in subsection (b) or (c) requires a second or third staff person.

(2) At least two facility persons shall accompany any number of children on an excursion away from a facility.

(b) When children are grouped in similar age levels, the following child group sizes and ratios of staff persons apply:

- **Infants (0–1 yr):** 1 staff to 4 children
- **Young toddlers (1–2 yrs):** 1 to 5
- **Older toddlers (2–3 yrs):** 1 to 6
- **Preschoolers (3–5 yrs):** 1 to 10
- **Young school-age (K up to Grade 4):** 1 to 12
- **Older school-age:** 1 to 15

(Ratio is based on exact age instead of the personal development of a child.

Example: A student is ready to be in the Preschool room developmentally, physically, and academically but cannot be moved because of the state staff:child ratio is based on their exact date of birth. This limits a child from progressing which is the exact opposite of what education is about.)

(c) When children are grouped in mixed age levels, the age of the youngest child in the group determines the staff:child ratio and maximum group size in accordance with the requirements in subsection (b). **It doesn't take into consideration that we are basing this on the youngest child in the room, instead of the**

i. We are being forced to turn families away—not because we don't want to help, but because regulations won't allow us to. When a facility reaches its maximum group size under current staff-to-child ratios, we legally cannot accept more children—even when parents are begging for help.

1. Example: We're considered "out of ratio" the moment a staff member calls off—no matter the reason, no matter how hard we scramble. That's not negligence. That's real life. People get

sick. Their kids get sick. Cars break down. But instead of offering flexibility or backup support, the system penalizes us instantly, without room for grace or understanding. We're doing everything we can—calling subs, rearranging schedules, stepping in ourselves—but the regulations don't care. They don't account for human reality. This approach doesn't support child care providers—it sets us up to fail. It also put the parent out of work for the day- LAST MINUTE! UNPLANNED!

- a. This is not about safety anymore—it's about access.
- b. And when parents can't access child care, they can't work.
- c. When they can't work, businesses suffer.
- d. When businesses suffer, communities fall apart.
- ii. To the state, ratios are concrete numbers. But in real life, they're not. Children don't arrive in perfect groups of four or eight. They don't need care in neat, predictable shifts. They get sick, they cry, they need extra attention, they have big emotions—and sometimes five toddlers need help at once. Real life in a child care center is dynamic, messy, and deeply human. But we're being held to rigid, inflexible staffing ratios that don't reflect that reality. Instead of supporting providers with flexibility and trust, the state treats every fluctuation like a violation. That's not how care works—and it's not how children thrive.

4. 55 Pa. Code § 3270.102. Condition of play equipment

- a. (c) Outdoor equipment that requires embedded mounting must be mounted over a loose-fill or unitary playground protective surface covering that meets the recommendations of the United States Consumer Product Safety Commission. The equipment must be anchored firmly and be in good repair.
 - i. Our playground has a poured-in-place rubber surfacing—safe, cushioned, and maintained. But because our toddler swings are 7 feet and a climbing toy is roughly 6 feet high, we've been told to take it down. Why? Because of a measurement on a chart—not because of injuries, complaints, or real risk.
 - ii. We're supposed to believe it's safer to put children on mulch where they can get splinters, scraped knees, or mulch in their eyes than on the custom surface we've invested in? Please, make this make sense.

- iii. What about the children? We're supposed to be creating spaces where children can learn, grow, and explore. But these playground regulations are making that nearly impossible.
 - 1. It feels like the state wants everything taken away:
 - a. No swings
 - i. No climbing equipment
 - ii. No plants, flowers, or trees
 - iii. And forget anything above a few feet tall—even with safe surfacing
 - 1. A fenced-in lot. A few cones. A flat, lifeless space. That's not a playground. That's not in the best interest of the children.
 - b. Children need:
 - i. Opportunities to challenge their bodies and build confidence
 - ii. Access to nature, risk-managed play, and sensory-rich environments
 - iii. Playgrounds that spark imagination—not ones that just meet minimum code

We're asking you to be reasonable. When did safety become about eliminating everything, instead of teaching kids how to safely engage with their world? At this point, it's not about safety—it's about control. And it's the children who are losing.



A toddler-sized swing was just installed by our PTO—a generous gift meant to bring joy to the children. But we’ve been told we can’t use it, simply because the highest point measures 7 feet.

Never mind that it's age-appropriate, safely designed, children must be accompanied by a teacher, and they literally run to it as soon as we get on the playground. The rule doesn't take into account the actual risk, only a rigid number. We're not asking to ignore safety—we care deeply about it. But when regulations are not realistic and limit the enriching play opportunities based on arbitrary cutoffs, we lose sight of what really matters: giving children a safe, happy place to grow and thrive.

5. Why are there so many inconsistent guidelines around staff training? If a staff member started before 2020, their training is due from December 19 to December 19 every year. If they started after 2020, their training is due based on their hire date—a rolling schedule. Why is it not universal for all staff?

a. This kind of inconsistency:

- i. Creates confusion for providers trying to stay in compliance
- ii. Increases the risk of accidental violations
- iii. Wastes time and resources that should be spent on caring for children
- iv. Punishes programs with unnecessary administrative burdens

The solution is simple- Make the training schedule consistent for all staff, regardless of hire date. That's how most professions operate and it works.

6. What about the child care workers? The ones doing the hardest, most essential work for the lowest pay! They're changing diapers, wiping tears, teaching ABCs, spotting developmental delays, and holding space for working families all for wages that barely cover rent. Many are qualified, trained professionals, but they make less than entry-level office jobs. Yet, they're expected to meet endless training deadlines, follow complicated, inconsistent regulations, and carry the emotional load of raising other people's children day in and day out.

Some of our staff have been with us for nearly 20 years, and they're only making \$17 an hour. These are experienced, dedicated professionals caring for children every single day. Yet we can't afford to pay them more—not because we don't value them, but because the numbers don't work. The average tuition we collect per child is \$800 a month. That barely covers wages, let alone insurance, food, utilities, training, licensing fees, and materials. If we raised tuition just to cover fair wages, many families wouldn't be able to afford care at all. We're trapped in a system that underpays our staff and overburdens parents—and we're the ones trying to hold it all together.

Child care workers are underpaid, over-regulated, and undervalued! If child care workers can't afford to stay in the field, families won't have care. And when families don't have care, the whole economy breaks.

Who is deciding these regulations? Have they ever stepped foot in a child care center? Have they changed a diaper, supervised a playground, or managed a classroom of toddlers during lunch? Where we stand—it doesn't seem like it. We have to follow rules that don't reflect real-world child care. Rules that often contradict themselves. Rules that impose huge

financial burdens on both providers and families. How are these regulations created? Who approves them? And how do we change them?

We're not asking to throw out safety and to disregard the rules and regulations. We're asking for:

- Transparency in who writes these rules
- Representation from actual child care providers in rulemaking
- A process to review, question, and adjust regulations before they damage our programs
- A Review Committee that includes providers, parents, and child development experts

Right now, we're being told to accept whatever is handed down with no questions. That's not how good policy is made. We are calling for support to evaluate child care regulations with the people who know the field best; those of us who live it every day. It's time to bring providers to the table. We're not asking to cut corners. We're not asking for perfection. We're asking for a system that makes sense. One that values children, respects providers, supports working families, and allows child care workers to earn a livable wage. The current system is broken, overregulated, inconsistent, and unsustainable. If we don't speak up, nothing will change. If we come together as providers, parents, workers, and community members we can demand the respect, fairness, and common sense that child care in this country so desperately needs. It's time to fix this! Not just for us, but for the future of every child and family we serve. We're asking for clarity, consistency, and fairness.

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