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November 16, 2021

The Honorable Chuck Schumer  
Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
Washington, DC 20510

Dear Majority Leader Schumer and Minority Leader McConnell:

On behalf of the Council for American Private Education, a national coalition of private school networks and state affiliates serving private schools, I am writing to express concern over the pre-kindergarten and childcare provisions of the budget reconciliation legislation currently under consideration by Congress.

We appreciate the desire to increase the affordability and availability of these services for working families, however the law of unintended consequences looms large over this proposal. The legislation as currently drafted would very likely reduce the number of providers able or willing to participate in these programs.

It is especially concerning that the legislation would require participating providers to comply with federal financial assistance requirements, some of which would be prohibitively costly and administratively complex for smaller providers, and others which conflict with the religious principles of many faith-based providers. With respect to childcare, such a requirement would be a stark departure from three decades of federal policy under the Child Care and Development Block Grant (CCDBG) program.

Additionally, under the current House language, faith-based providers could very well be prohibited from using the proposed funds for programs containing religious content. However, faith-based providers integrate their religious teachings and themes into their activities and curriculum on a daily basis and parents choose these providers for that very reason. Sectioning off these funds may prove impossible and would force faith-based providers to abandon their curriculum or face exclusion from these programs. If Congress were to undermine parents' ability to choose a faith-based provider with legislation favoring other options, this would in fact represent a diminishment, not an expansion, of access.

While we all share the goal of safe and high quality care and learning, there are also concerns over federal intervention into the areas of licensing, curriculum, and performance standards, all matters better left to state and local decision making. Moreover, the requirement that preschool teachers have specific degrees in early childhood education or a related field would prove to be significantly disruptive in

actual classrooms, where many outstanding teachers come from a variety of different training backgrounds.

These and other provisions amount to an enormous new intrusion by the federal government into a very sensitive area of education and family policy: the early years of a child's life. Over the years, a mixed delivery system of public and private providers has arisen organically in response to the needs of parents. If the intention is to expand access to pre-kindergarten and childcare, Congress should consider ways of subsidizing families into a system that is already meeting the needs and choices of parents across the country. Unfortunately, the current proposal's design runs the risk of driving private, and particularly faith-based, providers from the field, thereby reducing the choices parents currently enjoy. We respectfully urge that a different approach be taken.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Schuttloffel".

Michael Schuttloffel  
Executive Director