

# DHS Responses to Public Comments Regarding Better Beginnings Quality Rating Improvement System

**Tiffany Sharp Owner, Head Director**  
**Sharp Child Care**

**Comment:** I am very excited at the opportunity for higher quality rating options through Better Beginnings! This has been something I have hoped for and it's exciting to know the options of continued improvement for quality child care within the State of Arkansas is within reach to even the very best programs who have already achieved the highest Level 3 rating. Just like everyone else, the two (almost three) years during COVID were horrendous. We experienced things within our businesses we never could have imagined and with that said it brings concerns of how future potential complaints are received and handled by Child Care Licensing and Better Beginnings as a whole. I would like to provide some insight to my opinion on section 10.00 Adverse Action. The thought of losing a Better Beginnings status, even temporarily, after all the hard work that comes with its achievement is frightening. If a child care center were to have many children on child care vouchers, to lose the ability to accept them over deficiencies, substantiated complaints, corrective action, or adverse action, would undeniably put a child care program out of business. For instance, one of my programs has around 95% child care vouchers (with essential vouchers still active). If we were to lose the ability to accept them, we would lose many children, lose staff and ultimately have no business left over to have the option of re-applying for Better Beginnings after the 1-year requirement. This brings up many questions and I feel other providers also have these questions. In my heart, I believe there is too much gray area with the way this section is written. It seems very vague for such an important piece of information. How are providers to determine when an issue arises of what is to occur to their business?

**Response:** Programs at higher levels of Better Beginnings are rated as such because they are held to a higher standard than programs operating solely under Minimum Licensing Requirements. This gives parents and the public an expectation that they are not only in compliance with Minimum Licensing Requirements but also meet or exceed the quality indicators set forth in the guidelines. If issues arise resulting in the program no longer meeting the quality standards for the level attained, the provider would be able to participate in Better Beginnings at the level in which they meet standards for. The Division would continue to work with the provider as they work to continue improving quality. This approach offers transparency for the families who rely on quality care for their children.

**Comment:** How many violations are considered "numerous"?

**Response:** Adverse actions on Better Beginnings status are carefully considered. The Division strives to do what is in the best interest of the children served. The number of deficiencies is only one of many factors included in the decision-making process.

**Comment:** Which violations are considered "serious"?

**Response:** Serious deficiencies include but are not limited to the following critical licensing areas: transportation, behavior guidance, supervision, staff to child ratios, infant and toddler care, and background checks.

**Comment:** Substantiation of what type of complaints or how many substantiation complaints are considered for this rule?

**Response:** The number and type of complaints is one of many factors included in the decision-making process. Serious complaints may include but are not limited to the following critical licensing areas: transportation, behavior guidance, supervision, staff to child ratios, infant and toddler care, and background checks.

**Comment:** In what time frame is this looked back on? 1 month, 6 months, 3 years?

**Response:** The overall history of the facility is considered prior to taking action.

**Comment:** At what point in the process of deficiencies cited does Better Beginnings consider the suspension, reduced level or removal of status?

**Response:** The facility would be given an opportunity to complete the appeal process through the Licensing Unit (or other entity) prior to Better Beginnings taking action.

**Comment:** What is the process for notification of the possible suspension, reduced level or removal of status?

**Response:** The Division would provide written notification to the provider. The facility would have an opportunity to appeal the action taken.

**Comment:** Are there parameters provided to programs to show improvement before Better Beginnings status is suspended, reduced in level or removed?

**Response:** The opportunity for improvement would take place prior to the Licensing Unit (or other entity) taking the action that results in the Better Beginnings status change.

**Comment:** Is there a time frame allowance to work with the Better Beginnings and Child Care Licensing Team for multiple T/A's, PDR trainings, etc as a determination of that program's willingness to make improvements before a status is suspended, reduced in level or removed?

**Response:** Facilities that are at higher levels of Better Beginnings are consistently meeting quality standards above and beyond Minimum Licensing Requirements. The opportunity for T/A and training prior to action being taken would occur prior to the Licensing Unit (or other entity) taking the action that resulted in the Better Beginnings status change.

**Danita Pitts, Early Childhood 619 Program Coordinator**

**Arkansas Department of Education, Division of Elementary and Secondary Education**

**Comment:** I have reviewed the Better Beginnings document. I see that the document has been kept very basic for the most part, but I do see emphasis on a few particular topics – child health, child development, breast feeding, screen time, etc. These are important focus subjects. However, I feel I would be remiss in not pointing out some important topics that are not addressed that I feel should be included in what is considered to be a higher quality program (levels 4, 5, 6) – inclusion of children with

disabilities, racial equity, mental health. I feel like a true quality program should be moving beyond just safety and provide quality in these areas also.

**Response:** Child development screening and inclusion is addressed in the Program Administration Scale, Business Administration Scale, and the Environment Rating Scale used for Better Beginnings. In addition, every licensed facility in Arkansas must meet Minimum Licensing Requirements. The requirements regarding inclusion are listed below. Because these are minimum requirements, a facility would not be recognized at higher levels of quality for providing services that are required by law.

1401 Special Needs Requirements

*All child care facilities shall comply with all applicable provisions as specified in Individual with Disabilities Education Act (IDEA):*

- a. The facility shall enroll children with special needs without regard to disability; (Programs are required to provide space and care for a child who can be placed in their facility with existing services, as well as added supports from special educational services, and as long as the health and safety of the child can be met.)*
- b. Staff shall provide care in the general classroom with children who are not disabled;*
- c. The facility shall assist in facilitation of services required to meet the “special needs” of children in the center or in the classroom as specified on the individualized education and individual family service plan;*
- d. Facility staff (regular classroom staff) shall be a partner in the Individual Family Service Plan (IFSP) and Individual Education Plan (IEP) plan process;*
- e. The facility shall allow service providers who are representatives of the Department of Human Services (DHS), the Division of Developmental Disabilities Services (DDS), or the Arkansas Department of Education (ADE) access to the facility to provide special services as prescribed on the plan to enable the plan to be implemented in the classroom (natural and least restrictive environment);*
- f. The facility shall not charge special service providers for space, accept “gratuities”, or payment for allowing special service providers to provide services in their facility;*
- g. The facility is not required to “displace” children or staff to make space available to special service providers;*
- h. For a special service provider to provide special services in the facility, the IFSP/IEP planning team under the authority of ADE and DHS, and DDS, shall identify the needed special services on the IFSP/IEP; and*
- i. Classroom staff shall reinforce the specified goals and objectives as part of the daily routine of the classroom.*

1402 Infant and Toddler Special Needs Requirements

- 1. To the maximum extent appropriate, children birth to two (2) years of age shall participate in early intervention services provided in “natural environments.”*
- 2. When infants and toddlers cannot achieve satisfactory results from early intervention services in a natural environment, the provision of early intervention services shall occur in other appropriate settings as determined by the parent and the Individualized Family Service Team.*

**Alesa Lambert, aRPy Ambassador, Public School Program Advisor**

**Division of Elementary and Secondary Education, Office of Special Education**

**Comment:** I am pleased to see that a proposed requirement for Better Beginnings Level 2 and above is universal screening of students B- K. (2.D.3) I think that it would be appropriate and beneficial that required professional development for administrators and staff include an overview of the Early Childhood Special Education process (Individuals with Disabilities Education Act, IDEA). This would support the process and expectations of the law as it refers to children with or suspected of having developmental delays or disabilities. I also think that it is important that our quality childcare facilities demonstrate the expectation of special education and related services be provided in an inclusive setting. Thank you for your continued work to improve the early care for Arkansas' children.

**Response:** The expectation is that facilities follow Minimum Licensing Requirements. The Division provides routine intent training regarding the Minimum Licensing Requirements. This training is open for all administrators and staff to attend.

**Brenda Reynolds, Welcome the Children Director; ABICE Coordinator**  
**Partners for Inclusive Communities, University of Arkansas**

**Comment:** My comments and suggestions below focus on the Center Based Requirements section of the proposed Better Beginnings revisions as that is the area with which I am most familiar. I have discussed this with colleagues and my comments may mirror some that they provide.

Positive Comments: I would like to commend the Division of Child Care and Early Childhood Education for adding Levels 4 – 6 to the newly titled Better Beginnings Tiered Quality Rating and Improvement System and for attempting to streamline the process for child care providers. Arkansas is again leading the nation in development of positive early childhood policies and practices. I really like the updated staff-to-child ratios beginning with Level 4. This should positively impact quality care! Improved staff-to-child ratios will demonstrate a program's commitment to enhanced level of care as they move up in the Better Beginnings Levels.

Concerns: One concern that I have is that it appears the revised requirements focus primarily on programs achieving average scores from rating scales; specifically, the Environment Rating Scale (ERS), the Program Administration Scale (PAS), and Youth Program Quality Assessment (YPQA), and the directors implementing strategies based on self-assessing their programs. The rating scales may be able to capture many aspects of quality, but I fear that some areas within the scale, such as inclusion of children with disabilities, could be ignored and a program could still receive a good overall average score on that scale. I think programs should have a strong foundation of including ALL children, especially those with disabilities. If focusing on self-assessments to measure program capability and performance, one idea is to have state contractors identify or create an instrument for educators to assess their programs and classrooms for readiness to serve all children, including children with disabilities and children who are dual language learners.

**Response:** Child development screening and inclusion is addressed in the Program Administration Scale, Business Administration Scale, and the Environment Rating Scale used for Better Beginnings. In addition, every licensed facility in Arkansas must meet Minimum Licensing Requirements. The requirements regarding inclusion are listed below. Because these are minimum requirements, a facility would not be recognized at higher levels of quality for providing services that are required by law.

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- d. Facility staff (regular classroom staff) shall be a partner in the Individual Family Service Plan (IFSP) and Individual Education Plan (IEP) plan process;*
- e. The facility shall allow service providers who are representatives of the Department of Human Services (DHS), the Division of Developmental Disabilities Services (DDS), or the Arkansas Department of Education (ADE) access to the facility to provide special services as prescribed on the plan to enable the plan to be implemented in the classroom (natural and least restrictive environment);*
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- h. For a special service provider to provide special services in the facility, the IFSP/IEP planning team under the authority of ADE and DHS, and DDS, shall identify the needed special services on the IFSP/IEP; and*
- i. Classroom staff shall reinforce the specified goals and objectives as part of the daily routine of the classroom.*

#### 1402 Infant and Toddler Special Needs Requirements

- 1. To the maximum extent appropriate, children birth to two (2) years of age shall participate in early intervention services provided in “natural environments.”*
- 2. When infants and toddlers cannot achieve satisfactory results from early intervention services in a natural environment, the provision of early intervention services shall occur in other appropriate settings as determined by the parent and the Individualized Family Service Team.*

**Comment:** Another concern is that although there are a few specific training areas required in the draft requirements, such as nutrition and physical activities, I think it is important that a training plan be individualized based on the program’s and staff members’ needs.

**Response:** Professional development is addressed in the Program Administration Scale and Business Administration Scale used for Better Beginnings. In addition,

there are specific Minimum Licensing Requirements regarding professional development. Directors and Assistant Directors, or Site Supervisors, shall obtain fifteen (15) clock hours in early childhood education each year. Training shall be registered with the Division of Child Care and Early Childhood Education (DCCECE) Professional Development Registry, or must be approved by the Department of Education, or

Department of Higher Education. Documentation of training shall be maintained and available for review.

*Topics appropriate for continuing early childhood education shall include, but are not limited to, the following:*

- 1. Child growth and development;*
- 2. Nutrition and food service;*
- 3. Parent communication and involvement;*
- 4. Curriculum development and implementation;*
- 5. Developmentally appropriate practice and learning environments;*
- 6. Behavior guidance and positive interaction;*
- 7. Emergency care and first aid; and*
- 8. Program planning, management, and leadership of early childhood programs.*

*All staff members who work directly with children shall obtain at least fifteen (15) hours of training each year in continuing Early Childhood Education. This training shall be registered with the Division of Child Care and Early Childhood Education (DCCECE) Professional Development Registry, or must be approved by the Department of Education, or Department of Higher Education, and shall be geared toward the age group they spend the majority of their time with.*

It would be difficult for a facility to earn adequate scores for higher levels of Better Beginnings if their staff do not have appropriate training.

**Comment:** Recommendations: Update 2.B.4 The director shall complete training on developmentally appropriate physical and educational activities for children, including providing accommodations as needed to fully include children with disabilities.

**Response:** Since this is a Minimum Licensing Requirement, the expectation is that accommodations are being provided to include all children regardless of the quality level of the facility.

**Comment:** Add 2.B.5. The director will develop a professional development plan for staff. The professional development plan should identify staff knowledge gaps and focus on developing teaching practices that support children's developmental goals in the Division-approved topic areas.

**Response:** Professional development is addressed in the Program Administration Scale and Business Administration Scale used for Better Beginnings. In addition, there are specific Minimum Licensing Requirements regarding professional development. Directors and Assistant Directors, or Site Supervisors, shall obtain fifteen (15) clock hours in early childhood education each year. Training shall be registered with the Division of Child Care and Early Childhood Education (DCCECE) Professional Development Registry, or must be approved by the Department of Education, or Department of Higher Education. Documentation of training shall be maintained and available for review.

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5. *Developmentally appropriate practice and learning environments;*
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It would be difficult for a facility to earn adequate scores for higher levels of Better Beginnings if their staff do not have appropriate training.

**Comment:** Levels 4 – 6 should include language that requires the director to review and update the professional developmental plans with staff and that an increasing number of staff members complete their training plans before moving to the next Better Beginnings Level. Early childhood educators should be guided to attend quality professional development provided by state contractors.

Training content should contain research-evidence-based content that is customized to the roles of its participants; Training should align with the Arkansas Workforce Knowledge and Competencies; the Arkansas Child Development and Early Learning Standards; the National Association for the Education of Young Children (NAEYC) and Division of Early Childhood (DEC) recommended practices. Emphasis should be placed on training content provided through multiple sessions and incorporates a relationship-based approach, such as mentoring, coaching, or consultation.

Limit the number of hours providers can use short, one-time training or conference workshops (or repeat the same training) to fulfill their professional development plans as research indicates that this type training does not typically improve staff practice and teacher-child interactions. An example of an organization that makes that requirement is the National Association for Family Child Care. They limit the number of hours of training received in workshops to a small percentage of the total required hours for certification.

**Response:** Professional development is addressed in the Program Administration Scale and Business Administration Scale used for Better Beginnings.

**Comment:** Add more robust requirements for inclusion of children with disabilities and dual language learners, especially for Levels 4 - 6: Include specific self-assessments and additional training requirements related to positive adult-child interactions; recognizing and including children with disabilities; cultural responsiveness and dual language learners. Research and evidence show that a focus on early relational health and improved classroom interactions in early childhood settings matters in terms of child outcomes. While version three of the ERS includes indicators on teacher-child interactions, this subscale(s) could be more robust. And programs could score low in classroom interactions and still be in the higher levels. Why not require a specific tool for relational health or classroom interactions at level six?

**Response:** The Division has effectively used the Environmental Rating Scale as a quality assessment tool. Reliable assessors, who are highly skilled and trained on the ERS tool, conduct the reviews. Positive adult-child interactions are built-in across the rating instrument.

**Comment:** Programs need training on using a model of continuous quality improvement and need to be held accountable for using that model. Include a plan for communicating with and engaging families of children with disabilities and those from various cultures and ethnic backgrounds. Demonstrate that language access is provided to families whose home language is not English (ex. American Sign language for deaf or hard of hearing) and available oral language interpreters for family meetings when needed.

**Response:** The Division offers technical assistance on how to use a model of continuous quality improvement. Recommendations for continuous quality improvement were added to the Better Beginnings rule 9.08.

**Comment:** At level six, programs should demonstrate that they offer in-class support for children that receive therapeutic (OT, PT, speech) services (as opposed to pull-out services). In-class supports for children with disabilities benefit all children and demonstrate full inclusion of children with disabilities learning alongside their peers.

**Response:** Child development screening and inclusion is addressed in the Program Administration Scale, Business Administration Scale, and the Environment Rating Scale used for Better Beginnings. In addition, every licensed facility in Arkansas must meet Minimum Licensing Requirements. The requirements regarding inclusion are listed below. Because these are minimum requirements, a facility would not be recognized at higher levels of quality for providing services that are required by law.

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- b. Staff shall provide care in the general classroom with children who are not disabled;*
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- d. Facility staff (regular classroom staff) shall be a partner in the Individual Family Service Plan (IFSP) and Individual Education Plan (IEP) plan process;*
- e. The facility shall allow service providers who are representatives of the Department of Human Services (DHS), the Division of Developmental Disabilities Services (DDS), or the Arkansas Department of Education (ADE) access to the facility to provide special services as prescribed on the plan to enable the plan to be implemented in the classroom (natural and least restrictive environment);*
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- h. For a special service provider to provide special services in the facility, the IFSP/IEP planning team under the authority of ADE and DHS, and DDS, shall identify the needed special services on the IFSP/IEP; and*
- i. Classroom staff shall reinforce the specified goals and objectives as part of the daily*

*routine of the classroom.*

1402 Infant and Toddler Special Needs Requirements

1. *To the maximum extent appropriate, children birth to two (2) years of age shall participate in early intervention services provided in “natural environments.”*
2. *When infants and toddlers cannot achieve satisfactory results from early intervention services in a natural environment, the provision of early intervention services shall occur in other appropriate settings as determined by the parent and the Individualized Family Service Team.*

**Comment:** I would like to see it designed where programs who achieve Level 6 could be ready for National NAEYC Accreditation.

**Response:** The Division does not require participation in NAEYC Accreditation. There is a significant financial impact to providers who go through the NAEYC Accreditation process.

**Ann Patterson, Project Director, Teaming for Early Childhood Inclusion “TECI”  
Partners for Inclusive Communities, University of Arkansas**

**Comment:** First, I want to acknowledge my appreciation for DCCECE’s work in streamlining the process for early care & education providers, as well as the addition of Levels 4, 5 & 6 to Better Beginnings Tiered Quality Rating and Improvement System. Through conversation & collaborative discussion among several of my peers, I offer the following comments relating to the inclusion of children with disabilities in center-based programs. While inclusion is foundational and should be included in minimal licensing requirements, I have concern that programs meeting the foundational level may not have the knowledge and skills required to fully support a child with a disability within their program. Thanks to DCCECE for their support of quality state contractor training; I would suggest that there be language guiding programs to take professional development courses that would develop teaching practices that support children’s developmental goals in areas such as autism, sensory processing, positive behavior support, as well as dual language learners and visual supports in the classroom.

Another concern is that an average score that a program attains could capture many aspects of quality, yet omit important areas such as supporting inclusion of children with disabilities. Quality should focus more on supporting the inclusion of children with disabilities alongside typically developing peers within the classroom. Perhaps DCCECE state contractors could identify or create an instrument for early childhood educators to assess their programs and classrooms for readiness to serve both children with disabilities and children who are dual-language learners. Research and evidence support that early relational health and improved classroom interactions in early childhood classrooms matter in terms of child outcomes.

One last suggestion is that in order for a program to attain Level 6, they should demonstrate that they offer in-class supports for children that receive therapeutic services (PT, OT, Speech) as opposed to pull-out services out of the classroom. In-class support for children with disabilities benefits all children. Thanks for the opportunity to share my comments.

**Response:** Child development screening and inclusion is addressed in the Program Administration Scale, Business Administration Scale, and the Environment Rating Scale used for Better Beginnings. In

addition, every licensed facility in Arkansas must meet Minimum Licensing Requirements. The requirements regarding inclusion are listed below. Because these are minimum requirements, a facility would not be recognized at higher levels of quality for providing services that are required by law.

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- 2. When infants and toddlers cannot achieve satisfactory results from early intervention services in a natural environment, the provision of early intervention services shall occur in other appropriate settings as determined by the parent and the Individualized Family Service Team.*

### **Deniece Honeycutt**

**Comment:** I appreciate the new streamlined Better Beginnings document. The new levels eliminate redundancies and possible conflicting information from other instruments. Additionally, I realize it is impossible to include everything in one document and appreciate the challenging work and getting consensus. In collaboration with colleagues, I am providing these comments in an effort to benefit

programs, providers, and families and produce high-quality outcomes for children. One way we can do better is by supporting the professional development needs of early educators. Professional development (PD) for early childhood (EC) teachers can improve outcomes for children (Henry and Pianta 2011; Zaslow and Martinez-Beck 2006). Given the range of background experiences of those working in the EC field, PD is a significant lever for enhancing the educational quality of EC programs. I understand PD is addressed in the designated QRIS instruments, but based on the research, including language guiding programs to take state contractor training could move the scale on quality.

**Response:** Professional development is addressed in the Program Administration Scale and Business Administration Scale used for Better Beginnings. In addition, Minimum Licensing Requirements do require providers to take trainings approved through the Arkansas Professional Registry or the Arkansas Department of Education.

**Comment:** Data indicates that individuals attain the required number of hours, but a large percentage of what individuals took was short one-hour (sit and git) options. I would like to see a limit on the number of hours providers can take short, one-time training or conference workshops since research indicates that these do not improve staff practice and teacher-child interactions. An example of an organization that makes that requirement is the National Association for Family Child Care. They limit the number of hours of training received in workshops to a small percentage of the total required hours for certification. I think those in the early childhood field should be guided to attend quality professional development. Specifically training that state contractors develop and training that:  
involves a series of sessions that is job-embedded and sustained over an extended period,  
contains research-evidence-based content that is customized to the roles of its participants,  
incorporates a relationship-based approach, such as mentoring, coaching, or consultation,  
aligns with the Arkansas Workforce Knowledge and Competencies, National Association for the Education of Young Children (NAEYC), and The Division for Early Childhood (DEC).  
integrates the Arkansas Child Development and Early Learning Standards.

**Response:** Professional development is addressed in the Program Administration Scale and Business Administration Scale used for Better Beginnings.

**Comment:** An example of an organization that makes that requirement is the Arkansas Department of Education (ADE). The ADE guides educators to take professional development approved or provided by specified groups (ADE, an institution of higher education, ADE approved provider, or education service cooperative). One idea on how to add these to the current level is:

2.B.4 The director shall complete training on developmentally appropriate physical and educational activities for children, including training on accommodations to fully include children with disabilities.

2.B.5 The director will develop a professional development plan with staff. The professional development plan should identify staff knowledge gaps and focus on developing teaching practices that support children's developmental goals by using the Division-approved contractors and topic areas.

Add 3.B.1 The director shall continue to support staff professional development.

**Response:** Professional development is addressed in the Program Administration Scale and Business Administration Scale used for Better Beginnings. In addition, Minimum Licensing Requirements do require providers to take trainings approved through the Arkansas Professional Registry or the Arkansas Department of Education.

**Comment:** Research and evidence show that a focus on early relational health and improved classroom interactions in early childhood settings matters in terms of child outcomes. Each moment teachers and children interact with one another is an opportunity to develop positive relationships. Research shows that teacher-child relationships significantly influence young children's social, emotional, and future development. While version three of the Environment Rating Scale (ERS) includes indicators on teacher-child interactions, this subscale(s) could be more robust. And programs could score low in classroom interactions and still be in the higher levels. Why not require a specific tool for relational health or classroom interactions at level six? There are free tools if the cost prohibits programs from purchasing assessments. Twenty-five states in the United States use a specific tool to measure interactions in their QRIS and do not rely solely on ERS. I would be happy to share more information if it is wanted.

References: Henry, A.E., & Pianta, R.C. (2011). *Effective teacher-child interactions in children's literacy: Evidence for scalable, aligned approaches to professional development*. In S. B. Neuman & D. K. Dickinson (Eds.), *Handbook of early literacy research* (Vol. 3, pp. 308–321).  
Zaslow, M.; Martinez-Beck, I. *Critical issues in early childhood professional development*. Baltimore: Paul H. Brookes; 2006.

**Response:** The Division has effectively used the Environmental Rating Scale as a quality assessment tool. Reliable assessors who are highly skilled and trained on the ERS tool conduct the reviews. Positive adult-child interactions are built in across the rating instrument.

### **Jamie Ward**

#### **Curricula Concepts**

##### **Comment:**

*2.D.4. The facility shall use a Division-approved tool to complete a self-assessment and create and implement one action plan in the area of nutrition.*

Suggested: 2.D.4. The facility shall use a Division-approved tool to complete a child nutrition self-assessment and create and implement one action plan in the child nutrition module

Notes: Language clean-up

*2.D.5. The facility shall use a Division-approved tool to complete a self-assessment in the area of physical activity.*

Suggested: 2.D.5. The facility shall use a Division-approved tool to complete a second self-assessment in the child nutrition module to assess progress.

Notes: This change will allow programs to assess progress within a reasonable time frame, instead of waiting until moving to the next level.

*3.D.2. The facility shall use a Division- approved tool to identify and implement one physical activity goal from the completed action plan in level 2.*

Suggested: 3.D.2. The facility shall use a Division-approved tool to complete a physical activity self-assessment and create and implement one action plan in the physical activity module.

Notes: Language clean-up

Suggested: 3.D.3. The facility shall use the Division-approved tool to complete a second self-assessment in the physical activity module to assess progress.

Notes: This change will allow programs to assess progress within a reasonable time frame, instead of waiting until moving to the next level.

*4.D.1. The facility shall use a Division-approved tool to identify and implement two additional action plan goals in physical activity or nutrition from the completed self- assessments.*

Suggested: 4.D.1. The facility shall use a Division-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding & infant feeding, outdoor play & learning, OR screen time and create and implement two action plans in that module.

Notes: Added all modules as options to allow director choice in the improvement area.

*4.D.2. The facility shall take the physical activity and nutrition self- assessments again to reassess their current status.*

Suggested: 4.D.2. The facility shall use the Division-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding & infant feeding, outdoor play & learning, OR screen time self- assessment to assess progress.

Notes: Added all modules as options to allow director choice in the improvement area.

*5.D.1. The facility shall use a Division-approved tool to complete a self-assessment in breastfeeding & infant feeding, outdoor play and learning, OR screen time and implement two action plans in that module.*

Suggested: 5.D.1. The facility shall use a Division-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding & infant feeding, outdoor play & learning, OR screen time and create and implement two action plans in that module.

Notes: Added all modules as options to allow director choice in the improvement area.

*5.D.2. The facility shall use the Division-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding & infant feeding, outdoor play & learning, OR screen time self- assessment to assess progress.*

Notes: This change will allow programs to assess progress within a reasonable time frame, instead of waiting until moving to the next level.

*6.D.1. The facility shall use a Division-approved tool to complete a self-assessment in a fourth module, breastfeeding & infant feeding, outdoor play and learning OR screen time and implement two action plans in that module.*

Suggested: 6.D.1. The facility shall use a Division-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding & infant feeding, outdoor play & learning, OR screen time and create and implement two action plans in that module.

Notes: Added all modules as options to allow director choice in the improvement area.

*6.D.2. The facility shall take the breastfeeding & infant feeding, outdoor play and learning OR screen time self- assessments from Level 4 and Level 5 again to reassess their current status.*

Suggested: 6.D.2. The facility shall use the Division-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding & infant feeding, outdoor play & learning, OR screen time self- assessment to assess progress.

Notes: Added all modules as options to allow director choice in the improvement area.

**Response:** These changes have been made by the Division.

**Comment:** Out of School Time/School Age Requirements:

Remove Go NAPSACC in the Out of School Time/School Age Requirements. Go NAPSACC is not currently set up for use in Out of School Programs specifically. A program that registers as a half day program would be the closest fit to an out of school program, but the best practices were not intended for the Out of School Time setting. All of Go NAPSACC best practices are specifically for the 0-5 age group currently.

We would recommend using the HEPA (Healthy Eating & Physical Activity) guidelines developed for after school programs. They are a widely used and trusted resource from the National Afterschool Association and have an accompanying assessment tool.

Here is a link:<https://naaweb.org/resources/naa-hepa-standards>

**Response:** The Division has removed this requirement for out of school time programs and will continue to research available options.

### **Ravyn Hawkins**

**Comment:** Thank you for the opportunity to submit public commentary on the proposed Better Beginnings Quality Rating Improvement rules change.

General: Inclusion of children with disabilities within the typical classroom activities (with supports, when needed) is absent from this document and as a child/family right under the Individuals with Disabilities Education Act (IDEA, Part C for birth to 3rd birthday and IDEA, Part B-619 for children 3-5).

**Response:** Child development screening and inclusion is addressed in the Program Administration Scale, Business Administration Scale, and the Environment Rating Scale used for Better Beginnings. In addition, every licensed facility in Arkansas must meet Minimum Licensing Requirements. The requirements regarding inclusion are listed below. Because these are minimum requirements, a facility would not be recognized at higher levels of quality for providing services that are required by law.

#### **1401 Special Needs Requirements**

*All child care facilities shall comply with all applicable provisions as specified in Individual with Disabilities Education Act (IDEA):*

- a. The facility shall enroll children with special needs without regard to disability; (Programs are required to provide space and care for a child who can be placed in their facility with existing services, as well as added supports from special educational services, and as long as the health and safety of the child can be met.)*
- b. Staff shall provide care in the general classroom with children who are not disabled;*
- c. The facility shall assist in facilitation of services required to meet the "special*

- needs” of children in the center or in the classroom as specified on the individualized education and individual family service plan;*
- d. Facility staff (regular classroom staff) shall be a partner in the Individual Family Service Plan (IFSP) and Individual Education Plan (IEP) plan process;*
  - e. The facility shall allow service providers who are representatives of the Department of Human Services (DHS), the Division of Developmental Disabilities Services (DDS), or the Arkansas Department of Education (ADE) access to the facility to provide special services as prescribed on the plan to enable the plan to be implemented in the classroom (natural and least restrictive environment);*
  - f. The facility shall not charge special service providers for space, accept “gratuities”, or payment for allowing special service providers to provide services in their facility;*
  - g. The facility is not required to “displace” children or staff to make space available to special service providers;*
  - h. For a special service provider to provide special services in the facility, the IFSP/IEP planning team under the authority of ADE and DHS, and DDS, shall identify the needed special services on the IFSP/IEP; and*
  - i. Classroom staff shall reinforce the specified goals and objectives as part of the daily routine of the classroom.*

**1402 Infant and Toddler Special Needs Requirements**

- 1. To the maximum extent appropriate, children birth to two (2) years of age shall participate in early intervention services provided in “natural environments.”*
- 2. When infants and toddlers cannot achieve satisfactory results from early intervention services in a natural environment, the provision of early intervention services shall occur in other appropriate settings as determined by the parent and the Individualized Family Service Team.*

**Comment:** Page 5/47: Clarify “every licensed and registered childcare provider in Arkansas” because Early Intervention Day Treatment (EIDT) centers do meet child care licensure requirements but they do not meet the definition of “child care” in which half or more of the children are typically developing. Although an EIDT may elect to have a building, classroom/classrooms that do meet Better Beginnings requirements, if they do elect to offer a Better Beginnings program on the EIDT campus, that program should have a different/separate name from the day habilitation program so as to be more clear to families and to referral sources.

**Response:** All EIDT programs in Arkansas are licensed as a child care facility and are required to follow Minimum Licensing Requirements.

**Comment:** Page 19/47: Learning Environment, levels 4 and above should be implementing the Division of Early Childhood (DEC) Recommended Practices, specifically those practices directly related to Instruction and Inclusion (Environment and Instruction).

Page 20/47: Child Health/Development seems to be focused entirely on health and really not very much on early learning/development. For equitable and appropriate child development, all levels need to include specific language about the inclusion of children with disabilities as this is a child/family right under IDEA. For levels 4 and above, specific language about children with disabilities supported in

participating in classroom activities that their typically developing peers and supportive service delivery within routine activities (an IDEA requirement and DEC Recommended Practice) should be included.

Information/resources on DEC Recommended Practices:

Official DEC 2014 Recommended Practices with Examples.pdf (egnnyte.com)

Recommended Practices Monograph | DEC (dec-sped.org)

CONNECT - Connect Modules (dec-sped.org)

**Response:** Child development screening and inclusion is addressed in the Program Administration Scale, Business Administration Scale, and the Environment Rating Scale used for Better Beginnings. In addition, every licensed facility in Arkansas must meet Minimum Licensing Requirements. The requirements regarding inclusion are listed below. Because these are minimum requirements, a facility would not be recognized at higher levels of quality for providing services that are required by law.

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- d. Facility staff (regular classroom staff) shall be a partner in the Individual Family Service Plan (IFSP) and Individual Education Plan (IEP) plan process;*
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*Family Service Team.*