

State of Maine

Quality Rating and Improvement System Rules Rising Stars for ME

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CHAPTER 31



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148 OFFICE OF CHILD AND FAMILY SERVICES

Chapter 31 Quality Rating and Improvement System Rules: Rising Stars for ME

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SECTION 1: PURPOSE and DEFINITIONS

A. Purpose

Maine's Quality Rating and Improvement System (QRIS), Rising Stars for ME, is a rating system designed to:

- Increase awareness of the basic Standards of Early Care and Education;
- Recognize and support Early Care and Education Programs (Program) providing care above and beyond those Standards; and
- Educate the community about the benefits of higher quality care.

Rising Stars for ME is funded by the Child Care and Development Fund (CCDF) Block Grant Program and administered by Maine's Department of Health and Human Service's Office of Child and Family Services (OCFS). Rising Stars for ME's purpose is to recognize Programs that provide quality care, encourage Program Owners to increase their level of quality, and provide parents with identifiable Standards of quality.

This rule relates to the participation of any Program with Rising Stars for ME, whether or not the Program is licensed by OCFS. Many Programs are required to be licensed by the State of Maine. This is not a licensing rule. This rule:

- Outlines procedures for Programs' enrollment with Rising Stars for ME;
- Establishes Standards and Requirements for each Star Rating by Program type;
- Explains how a Program can attain a Star Rating;
- Explains how a Program can maintain its Star Rating or advance to the next Star Rating; and
- Explains how to appeal their Star Rating.

B. Definitions

For purposes of this rule, the following terms have the following meanings:

1. **Abuse or neglect** means a threat to a Child's health or welfare by physical, mental, or emotional injury or impairment, sexual abuse or exploitation, deprivation of essential needs or lack of protection from these, by a person responsible for the Child.
2. **Accreditation** means the process that validates a Program employs quality environments, processes, and procedures in delivering programming that conforms to national standards.

3. **Administrative Hearing** means a proceeding pursuant to the Administrative Hearings regulations, 10-144 C.M.R. ch. 1. Refer to: <https://www.maine.gov/sos/cec/rules/10/144/144c001.doc>.
4. **Adult** means a person at least eighteen (18) years old and over.
5. **Building Block Approach** means all the Standards in each Star Rating must be met by the Program to advance to the next Star Rating.
6. **Career Lattice** means Maine's Professional Development Network's Career Lattice which awards levels of achievements to persons based on training and employment history or earned credentials. Refer to: <https://mrtq.org/registry/>.
7. **Child and Youth Assessment** means an ongoing process that includes observation of a child and/or youth that provides information about development over time.
8. **Child or Children** means a person or persons under the age of thirteen (13).
9. **Child Care and Development Fund (CCDF)** means the federally funded, State-administered Program that provides assistance to low-income families who need child care due to work, work-related training and/or attending school. Includes CCDF Mandatory, CCDF Discretionary, CCDF Matching, TANF Transfer Funds, and State funds used for State match and maintenance of effort.
10. **Child Care Facility** means a facility licensed as a Child Care Facility (including child care centers, nursery schools, small child care facilities, and other Programs) by the Department.
11. **Child Care Facility Handbook** means the document that includes policies, procedures, guidelines, guidance, or persons employed with a Program.
12. **Child Care Staff Member** means a person:
 - a. Not related to all Children for whom child care services are provided;
 - b. Employed by a Program for compensation (including independent contractors); and, either/or
 - c. Whose activities involve the care or supervision of Children;
 - d. Who otherwise has unsupervised access to Children who are cared for, or supervised by, a Program.
13. **Child Care Subsidy Program (CCSP)** means a Department Program that helps eligible families pay for child care so parents can work, go to school, or participate in a job training program. CCSP is also available for eligible families where the adult(s) are retired and are the legal guardian of a child.

14. **Child Care Subsidy Program License-Exempt Provider Agreement** means the agreement between a Child Care Provider and the Department that outlines the conditions under which the Child Care Provider may receive a Child Care Subsidy Payment from the Department.
15. **Child Development Associate (CDA) Credential** means the national Early Care and Education credential administered by the Council for Professional Recognition.
16. **Children's Licensing and Investigation Services (CLIS)** means a team within the Department that licenses and oversees all Child Care Facilities and Family Child Care Providers in Maine, as well as Children's residential facilities, child placing agencies, and emergency shelters and homeless shelters for youth.
17. **Child with Special Needs** means a Child who:
 - a. Is up to thirteen (13) years of age who has been determined and documented by a qualified professional to be a "Child with a disability" as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. §1401);
 - b. Is eligible for early intervention services under Part C of the Individuals with Disabilities Education Act (20 U.S.C. §§1431, et seq.); is eligible for services under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §701);
 - c. Meets the definition of disabled under the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §12102); or
 - d. Is considered at-risk for health and/or developmental problems as a result of established biological risk factors, and/or as a result of identified environmental risk factors including, but not limited to, homelessness, abuse and/or neglect, lead poisoning, and prenatal drug or alcohol exposure.
18. **Conditional License** means a license issued by the Department to a Family Child Care Provider or Child Care Facility for a term not to exceed twelve (12) months, which specifies when and what corrections the licensee must complete to achieve compliance. A conditional license may be issued by the Department, in accordance with 22 M.R.S. §7802.
19. **Continuous Quality Improvement (CQI) Plan** means the support provided to Programs to attain, maintain, or advance to a specific Star Rating.
20. **Council on Accreditation (COA)** means the international, independent, nonprofit, human service accrediting organization.
21. **Department** means the Maine Department of Health and Human Services.
22. **Department-approved** means consent by the Child Care Development Fund (CCDF) State Child Care Administrator or his/her designee.

23. **Director** means a person with primary responsibility for administering a Program and ultimate supervisory authority over any Child Care Staff Members. A Director may or may not be a Program Owner.
24. **Early Care and Education** means the care, education, protection, supervision, and guidance of Children from birth through school age.
25. **Early Care and Education Program (Program)** means any type of child care programming, such as by a Family Child Care Provider, License-Exempt Child Care Provider, Child Care Facility, Recreational Program, or Head Start.
26. **Early Care and Education Program Improvement Plan** means a Department-approved written strategic approach to ensure all Standards will be met by a Program to retain a specific Star Rating.
27. **Family Child Care Provider** means a person licensed as a Family Child Care Provider by the Department.
28. **Family Survey** means a series of questions distributed annually to, and completed by, families to gather input on the Program's strengths and opportunities for improvement.
29. **Head Start** means the federal Program promoting school readiness of Children ages birth to five (5) from low-income families by enhancing their cognitive, social, and emotional development.
30. **Infant** means a Child six (6) weeks of age through twelve (12) months of age.
31. **Infant and Toddler Maine Early Learning and Development Standards (IT MELDS)** means the Infant and Toddler Maine Early Learning and Development Standards, a document first published in 2006 as "Supporting Maine's Infants & Toddlers: Guidelines for Learning and Development" and revised from time to time by Maine's Professional Development Network and OCFS. IT MELDS is available from the Department on request or can be accessed online at <https://www.maine.gov/dhhs/ocfs/support-for-families/child-care/gris>.
32. **Informal Review** means a review of all necessary documentation by the Department to determine if the Program Star Rating is accurate.
33. **License** means written permission by the Department, whether initial, renewal, temporary or conditional, that authorizes a person to be a Family Child Care Provider or operate a Child Care Facility. For purposes of this rule, license has the same meaning as the certification referred to in 22 MRS §8301-A.
34. **License-Exempt Child Care Provider** means:
 - a. A Maine resident;
 - b. Eighteen (18) years of age or older;

c. Who provides child care services, but is not required to be licensed under Maine law.

35. **Licensing Violations** means serious violations of the licensing rule for the Program that pose serious risk to Children.
36. **Maine's Early Learning and Development Standards (MELDS)** means Maine's Early Learning and Development Standards, a guide for state and local early childhood educators' efforts to improve practice and programs for young children from the age of three until kindergarten entrance, jointly published by the Department and the Maine Department of Education in March 2015. MELDS is available from the Department on request, or online at <https://www.maine.gov/dhhs/ocfs/support-for-families/child-care/qris>.
37. **Maine's Professional Development Network (PDN) Registry** means an on-line portal that uses a member's work, education, and training histories, along with any professional credentials, to assign a level on the appropriate Career Lattice.
38. **National Association for Family Child Care (NAFCC)** means the national professional association dedicated to promoting quality child care by strengthening the profession of Family Child Care.
39. **National Association for the Education of Young Children (NAEYC)** means the national professional association dedicated to improving the well-being of all young Children, focusing on the quality of educational and developmental services for all Children from birth through age eight (8).
40. **Office of Child and Family Services (OCFS)** means the office within the Department that administers Rising Stars for ME.
41. **Out-of-School-Time (OST)** means a supervised Program that Children regularly attend when school is not in session. An Out of School Time Program may be one of the following: a licensed as a Family Child Care Provider, or Child Care Facility, a License-Exempt Child Care Provider, or a Recreational Program.
42. **Portfolio** means documentation demonstrating that Standards at each Star Rating are or have been met.
43. **Program** means an Early Care and Education Program.
44. **Program Owner** means a person with any ownership interest in a Program or whose name appears on any license issued by the Department for the Program.
45. **Quality Rating and Improvement System (QRIS)** means the system that utilizes Standards to evaluate and document the quality of Programs.
46. **Recreational Program** means a Program not licensed as a Family Child Care Provider or Child Care Facility because it is (1) a residential or overnight summer camp established solely for recreational and educational purposes, licensed in

accordance with 10-144 CMR Chapter 208, Rules Relating to Youth Camps, Primitive, and Trip Camping, or (2) a Program offering relevant instruction to Children for the purpose of teaching a singular skill such as karate, dance or basketball.

- 47. Relative Child Care Provider** means a License-Exempt Child Care Provider who:
- a. Provides child care services to no more than two (2) of their grandchildren, great-grandchildren, nieces and nephews, or siblings;
 - b. Is eighteen (18) years of age or older;
 - c. Resides in Maine; and
 - d. Does not live with the relative Children for whom they care.
- 48. Requirement** means activities and/or education a Program must conduct, provide, or receive in each Rising Stars for ME Standard to attain, maintain, or advance to the next Star Rating.
- 49. Restricted Rating** means a licensed Program that falls below a Star 1 (one) Rating due to having a Conditional License. The Restricted Rating is for the duration of the Conditional License.
- 50. Rising Stars for ME** means Maine's QRIS, which assigns Programs a Rating of Star 1 (one) through 5 (five) Stars.
- 51. Rising Stars for ME Inclusive Practices Checklist** means a document that expands on Rising Stars for ME QRIS with explicit indicators that focus on evidence-informed practices that support the inclusion of Children with special needs and/or disabilities.
- 52. Standard** means a level of achievement identified as necessary in Maine's Rising Stars for ME Quality Rating and Improvement System.
- 53. Star Rating** means a Program's Rating of Star 1 (one) through 5 (five) Stars, assigned by the Department based on satisfaction of the Requirements for its Program type for that Star Rating as provided in this rule.
- 54. Self-assessment** means the process of self-reflection to refine practices toward Program improvement and the provision of high-quality care.
- 55. Site Visit** means a formal in-person visit by the Department to a Program to review and assess the quality of child care being provided as well as compliance with Department rules and policies for providing such care.
- 56. State Child Care Administrator** means the person in the Department responsible for administering the CCDF grant.

- 57. **Technical Assistance** means the provision of targeted and customized supports by a professional with subject matter and adult learning knowledge and skills to develop or strengthen processes, knowledge, application, or implementation of services by recipient.
- 58. **Toddler** means a Child thirteen (13) through thirty-six (36) months of age.
- 59. **Volunteer** means a person who helps or provides services without compensation in a Program.
- 60. **Youth** means a person who has reached their thirteenth (13) birthday, but who has not yet reached their eighteenth (18) birthday.

SECTION 2. REQUIRED ENROLLMENT and ELIGIBILITY REQUIREMENTS

A. Required Enrollment. The following Programs must be enrolled in Rising Stars for ME:

- 1. All Licensed Family Child Care Providers and Child Care Facilities in Maine, including Licensed Out-of-School Programs and Head Start Programs.
- 2. All License-Exempt Programs participating in the CCSP, excluding Relative Child Care Providers, but including:
 - a. Non-Relative License-Exempt Programs; and
 - b. Recreation Programs.

B. Eligibility Requirements. To be eligible to enroll with Rising Stars for ME, a Program must require all Child Care Staff Members to register with the Maine Professional Development Network. Programs must disenroll Staff Members who are no longer employed at or by the Program.

SECTION 3: APPLICATION

- A. Register.** A Program may apply to Rising Stars for ME once all Child Care Staff Members are registered with the Maine Professional Development Network Registry.
- B. Apply.** A Program applies for enrollment in Rising Stars for ME by completing the application form at <https://qualityforme.org> and the self-assessment by using the Standards at each Star Rating. Separate applications for Rising Stars for ME are required for each Program location if the Program operates in multiple locations.
- C. Rating.** Upon completion of the online application, the Program is assigned a Star Rating and provided information about what Requirements need to be met to advance to the next Star Rating.
- D. Certificate.** The Program is mailed a certificate indicating the Program's Star Rating. The Department reserves the right to extend or delay the issuance dates on QRIS

certificates due to a State of Emergency, required inspections, buying, or selling of the Program, or compliance with a directed plan of action ordered by the Department's licensing authority or a Program Improvement Plan as described in these rules.

1. An updated certificate and start date will be issued when changes to a Program's Star Rating occurs.

SECTION 4: STAR RATING STANDARDS and REQUIREMENTS

A. General

1. **"Building Block Approach" Rating System.** Rising Stars for ME uses a "building block approach" rating system, meaning a Program must meet all Standards and Requirements for its Program type in each lower Star Rating, and all Standards and Requirements in the next Star Rating, to advance to the next Star Rating. For example, to advance to a Star 2 (two), a Program must meet all the Standards and Requirements for Star 2 (two) and demonstrate continued compliance with all Standards and Requirements for Star 1 (one) for its Program type.
2. **Expiration:** A Program's Star Rating start and end date aligns with a Program's child care License or a CCSP License-Exempt Provider Agreement. A Program must renew their Star Rating certificate at the time of their License renewal or at the time their CCSP License-Exempt Provider Agreement is updated, unless the Program:
 - a. No longer meets the Standards for the assigned Star Rating, as determined by the Department under these rules, or
 - b. Requests an earlier review and demonstrates to the Department that it has met the Standards necessary to advance to the next Star Rating.
3. **No Fee.** There is no fee to enroll with Rising Stars for ME.
4. **Technical Assistance.** Rising Stars for ME provides Technical Assistance to Programs by helping to identify needs for additional resources and supports to increase their level of quality. Technical Assistance is provided at the Department's discretion.

- B. Rising Stars for ME Standards.** Rising Stars for ME includes seven (7) Standards for Family Child Care and seven (7) Standards for Child Care Facilities by which a Program is evaluated to determine its Star Rating:

Standard 1: Learning Environment / Developmentally Appropriate Practice;

Standard 2: Program Evaluation;

Standard 3: Child Care Staff Member Qualifications and Professional Development;

Standard 4: Administration and Business Practices;

Standard 5: Family Engagement and Partnership;

Standard 6: Child and Youth Assessment; and

Standard 7: Health, Safety, Nutrition, and Physical Activity.

Each Standard includes Requirements specific to the Program type. The Department determines the Program's Star Rating based on meeting all Requirements for each Standard.

C. Family Child Care Providers. The following specific Requirements must be met by a Family Child Care Provider to **attain** and **maintain** the indicated Star Rating, or to **advance** to the next Star Rating. Family Child Care Providers are assigned a Star 2 (two) Rating due to being licensed by the Department. To advance to the next Star Rating, Family Child Care Providers must continue to meet all prior Star Rating Requirements in each Standard.

1. Star 2 Family Child Care

- a. Meet all Eligibility Requirements of Section 2 of this rule.

2. Star 3 Family Child Care

- a. Program activities and experiences guided by a general understanding of the developmental domains, provided by Maine's Professional Development Network:
 - i. Social/Emotional;
 - ii. Cognitive;
 - iii. Physical (gross and fine motor; self-help skills);
 - iv. Language/ Communication Skills; and
 - v. Approaches to Learning;
- b. Methods for planning activities and experiences based on Children's interests, skills, and abilities;
- c. Program daily posted schedule supports child-centered play and exploration, both indoors and outdoors, and is responsive to the interests and developmental needs of the Children and Youth;
- d. Materials/equipment developmentally appropriate, accessible, and reflect all Children's interests, skills, abilities, and represent Children, Youth and families served;
- e. Program policy addressing suspension and expulsion and supports, available for Children with social, emotional, and/or behavioral health needs, clearly written;
- f. Program Owner and/or Director completed all required training(s) relevant to all ages enrolled in Program;
- g. MELDS and Infants and Toddlers MELDS documents referred to during activity planning;

- h. Activities individualized to Infant and Toddler routines and rhythms, as applicable;
- i. Family Survey completed annually to gather input on Program's strengths and opportunities;
- j. Rising Stars for ME Inclusive Practices Checklist completed annually;
- k. Program Continuous Quality Improvement (CQI) Plan written based on results of Family Survey and Rising Stars for ME Inclusive Practices Checklist;
- l. Programs with Child Care Staff Members hold staff meetings at least quarterly and include discussions regarding the CQI Plan;
- m. Program Owner is at a level 3 (three) or above on Maine's PDN Direct Care Lattice;
- n. All Child Care Staff Members (if applicable) have written job description defining job responsibilities;
- o. Program Owner completed Department-approved training on laws and practices supporting inclusion;
- p. Programs with Child Care Staff Members provide monthly opportunities for individual supervision, (if applicable);
- q. Programs with Child Care Staff Members evaluated at least annually by supervisor to refine their skills through feedback and guidance, (if applicable);
- r. Families provided regular communication and updates on Program that support varied literacy levels, abilities, family culture and home language;
- s. Families provided information on local and state resources related to individual Child and family needs;
- t. At least once per year, collect, summarize, and incorporate into curriculum planning evidence of Children's development in the following areas:
 - i. Social/Emotional;
 - ii. Cognitive;
 - iii. Physical (gross and fine motor; self-help skills);
 - iv. Language/Communication Skills; and
 - v. Approaches to Learning.
- u. Nutrition/physical activity baseline Self-assessment completed annually and includes the development and implementation of an action plan to achieve one strategy for improvement.

3. Star 4 Family Child Care

- a. Approach to learning and development is articulated,

- b. Activity planning shows evidence of supporting Children's positive social and emotional development, using strategies with all Children and youth that include providing choices, using redirection, reflection, and problem solving, and clear rules and expectations (As supplied through services through Maine's Professional Development Network);
- c. Program Self-assessment based on NAFCC accreditation requirements conducted annually;
- d. Rising Stars for ME Inclusive Practices Checklist completed annually;
- e. Results from NAFCC Self-assessment and all categories of the Rising Stars for ME Inclusive Practices Checklist included in its CQI Plan;
- f. Program Owner at level 4 or above on the Maine Professional Development Network Direct Care Career Lattice;
- g. Program Owner and any Child Care Staff Member create annual professional development plan addressing their training and education goals;
- h. Appropriate tool used to measure overall quality of business and professional practices annually;
- i. Program Owner(s) (person(s) listed on the license) is/are on-site at least eighty percent (80%) of the time (may be averaged over time);
- j. At least one (1) conference per year offered to families to discuss their Child's cognitive, social emotional, and physical development and needs;
- k. Program policy addressing participation in IFSP/IEP plans in place;
- l. At least twice (2) per year, collect, summarize, and incorporate into curriculum planning evidence of the Children's development in the following areas:
 - i. Social/Emotional
 - ii. Cognitive
 - iii. Physical (gross and fine motor; self-help skills)
 - iv. Language/Communication Skills
 - v. Approaches to Learning
- m. Nutrition/physical activity baseline Self-assessment completed annually; and includes the development and implementation of an action plan to achieve two (2) strategies for improvement.

4. Star 5 Family Child Care

- a. Program holds current accreditation from the National Association for Family Child Care (NAFCC), the American Montessori Society (AMS), **OR** meets performance standards as evaluated by Head Start.

D. Child Care Facilities. The following specific Requirements must be met by a Child Care Facility to **attain** and **maintain** the indicated Star Rating, or to **advance** to the next Star Rating. Child Care Facilities are assigned a Star 2 (two) Rating due to being licensed by the Department. To advance to the next Star Rating, the Child Care Facility must continue to meet all prior Star Rating Requirements in each Standard.

1. Star 2 Child Care Facility

- a. Meet all eligibility requirements of Section 2 of this rule.

2. Star 3 Child Care Facility

- a. Program activities and experiences guided by a general understanding of the developmental domains;
- b. Methods for planning activities and experiences based on Children's interests, skills, and abilities;
- c. Program's daily posted schedule supports child-centered play and exploration, both indoors and outdoors, and is responsive to the interests and developmental needs of the Children and Youth;
- d. Materials and equipment developmentally appropriate, accessible, and reflect all Children's interests, skills, abilities, and represent Children, Youth and families served;
- e. Program's policy addressing suspension and expulsion and supports available for Children with social, emotional, and/or behavioral health needs clearly written;
- f. Program Owner/Director or Child Care Staff member responsible for curriculum planning has completed Department-approved Maine IT MELDS and MELDS training;
- g. Program Owner and/or Director completed all required training(s) relevant to all ages enrolled in Program,
- h. MELDS and IT MELDS documents referred to during activity planning;
- i. At least one (1) Teacher in each Child age group completed Department-approved MELDS or IT MELDS trainings;
- j. Programs serving Infants and Toddlers individualize the activities to the Infant and Toddlers' routines and rhythms;
- k. Child Care Staff Member and Family Surveys, to gather input on Program's strengths and opportunities, completed annually;
- l. Rising Stars for ME Inclusive Practices Checklist completed annually;

- m. Continuous Quality Improvement (CQI) Plan written based on results of the Child Care Staff Member and Family Surveys and the Rising Stars for ME Inclusive Practices Checklist;
- n. Child Care Staff Member meetings held at least quarterly and include CQI Plan discussions;
- o. At least fifty percent (50%) of Teachers and the Program Director at level 5 (five) or above on the Maine PDN Direct Care Career Lattice;
- p. At least twenty-five percent (25%) of Child Care Staff Members, working twenty (20) or more hours per week, are at a level 3 (three) or above on the Maine's PDN Direct Care Lattice;
- q. All Child Care Staff Members given written job descriptions, defining job responsibilities;
- r. Monthly opportunities for individual supervision provided to Child Care Staff Members;
- s. All Child Care Staff Members evaluated at least annually by supervisor to refine their skills through feedback and guidance;
- t. Program Director or Child Care Staff Member, responsible for on-site Program administration, completed Foundations of Center-Based Care, or at least one Child Care Leadership Institute (I, II, or III) with the Maine PDN or demonstrates completion of comparable college course work;
- u. Program Director or Child Care Staff Member, responsible for on-site Program administration, completed Department-approved training on laws and practices on inclusion;
- v. Families provided regular communication and updates on Program in ways that support varied literacy levels, abilities, family culture and home language;
- w. Information provided to families on local and state resources related to individual Child and family needs;
- x. At least annually, Program collects, summarizes, and incorporates into curriculum planning evidence of Children's development in the following areas:
 - i. Social/Emotional
 - ii. Cognitive
 - iii. Physical (gross and fine motor; self-help skills)
 - iv. Language/Communication Skills; and
 - v. Approaches to Learning.
- y. Nutrition/physical activity baseline Self-assessment completed annually; and

- z. Child Care Facility Handbook includes a policy describing how Program meets the dietary needs of children and youth, taking into consideration diverse food and nutrition as determined by culture, religion, special needs or disabilities.

3. Star 4 Child Care Facility

- a. Program has articulated approach to learning and development;
- b. Activity planning shows evidence of supporting Children's positive social and emotional development, using strategies with all Children and youth – that includes providing choices, using redirection, reflection, and problem solving, and clear rules and expectations;
- c. Self-assessment, based on NAEYC or AMS accreditation standards or the Head Start Performance Standards , conducted annually;
- d. Rising Stars for ME Inclusive Practices Checklist completed annually;
- e. Includes results from NAEYC/AMS/Head Start Performance Standards Self-assessment and all categories of the Rising Stars for ME Inclusive Practices Checklist in its CQI Plan;
- f. At least fifty percent (50%) of all permanent/regular Child Care Staff Members are at level 5 (five) or above on the Maine Professional Development Network Direct Care Career Lattice, for Programs serving Children birth to kindergarten and/or mixed age Programs;
- g. At least fifty percent (50%) of all Child Care Staff Members working at least twenty (20) hours per week are at least a level 3 (three) on the Maine's PDN Direct Care Career Lattice;
- h. All Child Care Staff Members create an annual professional development plan addressing their training and education goals;
- i. Child Care Staff Members with curriculum planning responsibilities provided at least one (1) paid hour per week to dedicate to curriculum planning;
- j. A benefit package including at least two (2) benefits is offered to Staff Members. Benefits may include, but are not limited to: reduced child care rates for children of child care staff members; tuition reimbursement; paid training (for hourly staff); mileage reimbursement for travel to training/education; health, dental, and/or disability insurances; access to Staff Assistance program; retirement plan; paid vacation; paid sick time; paid personal time; and paid holidays;
- k. Child Care Staff Members offered opportunities to participate in development and revision of Program policies;
- l. Families offered at least two (2) conferences per year to discuss their Child's cognitive, social, emotional, and physical development needs;

- m. Families of school age Children offered at least one (1) conference per year;
- n. Program's policy addresses its participation in IFSP/IEP plans;
- o. At least twice (2) per year, the Program collects, summarizes, and incorporates evidence of Children's development into curriculum in the following areas:
 - i. Social/Emotional;
 - ii. Cognitive;
 - iii. Physical (gross and fine motor; self-help skills);
 - iv. Language/Communication Skills; and
 - v. Approaches to Learning.
- p. Nutrition/physical activity baseline Self-assessment completed annually and used to develop and implement an action plan to achieve two (2) strategies for improvement; and.
- q. All Child Care Staff Members create annual Professional Development Plan addressing their training and education goals.

4. Star 5 Child Care Facility

- a. Program holds current accreditation from:
 - i. National Association for the Education of Young Children (NAEYC) **OR** American Montessori Society (AMS), the Council on Accreditation (COA), **OR** meets performance standards as evaluated by Head Start.
- b. Head Start Programs do not require accreditation to advance to a Star 5 (five) Rating. The Department reviews the Program's performance on the National Head Start Performance Standards. A Head Start Program advances to a Star 5 (five) Rating by meeting all Standards and Requirements for a Star 5 (five) Rating and all lower Star Ratings, based on its Program type, as well as demonstrating either (1) zero non-compliance items in its most recent review of performance standards as evaluated by The National Office of Head Start or (2) that all non-compliance items identified in its most recent review are corrected;
- c. The Council on Accreditation (COA) accredits:
 - i. Out-of-School Time Programs; and
 - ii. Social service agencies with an early childhood or out-of-school time component.
- d. Program Director at level 5 (five) or above on the Maine Professional Development Network Administrative/Management/Coordination Career Lattice **OR** at least a level 6 (six) or above on PDN Direct Care Career Lattice;
- e. At least fifty percent (50%) of Lead Teachers at level 6 (six) or above on the Maine PDN Direct Care Career Lattice; and

- f. At least fifty percent (50%) of Child Care Staff Members working twenty (20) hours or more a week are at a level 4 (four) or above on the PDN Direct Care Lattice.
- E. License-Exempt Child Care Programs.** The following specific Requirements must be met by a License-Exempt Child Care Program to **attain** and **maintain** the indicated Star Rating, or to **advance** to the next Star Rating. To advance to the next Star Rating, the License-Exempt Child Care Program must continue to meet all prior Star Rating Requirements in each Standard.
- 1. Star 1 License-Exempt Child Care Program**
 - a. All direct care Child Care Staff Members and Directors have current Department-approved certification in Infant, Child, and Adult CPR and first aid;
 - b. Read and signed documentation/contract to participate with the CCSP;
 - c. All direct care Child Care Staff Members and Directors completed initial six (6) hour, Department-approved, Health and Safety Basics online training and completes two (2) hour renewal each year thereafter.
 - 2. Star 2 License-Exempt Child Care Program**
 - a. To advance their Star Rating, License-Exempt Programs must become licensed.

SECTION 5: PORTFOLIO AND SITE VISITS

- A. Portfolio.** A portfolio must be created and maintained by the Program and meet the following requirements:
1. Provides evidence that Standards at each Star Rating are met;
 2. May be kept electronically or as a hardcopy;
 3. Available if the Program is randomly selected for review by OCFS; and
 4. Available if the Program is randomly selected for a Site Visit by OCFS.
- B. Site Visits.** The Department will conduct in person site visits to Programs.
1. The purposes of a Site Visit are to:
 - a. Review and assess the quality of child care being provided as well as compliance with Department rules and policies;
 - b. Review the portfolio to validate the Program's Self-assessment, completed with the Rising Stars for ME application;
 - c. Ensure completion of the Department's Rising Stars for ME checklist of Requirements and Standards; and

- d. Observe a typical Program's daily activities, routines, and interactions between Child Care Staff Members and Children.
2. When a Program is selected for a Site Visit, the Department will:
 - a. Contact the Program to arrange a date and time for the visit, and provide written notification announcing the Site Visit to the Program no less than thirty (30) calendar days prior to the Site Visit;
 - b. Advise the Program what information and materials must be provided to the Department employee during the Site Visit; and
 - c. Notify the Program when to expect a written summary of the Site Visit, and send a letter summarizing the Site Visit to the Program within ten (10) business days.

SECTION 6: DIFFERENTIAL RATES FOR QUALITY REIMBURSEMENT

- A. Differential Rates:** The Department under Maine's Child Care Subsidy Program (CCSP) Rules, 10-148 C.M.R. ch. 6 is required by 22 M.R.S. § 3737(3) to pay a differential rate for child care services that meet or that make substantial progress toward meeting nationally recognized quality standards.
1. The Department provides for graduated quality differential rates for steps that demonstrate that a child care provider meets or makes substantial progress toward meeting nationally recognized quality standards at or above a Star 3 (three) Rating.

SECTION 7: RULES AND VIOLATIONS

- A. Licensed Programs.** Programs enrolled in Rising Stars for ME must comply with licensing rules.
- B. Rules.** Licensed Children Care Services in Maine are provided by Family Child Care Providers or Child Care Facilities. Child Care Facilities are subject to 10-148 C.M.R. ch. 32, Child Care Facility Licensing Rule—Child Care Centers, Nursery Schools, Small Child Care Facilities, Other Programs. Family Child Care Providers are subject to 10-148 C.M.R. ch. 33, Family Child Care Provider Licensing Rule. The Department enforces those rules, including violations, under their own terms. In addition to any enforcement action taken by the Department pursuant to those rules, the Department may pursue any of the following actions with respect to the Program's enrollment with Rising Stars for ME based on a Licensing Violation:
1. Provide Technical Assistance,
 2. Require Technical Assistance with the Maine Professional Development Network or other Department-approved agencies.

C. Conditional License. A Program issued a Conditional License will be given a Restricted Rating on Rising Stars for ME.

D. Family Notification Required. A Program must inform families of any change in its Rising Stars for ME status. The Program must revise any publications used for marketing that refer to participation in Rising Stars for ME.

SECTION 8: APPEALS

A. Informal Review. A Program may request an Informal Review of its Star Rating by contacting the CCDF Administrator in writing.

1. The Department will review all appropriate documentation related to the Star Rating of the Program to determine if the correct Star Rating has been assigned.
2. The Department will notify the Program of its decision on the Informal Review in writing within thirty (30) business days.
 - a. During the Informal Review process, the requested Program will remain at the higher Star Rating.

B. Administrative Hearing. If the Program is not satisfied with the outcome of the Informal Review, they may pursue further appeal by requesting an Administrative Hearing.

1. A Program must request an Informal Review and obtain a decision before requesting an Administrative Hearing.
2. To appeal the result of an Informal Review, the Program must request an Administrative Hearing within ten (10) calendar days of receiving the Department's decision.
3. Subsequent appeal proceedings will be limited only to those issues raised in the Informal Review.
 - a. The Office of Administrative Hearings shall notify the Program in writing of the date, time, and place of the hearing, and shall designate a hearing officer.
 - b. The hearing shall be held in conformity with the Maine Administrative Procedures Act, 5 M.R.S.A. §8001 et seq. and the Administrative Hearings Regulations, 10-144 C.M.R. ch. 1.

EFFECTIVE DATE: February 13, 2023

HISTORY:

10-148 C.M.R. ch. 31, Quality Rating and Improvement System Rules Rising Stars for ME (new rule adopted)