

**SUMMARY OF PUBLIC COMMENTS AND DEPARTMENT'S RESPONSE
TO PROPOSED QUALITY RATING AND IMPROVEMENT SYSTEM RULES**

RISING STARS FOR ME - 10-148 CODE OF MAINE RULES CHAPTER 31

The Maine Department of Health and Human Services, Office of Child and Family Services (OCFS), (the "Department") held a virtual public hearing via the Zoom platform on October 5, 2022, on the proposed *Quality Rating and Improvement System Rules: Rising Stars for ME*. Written comments were accepted through October 15, 2022, at 5pm. Comments were received from the following people:

COMMENTERS – Oral and Written

Commenter # and Name	Date	Representing	Format
#1 Meghan Hannan	10.05.2022	Maine Head Start Directors	Oral
#2 Sara Perrigo	10.05.2022	Heidi's House	Oral and Written
#3 Andrea Imrie	10.05.2022	Dragon Fly Den	Oral
#4 Camelia Babson Haley	10.05.2022	Youth and Family Outreach	Oral
#5 Terri Crocker	10.05.2022	Creative Play Child Care	Oral
#6 Heather Marden	10.05.2022 10.15.2022	Maine Association for the Education of Young Children and speaking on behalf of Maine AEYC and Family Childcare Association of Maine	Oral and Written
#7 Jordyn Rossignol	10.05.2022	Mrs. Jordyn's Child Development Center	Oral
#8 Jennifer Lachance	10.05.2022	Precious Moments Daycare	Oral
#9 Leah	10.05.2022	Magic Moments	Oral
#10 Chantel Pettengill	10.05.2022	No organization provided	Oral
#11 Laura Day	10.05.2022 10.13.2022	Art Play Nursery School	Oral and Written
#12 Deborah Arcaro	10.05.2022	No organization provided	Oral
#13 Donna Cofflin	10.05.2022	No organization provided	Oral
#14 Will Newborn	10.05.2022	Heidi's House	Oral
#15 Caitlyn Belanger	10.05.2022	College Student	Oral
#16 Allyson Perron Drag	09.28.2022 10.05.2022	American Heart Association/Stroke Association	Written
#17 Monica Redlevske	09.30.2022	Head Start Child Development Group	Written
#18 Cristina Salois	09.28.2022	Maine Head Start Director's Association	Written
#19 Rebekah Baumgartner	10.13.2022	The Little Schoolhouse on Maine	Written
#20 Crystal Parritt	10.14.2022	YWCA Central Maine	Written

#21 Laura Larson	10.15.2022	Family Focus	Written
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The Department's response follows each comment. Comments with the same general intent are synthesized into single statements.

1. **Comment:** Commenters 5, 6, 8, 12, and 13, expressed concerns about using star ratings because it is what is used for hotels or restaurants.

C5 We're not a hotel for one. Think wording is horrible. Don't think we need anything new on us right now.

C6 Child care should not use rating systems similar to hotels, products, and other services. Using stars as rating protocol could confuse consumers, lead them to not fully understand improvement system so vital to QRIS; recommends keeping current name in place.

C8 Feels rating system is like hotels and restaurants.

C12 Have concerns with stars label.

C13 Compared the rating system to a hotel or restaurant.

Response: Utilizing recommendations on the 2014 and 2015 Quality for ME Revision Project Final Reports, renaming, and changing the step rating to star levels was recommended to reduce provider confusion between Maine Roads to Quality Professional Development Network (MRTQ PDN), Quality for ME, and the previous organization Quality Counts. This five-star level system was included in the *Rising Stars for ME* pilot in 2020. Focus groups of parents and providers met to define quality. Family-based and center-based care, and accredited and non-accredited programs, participated in the testing phase of development, and their feedback guided the creation of the standards used by the system, with implementation of these standards of quality beginning in 2008.

2. **Comment:** Commenters 2, 4, 5, 7, 8, 10, 11, 14, 16, 19, 20, and 21, expressed concern of financial impact of the proposed rules.

C2 Feels like push to becoming more public school-like, but without public investment to support it. Perhaps federal funding such as what was just left off, reconciliation of Build Back Better bill, be in place first for programs to support teachers to be able to meet proposed levels of education in these new rules.

C4 Until considered a public good and we're receiving public funding for that we just can't afford this. Not right now, until able to get something like Build Back Better through.

C5 Trying to get parents to want us, trying to make it affordable. It's not going to be affordable. Until can get public funding to help because I don't think Office of Child and Family Services going to be flipping the bill for all these staff trainings and all these getting everybody up.

C7 Until there is that significant public investment and understanding and compassion for, from the Department of what we do every single day, this problem will just continue to get worse.

C8 If I don't have kids then I close down and the people have been talking about, they need us.

C10 Providers working harder than ever and struggling to pay bills with increase of inflation and needing to pay teachers more. Will only be worse when minimum wage increases \$1.05 in January.

C11 One thing that stands out to our small program in looking at quality rating system is that it's cost prohibitive for our small program becoming accredited. Haven't been able to do our normal fundraising because of pandemic. Asked how can rating be based on NAEYC accreditation when it is so cost prohibitive, and where the money is going to come from.

C14 If we have to hire people who have related degrees, don't know where we're going to find them, but if we have to do that to keep five-star rating and keep tax credit for parents, then what are we going to charge people for that? Should we be charging people \$500, \$600 a week. Don't know where this ends up and that is bottom line of this. Parents are going to have to take the cost of whatever burden you put on us.

C16 With emphasis placed on educational achievement of teachers vs. relationships in proposed rules, we are concerned a number of our currently highest rated, accredited programs will even lose funding when they are reduced to star-two program unable to meet staffing requirements. Those quality reimbursement bumps for subsidy will reduce current operating margins and parents will lose their double tax credit potentially adding to current challenges of families affording child care.

C19 Going to have to raise rates astronomically as I try to cope with and abide by all these new rules being put into place and keep my center 'up to par.' Every time I send out rate increase to parents, I cringe. Know the burden cost of child care already is to so many families. Cannot keep doing this to them.

C20 Not right time to implement them – quality rating system proposed in hearing absolutely requires financial investment not possible for most centers, serving more lower income families. Will take obscene amount of to get 50% of staff to meet requirements for improvement.

C21 I want a highly trained workforce, too. However, this is not practical at this time without significant public investment from the federal and state government.

Response: Through the *Child Care Plan for Maine*, efforts to support working families with access to quality and affordable child care, is included by allocating funds through the Child Care and Development Block Grant (CCDBG) for several programs that build upon families' knowledge about the child care system in Maine. As part of the rollout of the *Rising Stars for ME*, the Department, and their partner MRTQ PDN, will launch a media campaign to include significant outreach and awareness to families Statewide.

Child Care Plan for Maine: <https://www.maine.gov/dhhs/sites/maine.gov.dhhs/files/inline-files/Child%20Care%20Plan%20for%20Maine%20Updates%20October%202022%20FINAL.pdf>

- 3. Comment:** Commenters 3, 4, 5, 6, and 10, identified COVID-19 in particular as bringing an already stressed child care system close to collapse. They stated it devastated child care industry professionally, emotionally, and financially; feel the industry and its providers and staff need time to adjust and assess how to move forward, and it therefore is not the right time to implement.

C3 Covid really hurt us. Grants and support have been nice but hasn't dug our family out of hole yet.

C4 Already on brink of collapse. Give us some space and time to recover from a blow, from devastating effects of global pandemic and we need to build back our work force. Need some time for some of these things to come into place before could even consider being able to meet standards you're proposing in the new quality rating system.

C5 This pandemic has exhausted us.

C6 Pandemic was unpredictable. Exacerbated childcare workforce crisis, crisis always existed. Not knowing about to go through global pandemic and it was going to change face of child care so drastically.

C10 Right now is not the time to change things for providers. Need to stop and pause for a minute, look at what a post-Covid QRIS system looks like.

Response: The Department acknowledges the impact COVID-19 had on all businesses, particularly child care programs. Throughout the pandemic, OCFS provided ongoing operational and funding support to providers, including regularly updated guidance on health and safety measures related to COVID-19, such as recommended screening protocols, cleaning requirements, and procedures when staff or children tested positive. The *Child Care Plan for Maine* outlines the coordination and efforts to stabilize child care in Maine throughout the pandemic. This plan is a living document that continues to be updated since its original posting May of 2021.

Child Care Plan for Maine: <https://www.maine.gov/dhhs/sites/maine.gov.dhhs/files/inline-files/Child%20Care%20Plan%20for%20Maine%20Updates%20October%202022%20FINAL.pdf>.

4. **Comment:** Commenters 4, 5, 6, 8, 10, 12, 15, and 21, felt it is not the time to implement new standards in general.

C4 We need some time for some of these things to come into place before we could even consider being able to meet standards. Until able to get something like Build Back Better through so we can get some public support.

C5 This is not the time. With all the programs closing, with all the money ending, with Build Back Better being squished. We can't do it.

C6 New rules not be implemented at this time.

C8 Hearing all stuff as everybody else said, it's really not the time. It should stay the same.

C10 Right now is not the time to change things for providers. Need to stop and pause for a minute, look at what a post-Covid QRIS system looks like.

C12 State would be better served if they put everything on hold right now. Have QRIS system in place that is doable.

C15 Had such different outlook at beginning of time in the field versus now. Changed so much. Worried about what's going to happen if things change, and we continue to move in direction we are when it comes to quality rating scale. Too much happening too soon. Might need to slow things down little bit focus on improving quality of other things in workforce before we really get into the quality rating scale and things like that.

C21 We have yet to provide a state-wide system that works in relation to child outcomes and has expanded the early childhood workforce, so I ask that you not make changes at this time.

Response: The Department and its many stakeholders have invested funding, time, and effort since 2014 to inform the redesign of child care programs in Maine. Reports published in 2014 and 2016 both reiterated the need for a revision the Maine's QRIS that included a five level system. The Department in partnership with MRTQ PDN piloted with recruited programs *Rising Stars for ME* QRIS in 2020 further investing time and effort.

The Department's implementation plan for the revised QRIS includes a six-month transition plan. All programs will transfer to one star higher on the rating system at the onset. Programs whose QRIS certificate expires will maintain that star rating for six months. The Department and MRTQ PDN will be providing outreach, support, and technical assistance (TA). Programs with QRIS certificates that expire after the initial six months will be required to meet all necessary components of the star level to maintain that star rating at the time of certificate expiration date.

5. **Comment:** Commenters 1, 2, 4, 5, 6, 7, 10, 11, 14, 18, 19, 20, and 21, identified the early care and education system's work force as being in crisis, requiring significant efforts and funds to build capacity to meet new requirements. It is their further opinion that teacher retention and teacher/student ratio should play a vital part in determining program quality, not just educational achievement.

C1 ECE work force in crisis. Will take significant effort and time to rebuild capacity. Turnover in staff is result of Covid, aging population of educators nearing retirement, and lack of new educators coming into the field is a concern.

C2 To remain at highest level, reduced operational hours and enrollment due to lack of high-quality teachers to employ.

C4. If we get people trained, we get them up to a bachelor's degree, they're going to leave us for the public school system because we do not have an infrastructure in place in early childhood right now to pay them what they need to be paid with a bachelor's degree.

C5 Going to be paying people to come in to work for staff that's going to get trained at college. Paying staff to be in college. Paying them to get trained and paying another staff to come in to take their place. We can't find subs.

C6 Pandemic exacerbated childcare workforce crisis, crisis always existed. Family childcare providers working 60, 70 hours a week before they think about some of this other stuff. Cannot put a workforce expectation on programs and rate their quality when industry has not had full investments needed to recruit and retain. Programs reporting they are being set up to fail with these proposed changes that aren't reflective of current workforce challenges and trends. With emphasis placed on educational achievement of teachers vs relationships in proposed rules, we are concerned a number of currently highest rated, accredited programs will even lose funding when they are reduced to Star 2 program unable to meet staffing requirements.

C7 Staff retention difficult. Will just be training staff to leave us if goes this way.

C10 State's already in a childcare crisis and this will only increase it. Providers are working harder than ever and are struggling to pay our bills with the increase of inflation and needing to pay our teachers more. It will only be worse when the minimum wage increases another \$1.05 in January.

C11 Teacher retention and teacher/student ratio should play vital part determining program quality.

C14 Really down to staffing issue, we just can't meet it. Advertising lots of different places. Last year spent \$13,190 on Indeed - ads got shown 21,205 times. clicked on 1,337 times. Out of those, had 220 people apply and we hired ten. During this same time, we lost as many staff as we hired. Education level gone down yet you want to try to make us have higher level of education. I don't know what we're going to have to pay these people to be able to get them in.

C18 The QRIS requirements, particularly at the highest ratings may feel unattainable and cumbersome. To offer a specific example, the proposed QRIS states the to reach a level five, at least fifty percent (50%) of Lead Teachers at level 6 (six) or above on the Maine PDN direct Care Career Lattice; and at least fifty percent (50%) of Child Care Staff Members working twenty (20) hours or more avweek are at a level 4 (four) or above on the PDN Direct Care Lattice. An educator with a CDA credential (common for new staff), obtaining a level 5 on the MRTQ career lattice requires six years of experience, and getting to a level six would require a minimum of an Associate's degree and five years of experience. Educators with a Bachelor degree need 2 years of experience to reach a level six.

C19 Child care already a crisis in this state. Going to have to raise rates astronomically as I try to cope with and abide by all these new rules being put into place so that I can pay my staff accordingly.

C20 Child care & preschools struggling to find qualified teachers while keeping care affordable. Will take obscene amount of money & time to get 50% of staff to meet requirements for improvement.

C21 Because of workforce challenges, had to make significant program design decisions. A few affecting families most: reduce our days of care down to Monday-Thursday, closing one toddler room and one preschool classroom.

Response: The Department continues to grow their investment into retaining and sustaining the child care workforce through TEACH with MaineAEYC, the Statewide Apprenticeship Program for Child Care Providers through MRTQ PDN, and State funded Early Childhood Educator Workforce Salary Supplement Program. The MRTQ Career Lattice takes into consideration individuals' years of work experience. While a bachelor's degree is a career pathway option, it is not a requirement for any Star rating within *Rising Stars for ME*.

MRTQ Career Lattice: <https://mrtq.org/registryresources/>.

6. **Comment:** Commenters 2, 3, 4, 5, 6, 7, 12, 19, and 21, stated that the rule relies too heavily on MRTQ training opportunities and staff's position on the MRTQ Career Lattice in determining program quality, particularly given the lack of sufficient MRTQ trainings offered.

C2 We pay for 40 hours of training a year for each teacher. Someone new to field, without related degree, would need 135 hours of only MRTQ training to get to level 4 on career lattice and would still not get us beyond 2-Star rating. Can meet all other requirements of 5-Star program but will never attain that based on narrow criteria for teacher education and value assigned only to MRTQ trainings. Much of our subsequent trainings done through licensed practitioners and experts in the field. Much of this valuable training is not represented in career lattice that holds such weight in QRIS, and yet plays very intentional and thoughtful role in what makes us high quality.

C3 I am concerned that under the Maine Roads to Quality I'm a level 1. I have been doing childcare for 13 years. It feels like a slap in the face.

C4 One of my primary concerns is the qualifications for staff. Completely unrealistic for this field to expect that to get to level 6, 50% of your staff would have to have bachelor's degree to get to level 5.

C5 There aren't enough MELDS classes. If large center, going to take up whole MELDS class, then we're going to wait 6 months for another MELDS to start. If you want to get on-demand classes going, going to find more people on board. They're going to be able to take time do their on-demand classes. Thirty years in field, we went down to level 1 because 50% of my staff wasn't level 5.

C6 We also must consider the weight the current career lattice holds in QRIS as a measure of experience, credentialing, training, and higher education. Many training hours that educators invest in do not hold value or support an educator's ability to move along the current lattice.

C7 If we are going to require higher standards, need to make this career equitable. Will just be training staff to leave us if goes this way.

C12 Wish state did little bit more in supporting providers and understanding what's required and providing the trainings, the volume of trainings needed.

C19 I truly hope that you reconsider the training that will count for staff. MELDS is not easy for everyone, and the schedules are not doable for everyone.

C21 Understand the "want" behind highly trained workforce, want that too. Not practical at this time without significant public investment from the federal and state government.

Response: The Department continues to improve identified gaps to workforce development which includes the professional development system Statewide. This includes articulation agreements with institutes of higher education and with their partner MRTQ PDN that supports programs and individual providers with their professional development plans (PDP) to identify available trainings, coursework,

credentials, and scholarships at little or no cost. MRTQ PDN distributes their weekly newsletter *Shortcuts* and an ongoing online training calendar. The system continues to enhance training opportunities that include facilitated in-person, virtual in addition to on-demand trainings. Trainings through MRTQ PDN are at little to no cost. For providers participating in the Child Care Subsidy Program (CCSP) provides reimbursement for forty training hours per year per CCSP Rule Section 11 Billing and Payment (B).

7. **Comment:** Commenters 1, 17, and 18, requested clarification on what appears to be overlap in reporting requirements of Head Start and early care and education programs and commented that some of these requirements could be used to successfully address both reporting requirements.

C1 and C18 Requirements of Rising Stars duplicative of Head Start program performance standards which we are already required to meet. Concerned Rising Stars for ME as currently written will have unintended consequence of acting as disincentive to potential new entrants to field and discourage work force struggling to rebuild and gain experience.

C17 Head Start best positioned from training and support perspective to bring on individuals with no experience and develop them into early educators. Head Start already has self-assessment data completed annually and defined goals identified as part of the 5-year grant process which is monitored, reported, updated, and measured for growth and impact on programming yearly. Head Start already has self-assessment data completed annually and defined goals identified as part of the 5-year grant process which is monitored, reported, updated, and measured for growth and impact on programming yearly. Would Head Start be allowed to use current goal documents, etc. to meet this requirement or would we need an entirely different document created for this?

When self-assessments, checklists, or other tools are referenced, are there certain documents required or available for use? 7 standards included in Head Start Performance Standards. These are all reported on and documented in several ways.

- Standard 1: Learning Environment/ DAP: Addressed in §1302.30-.32
- Standard 2: Program Evaluation: §1302.11, 1302.102, and Sec. 641A of Head Start Act.
- Standard 3: Staff Qualifications and PD: §1302.91-92
- Standard 4: Admin and business practices: § 1303
- Standard 5: Family engagement and Partnership: §1302.50-53, 1302.34
- Standard 6: Child Assessment: §1302.33
- Standard 7: Health, Safety, Nutrition, & Physical Activity: §1302.40-.47

These standards are addressed as listed above, through frequent monitoring by OHS, annual program self-assessment, and monthly internal monitoring. The requirement of a portfolio would be redundant and use valuable time and energy. This information would be obtained within the same documentation utilized in place of the accreditation requirement, annual self-assessment information, and Child Care Licensing documentation

Response: Maine's QRIS is governed by Maine statute and overseen by the OCFS. Head Start is administered through the Office of Head Start, a division of the Administration for Children and Families within the U.S. Department of Health and Human Services. The standards do not require program documentation, they are verified through the Registry.

8. **Comment:** Commenter 11 shared that it seemed like a push-down to look like elementary school into early childhood, resulting in a loss of the element of care in our programs.

Response: The requirement at Star 4 is only that the program has an articulated approach to curriculum, not that any specific curriculum is used. There are options listed as examples (including PreK for ME), but there is also an option for a program to write their own approach to curriculum. MRTQ PDN has training and a Quality Improvement Toolkit to support programs needing assistance with writing their own approach to curriculum development.

9. **Comment:** Commenter 1 concerned QRIS requirements, particularly highest rating, may be unobtainable, using this example: to reach level 5, at least 50% of lead teachers at level 6 or above on Maine PDN direct care lattice and at least 50% of childcare staff members working 20 hours or more a week at level 4 or above PDN direct care lattice. Educator with CDA credential, common for new staff, obtaining level 5 on MRTQ career lattice requires 6 years of experience and getting to level 6 would require minimum associate degree and 5 years experience. Educators with bachelor's degree need 2 years expertise to reach level 6.

Response: For Facilities Standard 3, Star 5, Requirement 2, it is required that 50% of Teachers (as reported in MRTQ Registry) are at Level 6 or above on Career Lattice for programs serving children birth to five OR mixed age groups. The requirement for 20% of staff working 20 or more hours per week to be at Level 4 or above is for out-of-school time programs only. It's an either-or situation. No program would have to meet both requirements. In addition, this is the same as current requirement for *Quality for ME*, with only change being the language to Teacher (instead of Lead Teacher) to align with the Registry. The Registry allows for Teacher and Assistant Teacher/Teacher Aide. This requirement also aligns with accreditation requirements for NAEYC. Programs meeting Star 5 are not required to submit a portfolio. The additional standards required beyond HS Performance Standards or accreditation are training and staff education, which are verified through the Registry and do not require program documentation.

10. **Comment:** Commenter 1 asked: would Head Start be allowed to use current goal documents, etc. to meet this requirement or would an entirely different document created for this?

Response: Standard 3, Star 4, Requirement 2, requires “*All staff create an annual Professional Development Plan addressing their training and education goals.*” This requirement does not dictate what is used for documentation of the individual(s) PDP and therefore, a facility or family child care program can establish their own documentation to meet this requirement.

11. **Comment:** Commenter 2 recommends individual teacher's career lattice levels not be what makes or breaks program's quality rating and more value on career lattice outside of Maine Roads to Quality trainings.

Response: The MRTQ Career Lattice takes into consideration individuals' years of work experience. The Department continues to improve identified gaps to the professional development system Statewide. This includes articulation agreements with systems of higher education and with their partner MRTQ PDN support programs and individual providers with their PDP to identify available trainings, credentials, and scholarships at little or no cost. MRTQ PDN distributes their weekly newsletter *Shortcuts* and a monthly training calendar. The system continues to enhance training opportunities that include in-person, virtual, communities of practice (CoPs) and on-demand. Trainings through MRTQ PDN are at little to no cost.

MRTQ Career Lattice: <https://mrtq.org/registryresources/>.

12. **Comment:** Commenters 2 stated that more value should be placed on how rigorous a process program must go through to attain an NAEYC accreditation and the level of quality a program must have to maintain it.

Response: NAEYC accreditation is valued under *Rising Stars for ME* as it is required for 5-Star rating.

13. **Comment:** Commenter 3 stated they direct families to Child Care Choices to look for childcare. When someone is seen at Step 1, looks like they're at bottom of barrel. Only way for commenter to get to a 2, is to be level 3 on career lattice which would be 90 hours of knowledge training or 6 college credits. Commenter stated not able to get to level 2 because according to required survey, commenter also had to be accredited.

Response: Through updates on the Child Care Choices website, individual program's Step Report can be clicked on to show where each individual program falls for the QRIS rating by each standard. As part of the rollout of the *Rising Stars for ME*, the Department, and their partner MRTQ PDN will launch a media campaign to include significant outreach and awareness to families statewide.

14. **Comment:** Commenter 4 asked why proposing quality rating system in Maine needs to go above and beyond National Association for the Education of Young Children?

Response: The Department thanks the commenter for their feedback. The standards have been revised for Star 5 Facility to meet accreditation.

15. **Comment:** Commenter 4 asked if there had been consideration whether or not MRTQ and local colleges were prepared to ramp up services financially and programmatically, to support this system, in bringing somebody in and getting them up to level we need to maintain level we desire.

Response: MRTQ PDN support programs and individual providers with their PDP to assist in programs meeting their desired quality rating. Through MRTQ PDN's District Coordinators, TA can be provided upon request in creating a personalized plan.

16. **Comment:** Commenter 6 recognized work of OCFS, MRTQ, and programs who participated in Rising Stars for ME pilot. Well-intentioned, there is attention to quality for our children and families and our programs. Thankful get to offer this public comment with stakeholder input and hope to bring QRIS to place designed, accepted, and invested in by the field.

Response: The Department appreciates and thanks you for the support and appreciates feedback regarding the rulemaking process for *Rising Stars for ME*.

17. **Comment:** Commenter 6 recommended QRIS pilot and public comment be catalyst for stakeholder engagement that brings educators, directors, MRTQ, OCFS, and stakeholders together to consider the current state of childcare. Opportunity to design system with the field over the next year that brings cohesive career lattice, which includes equitable and flexible pathways, aligned with quality and improvement system reflective of field's identification of quality and researched ideation of quality.

Response: In collaboration with MRTQ PDN, the Department piloted Rising Stars for ME in 2020. As part of the new QRIS, the Department will be piloting the online portfolio review and site visit portion of the rule for all types of child care programs to gain feedback on the new system and its processes.

18. **Comment:** Commenters 6, 12, 13, and 19, suggested that the current system utilizing “steps” remain in place, and that using “star” rating is confusing.

C6 Using stars as rating protocol could confuse consumers; current name should remain in place

C12 Have concerns with stars label. Like the Steps-you’re working your way up through

C13 going to have parents asking us *why are you at 2 and not 5* or we might not get as many kids once we have those openings because they’re looking at us at a lower level.

C19 When you think of 2-Star rating, it is considered to be less than average and not appealing

Response: Utilizing recommendations on the 2014 and 2015 Quality for ME Revision Project Final Reports, renaming, and changing the step rating to star levels was recommend reducing provider confusion between Maine Roads to Quality Professional Development Network (MRTA PDN), Quality for ME, and the previous organization Quality Counts. This 5 Star level system was included in the *Rising Stars for ME* pilot in 2020. To alleviate ongoing confusion between Quality for ME and Maine Roads to Quality, stakeholders strongly suggested to change the name of Quality for ME.

19. **Comment:** Commenter 6 shared that the majority of families use informal searches to find child care rather than formal tools such as Child Care Choices which lists QRIS Steps and that without strong consumer education and local or regional entities to provide education on more formal resources, quality rating and improvement systems not generally understood by consumers.

Response: As part of the rollout of the *Rising Stars for ME*, the Department, and their partner MRTQ PDN will launch a media campaign to include significant outreach and awareness to families Statewide that include the Child Care Choices. In November of 2022, the Department also launched Help Me Grow Maine, a free service available to children up to eight years of age and their families. Help Me Grow Maine connects individuals to information and services about child development and community resources. In partnership with 2-1-1 Maine, any parent, caregiver, or provider can call for support. The Help Me Grow team will listen, link you to services, and supply ongoing support when needed.

Help Me Grow Maine: <https://www.maine.gov/dhhs/ocfs/support-for-families/child-development>.

20. **Comment:** Commenter 6, SECTION 3. APPLICATION PART B. APPLY: Current QRIS information provided by programs be automatically rolled over into new system. **Question:** What is intended timeline of new system change and how long programs allowed to roll into this new system. Would this coincide with programs’ licensing renewal?

Response: The Department’s implementation plan for the revised QRIS includes a six-month transition plan. All programs will transfer to one star higher on the rating system at the onset. Programs whose QRIS certificate expires will have six months to maintain that star rating. The Department and MRTQ PDN will be providing outreach, support, and TA. Programs with QRIS certificates that expire after the initial six-month period will be required to meet all necessary components of the star level to maintain that star rating at the time of certificate expiration date that coincides with their Child Care License or CCSP License-Exempt Provider Agreement.

21. **Comment:** Commenter 6: SECTION 4. STAR RATING STANDARDS AND REQUIREMENTS C. FAMILY CHILD CARE PROVIDERS 2. STAR 3 FAMILY CHILD CARE (f). Program Owner and/or Director completed all required training(s) relevant to all ages enrolled in Program; Unclear what these training requirements are. If referring to MELDS and IT MELDS, we value MELDS and IT MELDS also recognize Owners/Directors with a degree or equivalent in child development/early childhood education should be able to understand and utilize MELDS and IT MELDS without additional training due to their level of experience and education within child development. Input from the field identified timing of and limited capacity of these trainings are a barrier.

Response: For programs serving children birth to kindergarten: the program owner must complete the training(s) relevant to all ages enrolled in the program: Infant and Toddler Maine Early Learning and Development Requirements (IT MELDS) for ages birth to three years; Maine's Early Learning and Development Requirements (MELDS) for ages three years to kindergarten. For programs serving children birth to kindergarten: The IT MELDS and MELDS documents are referred to during activity planning. For programs serving infants and/or toddlers: The activities are individualized to each child's routines and rhythms.

22. **Comment:** Commenter 6: SECTION 4. STAR RATING STANDARDS AND REQUIREMENTS C. FAMILY CHILD CARE PROVIDERS 2. STAR 3 FAMILY CHILD CARE (g) MELDS and Infants and Toddlers MELDS documents referred to during activity planning. Recommend this include other research-based curriculum planning allowances. Ex: OWL, TSG, Creative Curriculum, etc. There are many early childhood development pedagogies researched based and touch on many of same developmental concepts as MELDS and IT MELDS. Asking if activity plans specifically reference MELDS and IT MELDS is duplicative.

Response: Based on this requirement, the Department does not deem this as duplicative but rather, programs must document how their chosen curriculum and subsequent activity plans aligns with the content areas of IT MELDS or MELDS. It is the programs decision if they use curriculum-based templates to document this alignment or created their own.

23. **Comment:** Commenter #6 SECTION 4. STAR RATING STANDARDS AND REQUIREMENTS C. FAMILY CHILD CARE PROVIDERS 2. STAR 3 FAMILY CHILD CARE (i) Family Survey completed annually to gather input on Program's strengths and opportunities. Recommend Family survey every 2 years at this level working up to yearly accreditation requirements at the highest level.

Response: No change has been made to the rule based on the recommendation as the Department believes this section aligns with its goals for family engagement.

24. **Comment:** Commenter 6 SECTION 4. STAR RATING STANDARDS AND REQUIREMENTS C. FAMILY CHILD CARE PROVIDERS 2. STAR 3 FAMILY CHILD CARE (p) Programs with Child Care Staff Members provide monthly opportunities for individual supervision, (if applicable). We are unclear what this means? Do owners have to assess staff members monthly, provide coaching, observe, etc.? Is this really applicable to family child care programs in which staff constantly work directly with the owner of the program?

Response: Providers are required to *provide* (not actually conduct) monthly *opportunities, as applicable*, for individual supervision. If a situation or concern arises, the provider and/or child care staff member can reference this requirement as justification for the request of supervision.

25. **Comment:** Commenter 6 SECTION 4. STAR RATING STANDARDS AND REQUIREMENTS C. FAMILY CHILD CARE PROVIDERS 2. STAR 3 FAMILY CHILD CARE (s) Families provided information on local and state resources related to individual Child and family needs. See opportunity for Help ME Grow Network to connect with child care programs to partner in helping families be connected to resources. Hope this network advertised widely to child care programs and look forward to supporting messaging and marketing of Help Me Grow.

Response: In November of 2022, the Department also launched Help Me Grow Maine, a free service available to children up to eight years of age and their families. Help Me Grow Maine connects individuals to information and services about child development and community resources. In partnership with 2-1-1 Maine, any parent, caregiver, or provider can call for support. The Help Me Grow team will listen, link you to services, and supply ongoing support when needed.

Help Me Grow Maine: <https://www.maine.gov/dhhs/ocfs/support-for-families/child-development>.

26. **Comment:** Commenter 6 SECTION 4. STAR RATING STANDARDS AND REQUIREMENTS C. FAMILY CHILD CARE PROVIDERS 2. STAR 3 FAMILY CHILD CARE (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. Is this based on an assessment system, if so, does this allow flexibility for programs to use an assessment tool of their own choosing?

Response: This standard does not prescribe any specific assessment tool(s) or process(es). The Department agrees to provide examples of evidence in this standard to best support programs.

27. **Comment:** Commenter 6 SECTION 4. STAR RATING STANDARDS AND REQUIREMENTS C. FAMILY CHILD CARE PROVIDERS 2. STAR 3 FAMILY CHILD CARE (Nutrition/physical activity baseline Self-assessment completed annually and includes the development and implementation of an action plan to achieve one strategy for improvement. Does this have to be specific assessment such as 5210 Action Plan or Go NAP SACC Action Plan or can programs create their own/choose their own?

Response: This standard does not prescribe any specific self-assessment tool(s) or process(es), but these two examples are researched based tools that would meet this standard and at no cost. The MRTQ PDN has a Statewide system offering targeted TA to providers working to improve program quality. The TA supports the reflective processes that providers need to apply the theories and information learned through education and/or training to improve or sustain best practices. District Early Childhood and Youth Coordinators support you and your program with a wide variety of services including working with other professional organizations, like Let’s Go!, to best support professionals with meeting this standard.

28. **Comment:** Commenter #6 SECTION 4 STAR 4 FAMILY CHILD CARE (k) Program policy addressing participation in IFSP/IEP plans in place. Important to identify current systems can often be exclusionary of child care educators in IFSP/IEP planning process. Meeting times often times where educators cannot participate, programs don’t have subs or funding for subs to provide time, and consult time is often at benefit of practitioner's schedule, not child care educator. Support stronger coordination

at Department level to reduce barriers for child care programs participating in educational matters under MDOE.

Response: The Department recognizes and values the critical importance of ensuring the inclusion of all appropriate persons and agencies in this work. The requirement is to have a policy in place, with the understanding of current barriers that challenge full implementation. The Department will bring this feedback to the Department of Education.

29. **Comment:** Commenter #6 SECTION 4 STAR 4 FAMILY CHILD CARE (m) Nutrition/physical activity baseline Self-assessment completed annually; and includes the development and implementation of an action plan to achieve one (1) strategy for improvement. Duplicative of requirement in Star 3, should Star 4 say (2) strategies?

Response: The Department thanks you for identifying this error. Yes, Star 4 is intended to read two strategies.

30. **Comment:** Commenter #6 SECTION 4 (D) CHILD CARE FACILITIES 2. STAR 3 CHILD CARE FACILITY (f), (g), and (i) Program Owner/Director or Child Care Staff member responsible for curriculum planning has completed Department-approved Maine IT MELDS and MELDS training; Value MELDS and IT MELDS also recognize that Owners/Directors with a degree or equivalent in child development/early childhood education should be able to decipher and understand MELDS and IT MELDS without additional training due to their level of experience and education within child development.

Response: The IT MELDS and MELDS are the State of Maine established early learning standards. The MRTQ PDN has established articulation agreements with Institutes of Higher Education (IHE) to provide a waiver of professionals needing to take the IT MELDS or MELDS training if they have completed coursework at an articulated IHE that is equivalent to the IT MELDS or MELDS training. Additionally, the IT MELDS and MELDS are revised over time based on research and therefore, professionals would be required to complete the updated training or meet the requirement of a waiver as part of their professional growth.

31. **Comment:** Commenter 6 SECTION 4 (D) CHILD CARE FACILITIES 2. STAR 3 CHILD CARE FACILITY (h) MELDS and IT MELDS documents referred to during activity planning. Include other research-based curriculum planning allowances. EX: OWL, TSG, Creative Curriculum, etc. Many early childhood development pedagogies researched based and touch on many of same developmental concepts as MELDS and IT MELDS. Asking activity plans specifically reference MELDS and IT MELDS is duplicative.

Response: Based on this requirement, the Department does not deem this as duplicative but rather, programs must document how their chosen curriculum and subsequent activity plans aligns with the content areas of the IT MELDS or MELDS. It is the programs decision if they use curriculum-based templates to document this alignment or created their own.

32. **Comment:** Commenter 6 SECTION 4 (D) CHILD CARE FACILITIES 2. STAR 3 CHILD CARE FACILITY (k) Child Care Staff Member and Family Surveys, to gather input on Program's strengths and opportunities, completed annually. While this is a NAEYC accreditation requirement, for this rating

level, recommend a family and staff survey every 2 years. Programs working towards accreditation can begin to increase frequency to 1 year.

Response: No change has been made to the rule based on the recommendation as the Department believes this section align with its goals for family engagement.

33. **Comment:** Commenter 6 SECTION 4 (D) CHILD CARE FACILITIES 2. STAR 3 CHILD CARE FACILITY (r) Monthly opportunities for individual supervision provided to Child Care Staff Members. Unclear what this means? Do owners have to assess staff members monthly, provide coaching, observe, etc? Are these documented?

Response: Supervision is not required monthly, rather the opportunity for the Child Care Staff Member and/or the provider to request a supervisory meeting is being put in writing, in the event one or both identify a concern, question, etc. that requires further discussion. The requirement is for a policy in the staff handbook addressing opportunities for monthly supervision. Documentation of individual supervision is not required.

34. **Comment:** Commenter 6 SECTION 4 (D) CHILD CARE FACILITIES 2. STAR 3 CHILD CARE FACILITY (u) Program Director or Child Care Staff Member, responsible for on-site Program administration, completed Department-approved training on laws and practices on inclusion. Including “or demonstrates completion of comparable college course work;”

Response: No change has been made to the rule as a result of this comment. MRTQ PDN offers a six-hour on demand training.

35. **Comment:** Commenter 6 SECTION 4 (D) CHILD CARE FACILITIES 2. STAR 3 CHILD CARE FACILITY (w) Information provided to families on local and state resources related to individual Child and family needs. See opportunity for Help ME Grow Network to connect with child care programs to partner in helping families be connected to resources. Hope this will be advertised widely to child care programs and look forward to supporting messaging and marketing of Help Me Grow.

Response: In November of 2022, the Department also launched Help Me Grow Maine, a free service available to children up to eight years of age and their families. Help Me Grow Maine connects individuals to information and services about child development and community resources. In partnership with 2-1-1 Maine, any parent, caregiver, or provider can call for support. The Help Me Grow team will listen, link you to services, and supply ongoing support when needed.

Help Me Grow Maine: <https://www.maine.gov/dhhs/ocfs/support-for-families/child-development>.

36. **Comment:** Commenter 6 SECTION 4 (D) CHILD CARE FACILITIES 2. STAR 3 CHILD CARE FACILITY (y) Nutrition/physical activity baseline Self-assessment completed annually. Is this based on an assessment system, if so, does this allow flexibility for programs to use an assessment tool of their own choosing?

Response: This standard does not prescribe any specific self-assessment tool or process and allows the program to use an assessment tool of their choosing that concentrates on nutrition and physical activity.

37. **Comment:** Commenter 6 SECTION 4 (D) CHILD CARE FACILITIES STAR 4 CHILD CARE FACILITY (i) Child Care Staff Members with curriculum planning responsibilities provided at least one (1) paid hour per week to dedicate to curriculum planning; Support paid curriculum planning time and understand many programs try to, and would like to, offer this. Due to workforce crisis this can be currently unattainable. Recognize as decades-long, underfunded systems problem that led to inability to provide professional time such as planning. To include this in QRIS at this time not appropriate until child care is getting level of public funding needed to build a professionalized workforce that will lead away from workforce crisis in child care.

Response: The Maine Early Childhood Workforce Salary Supplement Program assists eligible child care providers in paying competitive wages to address challenges in the child care workforce and ensure access to affordable, high-quality child care options for Maine families.

Early Childhood Workforce Salary Supplement Program: <https://www.maine.gov/dhhs/ocfs/provider-resources/early-childhood-educator-workforce-salary-supplement-program>.

38. **Comment:** Commenter 6 SECTION 4 (D) CHILD CARE FACILITIES STAR 4 CHILD CARE FACILITY (j) A benefit package including at least two (2) benefits is offered. This is responsibility of public funding plan to support the child care workforce. Access to health care and benefits such as retirement and paid family and medical leave cannot rest on child care sector deemed market failure by U.S. Treasury. Need state and federal government working to solve inequities of benefits in child care industry and should not be shouldered by child care programs who ultimately will have to raise tuition on families to provide these benefits. A disparity of affording benefits package based on size of program. While accreditation recognizes these are elements for stronger workforce, accreditation based on percentage of points earned, so programs are not penalized if they can't meet these requirements.

Response: No change has been made to the rule as a result of this comment. Health care and paid family leave are two options, but are not required for this standard.

39. **Comment:** Commenter 6 SECTION 4 (D) CHILD CARE FACILITIES STAR 5 CHILD CARE FACILITY (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 noncompliance items identified in its most recent review are corrected. This should be included in Star 5 for family child care who are in Early Head Start partnerships and consider continued Home Start and other Head Start Partnerships.

Response: The Department thanks the commentor for catching the omission of this language and the rules have been updated accordingly.

40. **Comment:** Commenter 6 SECTION 5: *PORTFOLIO AND SITE VISITS 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. Programs required to keep number of portfolios and binders pertaining to licensing, handbooks, food program participation, etc. Recommend if program can provide

necessary documentation needed on demand at site visit, they can pull from multiple binders/documentation they already keep. Have to reduce redundancy of paperwork for programs that keeps them from providing quality care and education.

Response: The Department thanks you for this recommendation and will take it into consideration as the online portfolio is developed.

41. **Comment:** Commenter 6 *SECTION 5: PORTFOLIO AND SITE VISITS PORTFOLIO (B) Site Visits*. The Department will conduct in person site visits to Programs. Include in these visits “evaluation of Rising Stars for ME program which program can voluntarily fill out to provide feedback on how program working for them and for OCFS to help make adjustments and improvements based on provider feedback. Important programs feel valued and seen in this system or they will be reluctant to participate in it.

Response: The Department welcomes feedback at any time regarding program processes and takes all feedback into consideration.

42. **Comment:** Commenter 6 *SECTION 7: RULES AND VIOLATIONS*SD. 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. Recommend removing “A program must inform families of any change in its Rising Stars for ME status.” and **replace** it with “A program must inform families of any change in its Rising Stars for ME status that would affect a family's access to a tax credit. An update to its publication materials should be sufficient.

Response: No change has been made to the rule as a result of this comment. It is the responsibility of a program to provide families with updates that impact their program which include changes to their Star Rating.

43. **Comment:** Commenter 6 *SECTION 8: APPEALS_A*. Informal Review. A Program may request an Informal Review of its Star Rating by contacting the CCDF Administrator in writing. Recommend an informal Review also include a review from a group of peers from the field

Response: The Department thanks the commenter. No change has been made to the rule as a result of this comment.

44. **Comment:** Commenter 12 is happy licensing rule requires programs to be part of QRIS system and isn't strictly voluntary anymore. Been huge proponent across the board of alternative roots whether it's career lattice, whether it's top Step of QRIS being only for accreditation.

Response: The Department thanks you for your support.

45. **Comment:** Commenter 16 recommends consideration to include key standards for early childcare regulations as part of QRIS recognition process. Program centers include in their baseline nutrition/physical activity self-assessment, standards should be reviewed and based on nationally recognized standards. asking OCFS to provide guidance to centers on what should be provided. All licensed providers follow Child and Adult Care Food Program Nutrition Standards and for physical activity and screen time should consider either Caring for Our Children Standards or YMCA's Healthy

Eating & Physical Activity Standards. As part of helping programs achieve a higher quality rating, there is an opportunity to create more guidance, standards and hopefully resource around Child Care Health Consultation requirement. As you look to put in higher standards within QRIS, so that the centers (and hopefully moving forward home based) have a partner to help them implement initiative that address the health and safety of the children in their care including more standards and resources for childcare health consultants can go a long way to ensure all children and licensed child care have more equity across the board when it comes to health and safety standards

Response: The Department's Child Care Licensing Rules have health and safety standards embedded within the rules. MRTQ PDN supports programs and individual providers with their PDPs which include areas of physical activity and nutrition and health and safety. MRTQ PDN works with physical activity and nutrition (PAN) in ECE to facilitate having content experts on PAN/HS available to programs to support quality improvements in these areas.

46. **Comment:** Commenter 17 Lesson Planning Reference the MELDS and I/T MELDS on the lesson planning documentation. Would referencing the Early Learning Outcomes Framework (ELOF) be acceptable as this is part of current assessment systems and HS/EHS requirements for lesson planning? Both MELDS and ELOF have been crosswalked to show how both set of developmental expectations align.

Response: Yes, this is acceptable given that the IT MELDS and MELDS have been cross walked with the ELOF.

47. **Comment:** Commenter 17 Required enrollment: This states that all licensed programs must enroll in Rising Stars for ME. Will this be added to the licensing rule?

Response: Participation in Maine's QRIS is already required under the Department's Child Care Licensing Rules.

48. **Comment:** Commenter 17 Technical assistance: It states that Rising Stars for ME provides Technical Assistance, is this through MRTQ; how will this be facilitated/accessed?

Response: MRTQ PDN has a Statewide system offering TA services to early childhood and out-of-school time programs working to improve program quality. The TA System supports the reflective processes that providers need to apply the theories and information learned through education and/or training to improve or sustain best practices. MRTQ PDN's District Early Childhood and Youth Coordinators programs using a wide variety of services.

49. **Comment:** Commenter 17 Suspension & Expulsion: For Star 3, programs need policies addressing' suspension/expulsion. More clarity of what 'addressing' means would be helpful. For example, some family childcare partnership providers (with Head Start) have a 2-week trial period written into their family handbook to determine goodness of fit. Does a provider just need to state their approach, or are specific things required to be followed?

Response: The Department and MRTQ PDN offers variety of evidence-based professional development supports to early childhood and out of school time programs and individual providers designed to promote social emotional learning (SEL) and prevent the expulsion of young children.

50. **Comment:** Commenter 17 asked whether there is a list of acceptable benefits to meet the requirement for Star 4 Child Care Facilities to offer two benefits to Staff Members.

Response: The list of benefits located in the Standards, includes, but is 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.

51. **Comment:** Commenter 11 shared that QRIS should be an alternative quality rating to NAEYC accreditation, not based on it due to the cost of NAEYC accreditation.

Response: The Department thanks the commenter for their public comment. NAEYC accreditation is valued under *Rising Stars for ME* as it meets standards for a five-star rating.

52. **Comment:** Commenters 3, 8, and 13, suggested the Department is not well positioned to rate early care and education programs, and that parents should rate programs instead.

C3: Stated that information to build these things should be coming from parents of what works best for their child and what the provider's doing; and not be labeled a 1, 2, 3, and 4.

C8: Stated she did not think early care and education programs should be rated.

C13: Noted that hotels and restaurants are rated by their clientele, and questioned why the Department should rate early care and education programs.

Response: 45 CFR 98.33(a)(3) and section 658E(c)(2)(e)(i)(II) of the Child Care and Development Block Grant Act requires the Department to provide information on quality. Maine OCFS accomplishes this by using QRIS.

53. **Comment:** Commenters 6 and 12 stated it is not the right time to introduce a new QRIS system and rule, citing recent changes to the child care licensing rules.

C6: Implemented background checks and gone through new licensing regulations was hard work as center directors are in classrooms now, not able to get to more paperwork aspect of their jobs.

C12: State would be better served if they put everything on hold right now. Have QRIS system in place that is doable. Give providers chance to settle into that, settle into licensing

Response: Maine has operated a QRIS for child care providers and other early care and education programs since 2008, but the standards and requirements were never established in rule. Adopting a rule governing QRIS benefits families and providers by having a clear system that shows the importance of high-quality early care and education for all Maine children. The rule further shows the Department's commitment and investments to the programs in early care and education and the families that utilize their service. The Department has invested funding and time through two studies conducted by independent consultant groups in 2014 and another in 2016, which outlined many of the changes made during the revision process. The revisions were then piloted in the summer of 2020 across program types. The program owner, director, or designated staff person provided feedback during the pilot project. The Department then utilized the feedback within the revised standards and proposed rule.

List of Changes from Proposed Rule in Adopted Rule:

1. Page 9, Section 2(B): The Department added the following language “Programs must disenroll Staff Members who are no longer employed at or by the Program.”
2. Page 13, Section 4(C)(3)(m): changed “one” to “two.”
3. Page 13, Section 4(C)(4)(a): The Department added the following language “OR meets performance standards as evaluated by Head Start”.
4. Page 16, Section 4(D)(3)(j): The Department added the following language “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;”.