

ARKANSAS CHILD CARE APPROVAL SYSTEM
Arkansas Department of Human Services
Division Of Child Care and Early Childhood Education
RULES AND REGULATIONS

1.00 REGULATORY AUTHORITY

- 1.01 These regulations are enacted pursuant to Acts 820 and 1268 of 1993, Ark. Code Ann. §6-45-103 (Supp. 1993) and revised by Act 1132 of 1997.
- 1.02 These regulations shall be known as the Department of Human Services Division of Child Care and Early Childhood Education regulations governing the Arkansas Child Care Approval System.

2.00 PURPOSE

- 2.01 It is the purpose of these regulations to set the general guidelines for the operation of the Arkansas Child Care Approval System.
- 2.02 This system is intended to extend Approval status to child care facilities which meet quality guidelines as set forth in these regulations.
- 2.03 Designation of Approval status for any child care facility will qualify taxpayers for the following:
- a. Under Act 820, corporations which build and equip an approved child care center will be exempt from the state compensating tax levied by Ark. Code Ann. §26-53-101 et. seq (1987). Construction materials and furnishings purchased for use in the initial construction and equipping of a child care center for the exclusive purpose of providing child care to the corporation's employees will be subject to this exemption.
 - b. Under Act 820, a business which qualifies for the exemption from the Gross Receipts Tax under Ark. Code Ann. §26-52-401(29), shall be allowed an income tax credit of three and nine-tenths percent (3.9%) of the annual salary of employees employed exclusively in providing child care services.
 - c. Under Act 1268, enhanced income tax credits in the amount of twenty percent (20%) of the federal child care credit as allowed under Section 21 of the Internal Revenue Code will be available to qualified taxpayers who incur child care expenses at approved child care facilities.

3.0 DEFINITIONS/ACRONYMS

- 3.01 DCCECE: Division of Child Care and Early Childhood Education (the Division)
- 3.02 NAEYC: National Association for the Education of Young Children
- 3.03 NAFCC: National Association for Family Child Care
- 3.04 AEDC: Arkansas Economic Development Commission

4.0 APPLICANT ELIGIBILITY

- 4.01 All child care facilities as defined under Ark. Code Ann. §20-78-202, exclusive of foster homes, group homes and custodial institutions, are eligible for Approval status.
- 4.02 All child care facilities, excluding those named in section 4.01 above, operating under a regular child care license as issued by the Division are eligible. Programs operating under a non-compliance provisional child care license at the time of application will not be considered for Approval status, however, 1st year provisional initial license will be accepted.

5.0 AGENCY RESPONSIBILITY

- 5.01 The Division of Child Care and Early Childhood Education (the Division), will coordinate and administer the Arkansas Child Care Approval System.
- 5.02 The Division Director will approve all recommendations for Approval status which will be reviewed and recommended by the Division's Approval System Coordinator. This list will be submitted on a monthly basis for review and action.
- 5.03 The Division will be responsible for providing verification to the Department of Finance & Administration each December of child care facilities qualifying for Approval status in the preceding calendar year.
- 5.04 The Division will be responsible for providing verification to the Arkansas Economic Development Commission (AEDC) each December of child care facilities qualifying for Approval status in the preceding calendar year.
- 5.05 The Division will verify licensed status of all applicants.
- 5.06 The Division will provide technical assistance to any facilities desiring to achieve Approval status through consultants under contract to the Division.

- 5.07 Grants from the Division may be awarded to facilities moving toward Approval status dependent upon a thorough assessment of current facility deficiencies. Facility enhancement/improvement grants are awarded on a competitive basis and are not guaranteed to any provider, regardless of approved or non-approved status.
- 5.08 Approval status will be renewed annually. An on-site inspection and verification of regular licensed status will be required for renewed Approval. Previously approved facilities which are on non-compliance provisional licensing status at time of renewal will not be considered for re-evaluation until the provisional status is removed.
- 5.09 The Division, in conjunction with AEDC, will provide technical assistance to corporations to plan, develop and implement a quality child care center.

6.0 APPLICATION PROCEDURES

- 6.01 Applications will be submitted to the Division for review. Application forms will be provided.
- 6.02 Child care centers which can verify accreditation through the National Academy of Early Childhood Programs, a division of NAEYC, will be considered approved for the purposes of these regulations. NAEYC certification is good for the three (3) year certification period. Verification of accreditation status must be provided to the Division each year upon renewal in order to maintain approved status.
- 6.03 Family day care homes which can verify accreditation through the National Association for Family Child Care (NAFCC) will be considered approved for the purposes of these regulations. NAFCC certification is good for the three (3) year certification period. Verification of accreditation status must be provided to the Division each year upon renewal in order to maintain approved status.
- 6.04 The application will consist of:
 - A. Information page
 - B. Statement of Assurances/Certification of Information
 - C. Narrative Description of Program
 - 1. Site description, including schematic diagrams of indoor/outdoor space
 - 2. Staff qualifications
 - 3. Staffing patterns (staff/child ratios, group size)
 - 4. Educational program design/curriculum, daily schedule
 - 5. Policies/procedures obtained through a Parent Handbook
 - 6. Staff development plan
 - 7. Parent involvement
 - 8. Community involvement/collaboration
 - D. Proof of age appropriate immunization for all children participating in the program.

6.05 Applications will be reviewed for compliance with licensing and Approval standards.

7.0 ASSESSMENT PROCESS

- 7.01 Upon favorable review of the application, a program coordinator of the Division will notify the applicant of completion of the initial review and schedule an appointment to do an on-site program assessment.
- 7.02 The on-site program assessment will consist of the following:
- A. Verification of data provided in the initial application
 - B. Observation using these nationally validated tools:
 1. Infant/Toddler Environment Rating Scale, by Clifford/Harms
 2. Early Childhood Environment Rating Scale, by Clifford/Harms
 3. School-Age Care Environment Rating Scale, by Harms/Jacobs/White
 4. Family Day Care Rating Scale, by Clifford/Harms
- 7.03 On-site observations will consist of not less than one full program day in the facility.
- 7.04 All program areas (infant/toddler, pre-school, and school-age) will be observed and assessed.
- 7.05 Applicants must have an average score of 4.5 or above on each of the 7 subscales found in the Environment rating scales in all of the appropriate assessment instrument(s) to qualify for Approval status.
- 7.06 Upon completion of both initial application review and on-site assessment, the applicant will be notified in writing within thirty (30) days of the site visit of the outcome of the reviews.
- 7.07 Applicants who are denied Approval status will be provided written justification for denial.
- 7.08 Unannounced visits may be conducted throughout the year to verify continued compliance of licensing and Approval standards. An unfavorable review may result in a full scale re-assessment which could lead to termination of Approval status.

8.0 GRIEVANCE PROCEDURE

- 8.01 Applicants who are denied Approval status may ask to show cause why the decision should be reversed. Written correspondence shall be submitted to the Director of the Division within thirty (30) days of the notification of denial asking that the Approval status decision be reviewed.
- 8.02 Upon written communication from the denied applicant, the Director of the Division will institute an internal review to insure that appropriate process was followed and to determine the validity of the staff decision. The Director of the Division will transmit the findings of the internal review to the applicant within 30 days of the request.
- 8.03 If the outcome of the internal review is unsatisfactory to the applicant, the applicant may ask for further review by the Division and ask that a show cause hearing be scheduled before the Division. The Director will schedule a show cause hearing and notify the applicant in writing of the date and time of the hearing.
- 8.04 If the results of the show cause hearing are unsatisfactory to the applicant, the applicant may appeal the decision of the Division to the Director Department of Human Services. The grievance policy of the Department of Human Services will be the standard for further appeal.

9.0 REVOCATION OF APPROVAL STATUS

- 9.01 Revocation of Approval status will occur in the following circumstances:
 - A. Substantiation of complaints received by the Division office and failure to correct deficiencies within a reasonable period of time.
 - B. Final revocation/suspension of the child care license by the Division.
- 9.02 Upon receipt of complaints by the Division office, program staff will conduct an on-site full assessment to determine if complaints are valid and violations of Approval regulations have occurred.
- 9.03 Revocation of Approval status will affect certification for tax credit purposes only in the calendar year in which revocation is instituted.
- 9.04 All previously stated grievance procedures will be available to facilities which are subject to Approval revocation.

10.0 APPROVAL PROGRAM STANDARDS

- 10.01 Approved programs shall meet current staff/child ratios as defined by Child Care Licensing Rules and Regulations. Programs are encouraged to reduce staff/child ratios

below minimum licensing standards where feasible to provide more individualized care.

- 10.02 Documented instances of non-compliance with child care staff/ child ratios within the 6 months prior to application will result in denial of the approval application. Compliance with these ratios will be verified through child care licensing.

11.00 STAFF QUALIFICATIONS/PROFESSIONAL DEVELOPMENT

- 11.01 All newly hired staff shall begin an employee orientation course within six (6) months of employment. The program may enroll the new employee in the Child Care Orientation Course offered by the AECC & Vocational Technical Education Division or may request to use an established in-house employee orientation course to meet this requirement.
- 11.02 All persons working within a child care facility directly with children shall obtain a minimum of fifteen (15) hours of continuing training annually in a topic area relating directly to early childhood education. Approved training may be accessed through workshops, conferences, and in-house staff development. If in-house staff development activities are counted in this requirement, the content and implementation of the training will be reviewed.
- 11.03 Each facility shall demonstrate a long range staff development plan which includes specific training components, evaluation of staff development needs and individual training plans (ITP) for each staff member. Programs are encouraged to access grant resources through AECC to assist staff in meeting CDA credentialing standards.

12.00 PARENTAL/COMMUNITY INVOLVEMENT

- 12.01 Each program shall include a plan for parent-community involvement which includes at a minimum: parent meetings, parent conferences, and a method of involving the parent(s) in the child's educational experiences.
- 12.02 The program has an "open door" policy for parents which encourages visiting at any time.
- 12.03 The program has a parent handbook.

13.00 PROGRAM/EDUCATIONAL STANDARDS

in 13.01 A developmentally appropriate "learning environment" shall be available to all children the child care setting.

13.02 The program shall have a written over-all curriculum plan which includes goals and objectives related to the following:

- * Creative expression
- * Social skills
- * Communication skills
- * Physical development
- * Positive self-esteem
- * Cognitive skills
- * Health/safety habits
- * Cultural diversity

13.03 Staff shall plan and implement daily activities based on the overall curriculum goals for the age group enrolled as well as the specific needs of individual children.

13.04 The curriculum is supported by developmentally appropriate materials that encourage hands-on manipulation of real objects.

13.05 Programs shall implement and maintain individual child portfolios.

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