



Division of Elementary and Secondary Education

Transforming Arkansas to lead the nation in student-focused education

Jacob Oliva
Secretary

Stacy Smith
Deputy
Commissioner

**State Board of
Education**

Dr. Sarah Moore
Stuttgart
Chair

Kathy Rollins
Springdale
Vice-Chair

Adrienne Woods
Rogers

Randy Henderson
Blytheville

Lisa Hunter
White Hall

Jeff Wood
Little Rock

Ken Bragg
Sheridan

Leigh Keener
Little Rock

October 14, 2024

Ms. Rebecca Miller-Rice
Rules Administrator
Bureau of Legislative Research
One Capitol Mall, Fifth Floor
Little Rock, AR 72201

**Re: For Legislative Council review: Division Of Elementary And Secondary
Education Office of Early Childhood Rule Better Beginnings Tiered Quality
Rating and Improvement System**

Dear Ms. Miller-Rice:

Attached is a copy of proposed new Division and Elementary and Secondary Education Office of Early Childhood Rule Better Beginnings Tiered Quality Rating and Improvement System. This filing also contains the Legislative Council questionnaire, financial impact statement, markup version of the rules, post-public comment summary, and public comments with division responses. The Division respectfully requests that these proposed rules amendments be placed on the ALC Administrative Rules Subcommittee agenda.

On April 22, 2024, the Governor's Office approved the attached administrative rule for public comment release. On May 9, 2024, the State Board of Education approved the rule for public comment release. The first public comment period ran from May 10, 2024, through June 10, 2024. The first public comment hearing was held May 31, 2024, at the Arch Ford Building, Four Capitol Mall, Little Rock, AR, 72201. Following the first public comment, substantive changes were made. The second public comment period ran from September 1, 2024, through October 1, 2024. The second public comment hearing was held September 10, 2024, at the Arch Ford Building, Four Capitol Mall, Little Rock, AR, 72201. Following the second public comment, changes were made to correct non-substantive erroneous internal citations which were. On October 10, 2024, the State Board gave final approval for this rule.

Thank you for your assistance. If you have any questions or require further information, please do not hesitate to call me at (501) 682-4202.

Respectfully submitted,

/s/ Daniel Shults
Interim Chief Legal Counsel
Arkansas Department of Education

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY.

DEPARTMENT _____
BOARD/COMMISSION _____
PERSON COMPLETING THIS STATEMENT _____
TELEPHONE NO. _____ **EMAIL** _____

To comply with Ark. Code Ann. § 25-15-204(e), please complete the Financial Impact Statement and email it with the questionnaire, summary, markup and clean copy of the rule, and other documents. Please attach additional pages, if necessary.

TITLE OF THIS RULE _____

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes No

2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?
Yes No

3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes No

If no, please explain:

(a) how the additional benefits of the more costly rule justify its additional cost;

(b) the reason for adoption of the more costly rule;

(c) whether the reason for adoption of the more costly rule is based on the interests of public health, safety, or welfare, and if so, how; and

(d) whether the reason for adoption of the more costly rule is within the scope of the agency's statutory authority, and if so, how.

4. If the purpose of this rule is to implement a *federal* rule or regulation, please state the following:
(a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

(b) What is the additional cost of the state rule?

Current Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
 Federal Funds _____
 Cash Funds _____
 Special Revenue _____
 Other (Identify) _____

Total _____

5. What is the total estimated cost by fiscal year to any private individual, private entity, or private business subject to the proposed, amended, or repealed rule? Please identify those subject to the rule, and explain how they are affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

6. What is the total estimated cost by fiscal year to a state, county, or municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

\$ _____

Next Fiscal Year

\$ _____

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes No

If yes, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and
 - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.



Division of Elementary and Secondary Education

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October 14, 2024

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Proposed Rules Governing the Better Beginnings Tiered Quality Rating and Improvement System

**State Board of
Education**

Purpose

Dr. Sarah Moore
Stuttgart
Chair

The Division of Elementary and Secondary Education (“Division”) Office of Early Childhood (OEC) is seeking Governor’s Office review and approval of the proposed amendments to the DESE OEC Rules Governing the Better Beginnings Tiered Quality Rating and Improvement System.

Kathy Rollins
Springdale
Vice-Chair

Background

Steve Sutton
Marion

Pursuant to Ark. Code § 20-78-201 et seq, the Division shall adopt the necessary rules to implement these code sections. Act 237 of 2023 moved the Office of Early Childhood from the Division of Childcare and Early Childhood Education to the Arkansas Department of Education. This amendment changes the rule language to reflect that change.

Adrienne Woods
Rogers

Randy Henderson
Blytheville

Key Points

Lisa Hunter
White Hall

- The rules are amended to state the regulatory authority as the Arkansas Department of Education, Office of Early Childhood instead of the Division of Childcare and Early Childhood Education.
- The rules are amended to delete the rules history and update definitions.

Jeff Wood
Little Rock

Ken Bragg
Sheridan

Discussion

Leigh Keener
Little Rock

This draft amendment is an update primarily driven by Act 237 of 2023, which moved the Office of Early Childhood from the Division of Childcare and Early Childhood Education to the Arkansas Department of Education.

Post-Public Comment Changes

No substantive changes were made following the second public comment period. Minor changes were made to correct technical errors in drafting or to provide procedural clarity.

Better Beginnings

Tiered Quality Rating and Improvement System



Provider RULE BOOK

Arkansas Department of Human Services
Division of Child Care and Early Childhood Education

<https://arbetterbeginnings.com/>

Better Beginnings

P.O. Box 1437, Slot S-150

Little Rock, AR 72203-1437

501-682-8590

BetterBeginnings@dhs.arkansas.gov

Revised: 01/01/2023

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ACKNOWLEDGEMENT AND HISTORY

~~In 1993, the legislature passed a bill enabling the Division of Child Care and Early Childhood Education (the “Division” or “DCCECE”) to create a system by which licensed childcare and early childhood education entities could be certified as “quality.” A goal of this system was to help the families of Arkansas to understand that providers, achieving this certification, consistently provided an early care and education environment above the minimum licensing requirements. The larger goal was to encourage and achieve better lifelong outcomes for children, by helping to assure that their time in childcare and early childhood education is nurturing, enriching, and meaningful.~~

~~In 2004, the state of Arkansas was awarded a State Maternal and Child Health Care grant which created the Arkansas Early Childhood Comprehensive Systems Initiative (AECCS). Over almost five (5) years, committees, which involved more than two hundred (200) childcare and early childhood related professionals met, researched, and created an improved approach to “quality.” The result was a tiered quality rating and improvement system for our state called “Better Beginnings,” implemented in 2010. Since this time, the state has dedicated much time and many resources to finding ways to meet the needs of the children, and to assist programs in overcoming obstacles to participation.~~

~~“Better Beginnings,” Arkansas’ revised tiered quality rating and improvement system is available to every licensed and registered childcare provider in Arkansas. The system is designed to help programs improve their day-to-day environment for children, and to establish proven administrative practices. Tools and trainings are readily available for providers as they move along the path from Better Beginnings levels one through six (1-6).~~

~~Better Beginnings is available to every licensed and registered childcare provider in Arkansas. Whether you are a family home, an out-of-school time program, or a childcare center, your participation is imperative for the future of Arkansas. We are grateful to all who have worked to create Better Beginnings and make it what it is today. Every Child Deserves Our Best!~~

Better Beginnings Overview

~~Better Beginnings is a tiered quality rating and improvement system (TQRIS) which is a systemic approach to assess, improve, and communicate the level of quality in early care and education programs. Program types include center based care, family child care, and out of school time programs.~~

~~Better Beginnings is a “building block” approach, which means that programs must meet all requirements at one level before moving to the next. Licensing, or Minimum Licensing Requirements (MLR), is the foundation on which Better Beginnings is built. The requirements at level one (1) of Better Beginnings align with MLR and help the director or primary caregiver begin the journey towards quality improvement. At level two (2), the staff becomes more involved in the process. Levels three (3) and above set even higher requirements for all components.~~

~~Resources are available and have been specifically designed to help providers understand and meet each requirement. The resources will help providers become more knowledgeable and effective for Better Beginnings in the lives of children.~~

1.0 RULES AND REGULATIONS

1.0 REGULATORY AUTHORITY

~~1.1 — These regulations are enacted pursuant to Arkansas Code Ann. §20-78-201-226 as amended.~~

~~1.2 — These regulations shall be known as the Arkansas Department of Human Services Division of Child Care and Early Childhood Education regulations governing Better Beginnings, Arkansas's Tiered Quality Rating and Improvement System.~~

2.0 PURPOSE

~~2.1 — It is the purpose of these regulations to set the general guidelines for the operation of Better Beginnings.~~

~~2.2 — Providers who choose to receive Child Care Development Block Grant Funding (CCDBGF) must be a Better Beginnings participant at the level determined by the Division. This system is intended to certify quality status to childcare facilities that meet Better Beginnings requirements as set forth in these regulations.~~

~~2.3 — Designation of certified status for any childcare facility will qualify taxpayers for the following:~~

- ~~A. — Under Act 820 of 1993, corporations that build and equip a certified childcare 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 childcare center, for the exclusive purpose of providing childcare to the corporation's employees, will be subject to this exemption.~~
- ~~B. — Under Act 820 of 1993, a business that 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 of 1993, enhanced income tax credits in the amount of twenty percent (20%) of the federal childcare credit as allowed under Section 21 of the Internal Revenue Code will be available to qualified taxpayers who incur child care expenses at childcare facilities that are certified at Better Beginnings level two (2) or above.~~

~~3.00 ACRONYMS AND DEFINITIONS~~

~~3.01~~

ADE	Arkansas Department of Education
ABC	Arkansas Better Chance
AEDC	Arkansas Economic Development Commission
BAS	Business Administration Scale
CARF	Commission on Accreditation of Rehabilitation Facilities: Child and Youth Services Standards
CDA	Child Development Associate Credential
DCCECE	Division of Child Care and Early Childhood Education
DHS	Department of Human Services
Director	The person who meets MLR as director and is on site a minimum of 50% of the operational day.
ECERS	Early Childhood Environment Rating Scale
ERS	Environment Rating Scale
FCCERS	Family Child Care Environment Rating Scale
ITERS	Infant/Toddler Environment Rating Scale
MLR	Minimum Licensing Requirements
NAEYC	National Association for the Education of Young Children
NAFCC	National Association for Family Child Care
PAS	Program Administration Scale
PDR	Professional Development Registry
PQA	Program Quality Assessment
SACERS	School-Age Care Environment Rating Scale
TQRIS	Tiered Quality Rating and Improvement System
YPQI	Youth Program Quality Intervention

~~4.0 AGENCY RESPONSIBILITY~~

~~4.1~~ — The Division of Child Care and Early Childhood Education (DCCECE) will coordinate and administer Better Beginnings.

~~4.2~~ — The Division is authorized to make temporary revisions to these rules as deemed necessary during a Governor declared public health emergency or natural disaster impacting the State of Arkansas. These revisions will be posted on the Better Beginnings website.

~~4.3 — The Better Beginnings Program Administrator or designee will have final approval of applications for certification as reviewed and recommended by the Better Beginnings staff.~~

~~4.4 — By December 31 of each year, the Division will be responsible for providing verification to the Department of Finance & Administration of the childcare facilities that were qualified for certification at level two (2) and above, in the current calendar year.~~

~~4.5 — Each December, the Division will be responsible for providing verification to the Arkansas Economic Development Commission (AEDC) of the childcare facilities that qualified for Better Beginnings certification in the current calendar year.~~

~~4.6 — The Division or Division consultants will provide technical assistance to any facilities desiring to achieve certification.~~

~~4.7 — The Division will be responsible for the process of recertifying facilities (See Section 7.00 Application, 8.00 Application Review Process, and 9.00 Maintaining Certification).~~

~~4.8 — Facilities will be notified of their certification status. The certification notice will denote the level of certification achieved.~~

~~5.0 ELIGIBILITY~~

~~5.1 — All licensed, registered, and church operated exempt childcare facilities, as defined under Ark. Code Ann. §20-78-202, exclusive of foster homes, group homes, and custodial institutions, are eligible to apply for certified status.~~

~~5.2 — All childcare facilities, except those excluded in section 5.01 above, operating under a New Provisional or Regular license, registration, or church operated exemption as issued by the Division are eligible to apply. Entities with multiple sites, each holding a separate license number must apply for certification for each site individually.~~

~~5.3 — All facilities must be in good standing with the Department of Human Services. A facility in “good standing” is not currently debarred, defunded, excluded, or under adverse action with licensing or other DHS programs.~~

~~5.4 — Applicants and certified facilities must make their facility accessible at all times during the regular program hours for program reviews and environmental assessments. Such assessments may be unannounced.~~

~~5.5~~ Any of the following situations (including but not limited to conditions below) may result in an application being denied, a reduction in level, or removal of Better Beginnings status:

- ~~A. Ineligibility to participate according to section 5.00 Eligibility;~~
- ~~B. Application documentation which is incomplete or does not meet the intent of the requirements according to sections 6.00, 7.00, 8.00, or 9.00;~~
- ~~C. Failure to continue to meet the requirements for the component areas for the level which the facility is assigned;~~
- ~~D. Numerous or serious deficiencies cited by licensing;~~
- ~~E. Substantiation of complaints received by the Division;~~
- ~~F. Being placed on Adverse Action by any program in DHS;~~
- ~~G. Changes in the license status of the facility; or~~
- ~~H. Falsification of any document or submission of false information to any DHS Division.~~

~~5.6~~ Facilities that have been denied certification or have had certification removed by reason of ineligibility, according to any rules of this section, may be eligible to re-apply in twelve (12) months unless otherwise notified by the Division Director.

~~6.0 COMPONENT AREAS, REQUIREMENTS, AND LEVELS~~

~~6.1~~ There are four (4) component areas in Better Beginnings:

- ~~• Administration~~
- ~~• Staff Qualifications and Professional Development~~
- ~~• Learning Environment/Environment Assessment~~
- ~~• Child Health and Development~~

~~There are requirements to be met in each component area in each of the levels. The components, requirements, and levels are on the following pages.~~

ARKANSAS BETTER BEGINNINGS CHILD CARE CENTER REQUIREMENTS

All facilities must be in good standing with the Department of Human Services.

COMPONENTS	LEVEL-1	LEVEL-2	LEVEL-3	LEVEL-4	LEVEL-5	LEVEL-6
A-Administration	1.A.1 The facility has a license in New Provisional or Regular status. 1.A.2 The facility may have a program review completed by a certified PAS assessor. School-age programs using YPQI shall have a PQA Form B review completed by a reliable assessor.	2.A.1 The facility shall have a PAS review completed by a certified PAS assessor. School-age programs using YPQI shall have a PQA Form B review completed by a reliable assessor. 2.A.2 The director shall complete a Strengthening Families training listed on the PDR.	3.A.1 The facility shall score an average of 4.00 or higher on PAS items 1-21 (items 5 and 6 are scored but are not included in the average). School-age programs using YPQI shall have a PQA Form B score of 3.75 or higher. 3.A.2 The director shall complete the Strengthening Families online self-assessment for three (3) or more Strategies. 3.A.3 The facility shall develop a Strengthening Families action plan and implement at least one (1) action step.	4.A.1 The facility shall score an average of 4.00 or higher on PAS. School-age programs using YPQI shall have a PQA Form B score of 4.00 or higher. 4.A.2 The director shall implement at least one (1) additional Strengthening Families action step for a total of two (2).	5.A.1 The facility shall score an average of 4.25 or higher. School-age programs using YPQI shall have a PQA Form B score of 4.25 or higher.	6.A.1 The facility shall score an average of 4.75 or higher. School-age programs using YPQI shall have a PQA Form B score of 4.75 or higher.
B-Staff Qualifications and Professional Development	1.B.1 The facility has a license in New Provisional or Regular status.	2.B.1 All directors and at least fifty percent (50%) of teaching staff shall complete "Early				

	School-age programs using YPQI may have a PQA review.		3.C.2 The staff shall maintain a portfolio for each child.	5 years and up 1:18 4.C.2 The facility shall score an average of 5.00 or higher on the ERS. School-age programs using PQA shall score 4.00 or higher on the PQA.	4 years 1:10 5 years and up 1:18 5.C.2 The facility shall score an average of 5.50 or higher on the ERS. School-age programs using the PQA shall score 4.25 or higher on the PQA.	5 years and up 1:15 6.C.2 The facility shall score an average of 6.00 or higher on the ERS. School-age programs using the PQA shall score 4.50 or higher on the PQA.
D. Child Health and Development	1 The facility has a review of New Provisional or Regular status.	2.D.1 The facility shall document distribution of ARKids-First information to families of uninsured children. 2.D.2 The facility shall share information on child development, stages of development, and children's health with families. 2.D.3 All children, birth to kindergarten, shall have an annual developmental screening. 2.D.4 The facility shall use a Division-approved tool to complete a child nutrition self-assessment and create and implement one (1)	3.D.1 The facility shall share information on nutrition and physical activity for children with families. 3.D.2 The facility shall use a Division-approved tool to complete a (1) physical activity self-assessment and create and implement one action plan in the physical activity module. 3.D.3 The facility shall use the Division-approved tool to complete a second self-assessment in the physical activity module to assess progress.	4.D.1 The facility shall use a Division-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, or screen time and create and implement two action plans in that module. 4.D.2 The facility shall use the Division-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time and create and implement two (2) action plans in that module.	5.D.1 The facility shall use a Division-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time and create and implement two (2) action plans in that module. 5.D.2 The facility shall use the Division-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health,	6.D.1 The facility shall use a Division-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time and create and implement two (2) action plans in that module. 6.D.2 The facility shall use the Division-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant

		action plan in the child nutrition module: 2.D.5 The facility shall use a Division-approved tool to complete a second self-assessment in the child nutrition model to assess progress.	learning, OR screen time to assess progress.	breastfeeding & infant feeding; outdoor play & learning, OR screen time to assess progress.	feeding, outdoor play & learning, OR screen time to assess progress.
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ARKANSAS BETTER BEGINNINGS—LICENSED AND REGISTERED HOME REQUIREMENTS

All facilities must be in good standing with the Department of Human Services.

COMPONENTS	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	LEVEL 6
A. Administration	1.A.1 The facility has a license in New Provisional or Regular status. 1.A.2 The facility may have a program review completed by a certified BAS assessor.	2.A.1 A program review shall be completed by a certified BAS assessor. 2.A.2 The primary caregiver shall complete a Strengthening Families training listed on the PDR.	3.A.1 The facility shall score an average of 4.00 or higher on BAS items 2-10 (item 2 is scored but is not included in the average). 3.A.2 The primary caregiver shall complete the Strengthening Families online self-assessment for three (3) or more strategies. 3.A.3 The primary caregiver shall develop a Strengthening	4.A.1 The facility shall score an average of 4.00 or higher on BAS. 4.A.2 The primary caregiver shall implement at least one (1) additional Strengthening Families action plan for a total of two (2).	5.A.1 The facility shall score an average of 5.00 or higher on BAS.	6.A.1 The facility shall score an average of 6.00 or higher on BAS.

			Families action plan and implement at least one (1) action step.			
B. Staff Qualifications and Professional Development	<u>1.B.1</u> The facility has a license in New Provisional or Regular status.	2.B.1 The primary caregiver shall complete "Early Learning Standards Basics" training. 2.B.2 The primary caregiver shall complete an ERS training. 2.B.3 The primary caregiver shall participate in at least two (2) clock hours of training on nutrition for children, annually. 2.B.4 The primary caregiver shall complete training on developmentally appropriate physical activities for children.				
C. Learning Environment / Environment Assessment	<u>1.C.1</u> The facility has a license in New Provisional or Regular status. 1.C.2 The facility may have a FCCERS review.	2.C.1 The facility shall score an average of 3.00 or higher on the FCCERS.	3.C.1 The facility shall score an average of 4.00 or higher on the FCCERS. 3.C.2 Caregivers shall maintain a portfolio for each child.	4.C.1 The facility shall score an average of 5.00 or higher on the FCCERS.	5.C.1 The facility shall score an average of 5.50 or higher on the FCCERS.	6.C.1 The facility shall score an average of 6.00 or higher on the FCCERS.
D.	<u>1.D.1</u> The facility has a license in New	2.D.1 The primary caregiver shall	3.D.1 The primary caregiver shall share	4.D.1 The primary caregiver shall use a	5.D.1 The primary caregiver shall use a	6.D.1 The primary caregiver shall use a

Child Health and Development	<u>Provisional or Regular status:</u>	document distribution of ARKids First information to families of uninsured children. 2-D.2 The primary caregiver shall share information regarding child development; stages of development; and children's health with families. 2-D.3 All children birth to kindergarten shall have an annual developmental screening. 2-D.4 The primary caregiver shall use a Division-approved tool to complete a child nutrition self-assessment and create action plan in the child nutrition module. 2-D.5 The primary caregiver shall use a Division-approved tool to complete a second self-assessment in the child nutrition module to assess progress.	information on nutrition and physical activity for children with families. 3-D.2 The primary caregiver shall use a Division-approved tool to complete a physical activity self-assessment and create action plan in the physical activity module. 3-D.3 The primary caregiver shall use the Division-approved tool to complete a second self-assessment in the physical activity module to assess progress.	Division-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time and create action plans in that module. 4-D.2 The primary caregiver shall use the Division-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time to assess progress.	Division-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time and create action plans in that module. 5-D.2 The primary caregiver shall use the Division-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time to assess progress.	Division-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time and create action plans in that module. 6-D.2 The primary caregiver shall use the Division-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time to assess progress.
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ARKANSAS BETTER BEGINNINGS—OUT-OF-SCHOOL-TIME REQUIREMENTS

All facilities must be in good standing with the Department of Human Services.

COMPONENTS	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	LEVEL 6
A, Administration	<u>1.A.1</u> The facility has a license in New Provisional or Regular status. <u>1.A.2</u> The facility may have a PAS review completed by a certified assessor or a PQA form B review completed by a reliable assessor.	<u>2.A.1</u> The facility shall have a PAS review completed by a certified assessor. If using YPQI, PAS is not required; however, a PQA Form B review shall be completed by a reliable assessor. <u>2.A.2</u> The director shall complete a Strengthening Families training, listed on the PDR.	<u>3.A.1</u> The facility shall score an average of 4.00 or higher on PAS items 1-21 (items 5 and 6 are scored but are not included in the average). If using YPQI, PAS is not required; however, a PQA Form B score of 3.75 or higher is required. <u>3.A.2</u> The director shall complete the Strengthening Families online self-assessment for three (3) or more Strategies.	<u>4.A.1</u> The facility shall score an average of 4.00 or higher on PAS. If using YPQI, PAS is not required; however, a PQA Form B score of 4.00 or higher is required. <u>4.A.2</u> The director shall implement at least one (1) additional Strengthening Families action plan for a total of two (2).	<u>5.A.1</u> The facility shall score an average of 5.00 or higher on PAS. If using YPQI, PAS is not required; however, a PQA Form B score of 4.25 or higher is required.	<u>6.A.1</u> The facility shall score an average of 6.00 or higher on PAS. If using YPQI, PAS is not required; however, a PQA Form B score of 4.75 or higher is required.
B, Staff Qualifications and Professional Development	<u>1.B.1</u> The facility has a license in New Provisional or Regular status.	<u>2.B.1</u> All directors and at least fifty percent (50%) of teaching staff shall complete "Intro	<u>3.A.3</u> The facility shall develop a Strengthening Families action plan and implement at least one (1) action step.			

						</		

Child/Youth Health and Development	<u>New Provisional or Regular status:</u>	distribution of ARKids First information to families of uninsured participants. 2.D.2 The facility shall share with families information regarding child or youth development, stages of development, and children's health.	nutrition and physical activity for school-age children with families.			
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~~7.0 APPLICATION~~

~~7.1~~ — The application will consist of the following items:

- ~~A. An application indicating the level of Better Beginnings that the individual is applying for. This can be submitted via the provider portal. If the provider portal is not operable, applications may be submitted electronically through email at BetterBeginnings@dhs.arkansas.gov.~~
- ~~B. Supporting documentation for all items listed in Section 6, regarding the facility type and level for which the facility is applying.~~

~~7.2~~ — Eligible programs that are accredited through state or national accreditation systems are eligible for full or partial reciprocity and given certification at levels that are determined by the Division. The following are some examples of approved accreditation systems:

- ~~• Arkansas Better Chance (ABC)~~
- ~~• Association Montessori International~~
- ~~• The Commission on Accreditation of Rehabilitation Facilities: Child and Youth Services Standards (CARF)~~
- ~~• Early Head Start~~
- ~~• Head Start~~
- ~~• National Afterschool Association (NAA)~~
- ~~• National Association for the Education of Young Children (NAEYC)~~
- ~~• National Association for Family Child Care (NAFCC)~~

~~Other accreditation systems may be considered upon review and approval by the Better Beginnings Program Administrator.~~

~~Facilities with such accreditations shall apply for participation in Better Beginnings via the provider portal and submit verification of the accreditation. If the provider portal is not operable, applications may be submitted electronically through email at BetterBeginnings@dhs.arkansas.gov. Additional documentation of Better Beginnings requirements or reviews may be required to determine the level of Better Beginnings certification.~~

~~8.0 APPLICATION REVIEW PROCESS~~

~~8.1~~ — Applications will be denied if they lack the required supporting documentation.

~~8.2~~ — The Division will review the supporting documentation to determine if each item submitted meets the intent of the associated requirement.

~~8.3~~ — When the documentation submitted does not meet the requirements, or evidence is not included, the facility may not be eligible for that level. Facilities will be considered for a lower level.

~~8.4 — Applicants will be certified at the highest level for which all requirements are met as determined by review of all documentation and assessments.~~

~~8.5 — Applicants who purchase an existing facility that is certified at level two (2) or above, and has active voucher participants enrolled, may be given a temporary Better Beginnings level to enable them to temporarily bill for the voucher participants that are enrolled. The new owner will have ninety (90) days to achieve their own Better Beginnings level. The new owner will be certified at the level for which they qualify. If they do not qualify within ninety (90) days, they will be removed from participation.~~

9.0 MAINTAINING CERTIFICATION

~~9.1 — Certification for level two (2) and above is valid for thirty-six (36) months unless the facility becomes otherwise ineligible for certification according to section 5.00 Eligibility or 10.00 Adverse Action. Certification for level one (1) facilities will remain valid, as long as the license is in new-provisional or regular status.~~

~~9.2 — Facilities, certified as Better Beginnings level two (2) and above programs, must re-submit all application documents, as outlined in section 7.00, thirty-five (35) months after the date of the last certification. Level one (1) facilities are not required to reapply. Failure to submit required documentation may result in loss of certification status. Certification will be granted upon completion of all requirements (see section 8.00).~~

~~9.3 — Facilities who do not meet requirements for their current level or higher at recertification will be given the option of accepting the highest level for which they qualify or being placed on a 90-day corrective action agreement. All requirements must be met for the current or higher level by the end of the corrective action agreement. If the requirements are not met, the facility will be certified at the highest level for which they qualify.~~

~~9.4 — A certified facility which becomes the subject of an investigation may retain current certification until the investigation is concluded. The outcome of the investigation may be considered in determining continuation of certification or a corrective action agreement at any level.~~

~~9.5 — Facilities requesting to be reviewed for a higher level of certification must submit a new application for the higher level. A full application must be submitted according to section 7.00 and will be processed according to section 8.00. Facilities meeting higher level requirements will be newly-certified at the appropriate level. Facilities not meeting higher level requirements will be assigned the level of certification achieved.~~

~~9.6 — Certified facilities that change location must submit a new application for Better Beginnings certification according to section 7.00 and will be processed according to section 8.00. The facility may~~

~~retain the current certification level, until the application review process is completed. This process shall be completed within ninety (90) days of the relocation. If the facility does not qualify within ninety (90) days, they will be removed from participation.~~

~~9.7 — Unannounced visits, reviews, or random checks may be conducted at any time to verify continued compliance with certification requirements. An unfavorable review may result in a full-scale reassessment, which could change the Better Beginnings status.~~

~~9.8 — It is recommended that each facility implements a Continuous Quality Improvement (CQI) process with a self-assessment to assist them in maintaining quality practices during the growth years when ERS and PAS reviews are not done. Technical assistance is available upon request.~~

~~10.0 ADVERSE ACTION~~

~~10.1 — Adverse actions include denial, suspension, reduction in level, or removal of certified status. Adverse actions may include but are not limited to:~~

- ~~A. Ineligibility to participate according to section 5.00 Eligibility;~~
- ~~B. Application documentation which is incomplete or does not meet the intent of requirements according to sections 6.00, 7.00, 8.00, and 9.00;~~
- ~~C. Failure to continue to meet the requirements for the component areas for the level which the facility is assigned;~~
- ~~D. Numerous or serious deficiencies cited by licensing;~~
- ~~E. Substantiation of complaints received by the Division;~~
- ~~F. Being placed on Adverse Action by any program in DCCECE;~~
- ~~G. Changes in the license status of the facility; or~~
- ~~H. Falsification of any document or submission of false information to any DHS Division.~~

~~10.2 — Facilities that have their Better Beginnings certification denied, suspended, or removed are eligible to re-apply after twelve (12) months unless otherwise authorized by the Division Director.~~

~~11.0 APPEAL PROCEDURE~~

~~11.1 — Facilities that are denied certification status, are found to be ineligible for a particular level or have had their certification status reduced or removed; may request an appeal. A written request for appeal shall be submitted to the Better Beginnings Program Administrator within ten (10) days of the notice of action, asking that certification status decision be reviewed.~~

~~11.2 — Upon receipt of the request for appeal, the Better Beginnings Program Administrator will conduct an internal review to ensure that the appropriate processes were followed and to determine the validity of the decision. The Better Beginnings Program Administrator will review the findings with the Division Director and will transmit the findings of the internal review to the facility within thirty (30) days of the receipt of the request to appeal.~~

~~11.3 — If the outcome of the internal review is unsatisfactory to the facility, the facility has ten (10) days in which to ask for further review by the Better Beginnings Appeal Review Committee. The committee will schedule a hearing and notify the facility in writing of the date and time of the hearing. The committee members are appointed by the chair of the Early Childhood Commission. A decision of the Better Beginnings Appeal Review Committee is the final DHS administrative decision.~~

~~11.4 — In the event that there are appeals made to multiple units in DCCECE, regarding the action that resulted in the Better Beginnings action being appealed, the Better Beginnings appeal will not be heard until the outcome of the other appeals has been determined. If the action is overturned, then the Better Beginnings appeal will be scheduled. If the action is upheld, the decision is final and there will be no Better Beginnings appeal hearing.~~

Better Beginnings

Tiered Quality Rating and Improvement System



Provider RULE BOOK

Arkansas Department of Education
Division of Elementary and Secondary Education
Office of Early Childhood
<https://arbetterbeginnings.com/>
OEC.BetterBeginnings@ade.arkansas.gov

Title 20. Public Health and Welfare
Chapter XLV. Office of Early Childhood, Department of Education
Subchapter A. Generally
Part 1001. Better Beginnings Tiered Quality Rating and Improvement System

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules of 2024 provided as follows:

“Better Beginnings Overview

Better Beginnings is a tiered quality rating and improvement system (TORIS) which is a systemic approach to assess, improve, and communicate the level of quality in early care and education programs. Program types include center-based care, family childcare, and out-of-school time programs.

Better Beginnings is a “building block” approach, which means that programs must meet all requirements at one level before moving to the next. Licensing, or Minimum Licensing Requirements (MLR), is the foundation on which Better Beginnings is built. The requirements at level one (1) of Better Beginnings align with MLR and help the director or primary caregiver begin the journey towards quality improvement. At level two (2), the staff becomes more involved in the process. Levels three (3) and above set even higher requirements for all components.

Resources are available and have been specifically designed to help providers understand and meet each requirement. The resources will help providers become more knowledgeable and effective for Better Beginnings in the lives of children.”

“1.00 REGULATORY AUTHORITY

1.01 These rules are enacted pursuant to Arkansas Code Ann. § 20-78-201 et seq. as amended.

1.02 These rules shall be known as the Arkansas Department of Education, Office of Early Childhood rules governing Better Beginnings, Arkansas’s Tiered Quality Rating and Improvement System.”

20 CAR § 1001-101. Purpose.

(a) It is the purpose of this part to set the general guidelines for the operation of Better Beginnings.

(b)(1) Providers who choose to receive funding from the Child Care and Development Fund Block Grant must be a Better Beginnings participant at the level determined by the Office of Early Childhood.

(2) This system is intended to certify quality status to childcare facilities that meet Better Beginnings requirements as set forth in this part.

(c) Designation of certified status for any childcare facility will qualify taxpayers for the following:

(1)(A) Under Acts 1993, No. 820, corporations that build and equip a certified childcare center will be exempt from the state compensating tax levied by the Arkansas Compensating Tax Act of 1949, Arkansas Code § 26-53-101 et seq.

(B) Construction materials and furnishings purchased for use in the initial construction and equipping of a childcare center for the exclusive purpose of providing childcare to the corporation's employees will be subject to this exemption;

(2) Under Acts 1993, No. 820, a business that qualifies for the exemption from the gross receipts tax under Arkansas Code § 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 childcare services; and

(3) Under Acts 1993, No. 1268, enhanced income tax credits in the amount of twenty percent (20%) of the federal childcare credit as allowed under Section 21 of the Internal Revenue Code will be available to qualified taxpayers who incur childcare expenses at childcare facilities that are certified at Better Beginnings level two (2) or above.

Authority. Arkansas Code § 20-78-206.

Codification Notes. Section 21 of the Internal Revenue Code is codified at 26 U.S.C. § 21.

20 CAR § 1001-102. Definitions.

As used in this part:

(a) The Business Administration Scale for Family Child Care (BAS) is the first valid and reliable instrument for measuring and improving the overall quality of business and professional practices in family child care settings in 10 areas: Qualifications and Professional Development, Income and Benefits, Work Environment, Fiscal Management, Recordkeeping, Risk Management, Provider-Family Communication, Family Support and Engagement, marketing and Community Relations, and Provider as Employer.

(b) Continuous Quality Improvement (CQI) means a plan of action that not only outlines goals and action steps but includes time frames and persons responsible for specific actions.

(c) Director means the person who meets MLR as director and is on-site a minimum of fifty percent (50%) of the operational day.

(d) Environment Rating Scale (ERS) The term used to describe the tools used to measure elements of classroom quality. These include the Early Childhood Environmental Rating Scale, Infant-Toddler Rating Scale, Family Child Care Rating Scale and School-Age Care Rating Scale.

(e) Family Child Care Environment Rating Scale (FCCERS) means a rating scale designed to assess family child care programs conducted in a provider's home.

(f) Minimum Licensing Requirements (MLR) means the minimum health and safety requirements to legally operate.

(g) Office of Early Childhood (OEC) means the state agency responsible to ensure children and families have access to high-quality child care through licensing, training, and funding

(h) Program Administration Scale (PAS) means a program used to gather information that measures the quality of administrative, management, and leadership practices of an early childhood program. The PAS helps a program dig deeper into the following aspects of program administration:

- (1) Human Resources Development;
- (2) Personnel Cost and Allocation;
- (3) Center Operations;
- (4) Child Assessment;

- (5) Fiscal Management;
- (6) Program Planning and Evaluation;
- (7) Family Partnerships;
- (8) Marketing and Public Relations;
- (9) Technology; and
- (10) Staff Qualifications.

(i) Professional Development Registry (PDR) means an online registry where early childhood educators can register for professional development opportunities and obtain resources to enhance their knowledge and skills.

(j) Program Quality Assessment (PQA) means a system to evaluate the quality children's programs and identify staff training needs.

(k) School-Age Care Environment Rating Scale (SACERS) means a rating scale designed to assess before and after school groups.

(l) Tiered Quality Rating and Improvement System (TQRIS) means a systemic approach to assess, improve, and communicate the level of quality in early and school-age care and education programs.

(m) Youth Program Quality Intervention (YPQI) means a shared learning experience with peers moving together through a cycle of continuous quality improvement throughout the year.

Authority. Arkansas Code § 20-78-206.

20 CAR § 1001-103. Agency responsibility.

(a) The Office of Early Childhood will coordinate and administer Better Beginnings.

(b)(1) The office is authorized to make temporary revisions to this part as deemed necessary during a Governor-declared public health emergency or natural disaster impacting the State of Arkansas.

(2) These revisions will be posted on the Better Beginnings website.

(c) The Better Beginnings Program Administrator or designee will have final approval of applications for certification as reviewed and recommended by the Better Beginnings staff.

(d) By December 31 of each year, the office will be responsible for providing verification to the Department of Finance and Administration of the childcare facilities that were qualified for certification at level two (2) and above in the current calendar year.

(e) Each December, the office will be responsible for providing verification to the Arkansas Economic Development Commission of the childcare facilities that qualified for Better Beginnings certification in the current calendar year.

(f) The office or office consultants will provide technical assistance to any facilities desiring to achieve certification.

(g)(1) The office will be responsible for the process of recertifying facilities.

(2) See:

(A) 20 CAR § 1001-106, application;

(B) 20 CAR § 1001-107, application review process; and

(C) 20 CAR § 1001-108, maintaining certification.

(h)(1) Facilities will be notified of their certification status.

(2) The certification notice will denote the level of certification achieved.

Authority. Arkansas Code § 20-78-206.

20 CAR § 1001-104. Eligibility.

(a) All licensed, registered, and church-operated exempt childcare facilities, as defined under Arkansas Code § 20-78-202, exclusive of foster homes, group homes, and custodial institutions, are eligible to apply for certified status.

(b)(1) All childcare facilities, except those excluded in subsection (a) of this section, operating under a new provisional or regular license, registration, or church-operated exemption as issued by the Office of Early Childhood, are eligible to apply.

(2) Entities with multiple sites, each holding a separate license number, must apply for certification for each site individually.

(c)(1) All facilities must be in good standing with the Department of Education.

(2) A facility in good standing is not currently debarred, defunded, excluded, or under adverse action with licensing or other department programs.

(d)(1) Applicants and certified facilities must make their facilities accessible at all times during the regular program hours for program reviews and environmental assessments.

(2) Such assessments may be unannounced.

(e) Any of the following situations, including but not limited to conditions below, may result in an application being denied, a reduction in level, or removal of Better Beginnings status:

(1) Ineligibility to participate according to this section;

(2) Application documentation that is incomplete or does not meet the intent of the requirements according to 20 CAR §§ 1001-105 – 1001-108;

(3) Failure to continue to meet the requirements for the component areas for the level that the facility is assigned;

(4) Numerous or serious deficiencies cited by licensing;

(5) Substantiation of complaints received by the office;

(6) Being placed in Adverse Action;

(7) Changes in the license status of the facility; or

(8) Falsification of any document or submission of false information to any department division.

(f) Facilities that have been denied certification or have had certification removed by reason of ineligibility according to any provisions of this section may be eligible to reapply in twelve (12) months unless otherwise notified by the Office of Early Childhood Director.

Authority. Arkansas Code § 20-78-206.

20 CAR § 1001-105. Component areas, requirements, and levels.

(a) There are four (4) component areas in Better Beginnings:

(1) Administration;

(2) Staff Qualifications and Professional Development;

(3) Learning Environment/Environment Assessment; and

(4) Child Health and Development.

(b)(1) There are requirements to be met in each component area in each of the levels.

(2) The components, requirements, and levels are on the following pages.

ARKANSAS BETTER BEGINNINGS CHILDCARE CENTER REQUIREMENTS

All facilities must be in good standing with the Department of Education.

<u>COMPONENTS</u>	<u>LEVEL 1</u>	<u>LEVEL 2</u> <u>Must meet all</u> <u>requirements for</u> <u>Level 1</u>	<u>LEVEL 3</u> <u>Must meet all</u> <u>requirements for</u> <u>Level 1 and</u> <u>Level 2</u>	<u>LEVEL 4</u> <u>Must meet all</u> <u>requirements for</u> <u>Levels 1 – 3</u>	<u>LEVEL 5</u> <u>Must meet all</u> <u>requirements for</u> <u>Levels 1 – 4</u>	<u>LEVEL 6</u> <u>Must meet all</u> <u>requirements for</u> <u>Levels 1 - 5</u>
<u>A.</u> <u>Administration</u>	<u>1.A.1 The facility has a license in New Provisional or Regular status.</u> <u>1.A.2 The facility may have a program review completed by a certified PAS assessor. School age programs using YPQI may have a PQA Form B review completed by a reliable assessor.</u>	<u>2.A.1 The facility shall have a PAS review completed by a certified PAS assessor. School-age programs using YPQI shall have a PQA Form B review completed by a reliable assessor.</u> <u>2.A.2 The director shall complete a Strengthening Families training listed on the PDR.</u>	<u>3.A.1 The facility shall score an average of 4.00 or higher on PAS items 1-21 (items 5 and 6 are scored but are not included in the average). School-age programs using YPQI shall have a PQA Form B score of 3.75 or higher.</u> <u>3.A.2 The director shall complete the Strengthening Families online self-assessment for three (3) or more Strategies.</u>	<u>4.A.1 The facility shall score an average of 4.00 or higher on PAS. School-age programs using YPQI shall have a PQA Form B score of 4.00 or higher.</u> <u>4.A.2 The director shall implement at least one (1) additional Strengthening Families action step for a total of two (2).</u>	<u>5.A.1 The facility shall score an average of 5.00 or higher on PAS. School-age programs using YPQI shall have a PQA Form B score of 4.25 or higher.</u>	<u>6.A.1 The facility shall score an average of 6.00 or higher on PAS. School-age programs using YPQI shall have a PQA Form B score of 4.75 or higher.</u>

			<u>3.A.3</u> The facility shall develop a Strengthening Families action plan and implement at least one (1) action step.			
<u>B. Staff Qualifications and Professional Development</u>	<u>1.B.1</u> The facility has a license in New Provisional or Regular status.	<u>2.B.1</u> All directors and at least fifty percent (50%) of teaching staff shall complete “Early Learning Standards (ELS) Basics Training.” The director and school-age staff shall complete “Developmental Assets Training.” <u>2.B.2</u> All directors and fifty percent (50%) of teaching staff shall complete				

		<u>an ERS training; if the facility is using YPQI, all directors and school-age staff shall complete YPQI training.</u> <u>2.B.3 The director and kitchen manager (if applicable) shall participate in at least two (2) clock hours of training on nutrition for children annually.</u> <u>2.B.4 The director shall complete training on developmentally appropriate physical activities for children.</u>				
<u>C. Learning Environment /</u>	<u>1.C.1</u> The facility has a license in New	<u>2.C.1</u> The facility shall score an average of 3.00 or higher	<u>3.C.1</u> The facility shall score an average of 4.00 or higher	<u>4.C.1</u> Staff to child ratios shall be maintained as follows:	<u>5.C.1</u> Staff to child ratios shall be maintained as follows:	<u>6.C.1</u> Staff to child ratios shall be maintained as follows:

<u>Environment Assessment</u>	<u>Provisional or Regular status.</u> <u>1.C.2</u> The facility may have an ERS review. School age programs using YPQI may have a PQA review.	<u>on the ERS review. School age programs using PQA shall score a 3.00 or higher on the PQA.</u>	<u>on the ERS. School age programs using PQA shall score 3.75 or higher on the PQA.</u> <u>3.C.2</u> The staff shall maintain a portfolio for each child.	<u>Birth-18 months</u> <u>1:4</u> <u>18-36 months</u> <u>1:7</u> <u>2 ½ - 3 years</u> <u>1:11</u> <u>4 years 1:12</u> <u>5 years and up</u> <u>1:20</u> <u>4.C.2</u> The facility shall score an average of 5.00 or higher on ERS. School age programs using PQA shall score 4.00 or higher on the PQA.	<u>Birth-18 months</u> <u>1:4</u> <u>18-36 months</u> <u>1:6</u> <u>2 ½ - 3 years</u> <u>1:10</u> <u>4 years 1:10</u> <u>5 years and up</u> <u>1:20</u> <u>5.C.2</u> The facility shall score an average of 5.50 or higher on the ERS. School age programs using the PQA shall score 4.25 or higher on the PQA.	<u>Birth-18 months</u> <u>1:4</u> <u>18-36 months</u> <u>1:6</u> <u>2 ½ - 3 years</u> <u>1:10</u> <u>4 years 1:10</u> <u>5 years and up</u> <u>1:20</u> <u>6.C.2</u> The facility shall score an average of 6.00 or higher on ERS. School age programs using the PQA shall score 4.50 or higher on the PQA.
<u>D. Child Health and Development</u>	<u>1.D.1</u> The facility has a license in New Provisional or Regular status.	<u>2.D.1</u> The facility shall document distribution of ARKids First information to families of uninsured children. <u>2.D.2</u> The facility shall	<u>3.D.1</u> The facility shall share information on nutrition and physical activity for children with families. <u>3.D.2</u> The facility shall use an OEC-	<u>4.D.1</u> The facility shall use an OEC-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding &	<u>5.D.1</u> The facility shall use an OEC-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding	<u>6.D.1</u> The facility shall use an OEC-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding

		<u>share information on child development, stages of development, and children's health with families.</u> <u>2.D.3</u> All children, birth to kindergarten, shall have an annual developmental screening. <u>2.D.4</u> The facility shall use an OEC-approved tool to complete a child nutrition self-assessment and create and implement one (1) action plan in the child nutrition module.	<u>approved tool to complete a (1) physical activity self-assessment and create and implement one action plan in the physical activity module.</u> <u>3.D.3</u> The facility shall use the OEC-approved tool to complete a second self-assessment in the physical activity module to assess progress.	<u>infant feeding, outdoor play & learning, or screen time and create and implement two action plans in that module.</u> <u>4.D.2</u> The facility shall use the OEC-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding & infant feeding, outdoor play & learning, OR screen time to assess progress.	<u>and infant feeding, outdoor play and learning, OR screen time and create and implement two (2) action plans in that module.</u> <u>5.D.2</u> The facility shall use the OEC-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding & infant feeding, outdoor play & learning, OR screen time to assess progress.	<u>and infant feeding, outdoor play and learning, OR screen time and create and implement two (2) action plans in that module.</u> <u>6.D.2</u> The facility shall use the OEC-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding & infant feeding, outdoor play & learning, OR screen time to assess progress.
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		<u>2.D.5 The facility shall use an OEC-approved tool to complete a second self-assessment in the child nutrition model to assess progress.</u>				
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ARKANSAS BETTER BEGINNINGS – LICENSED AND REGISTERED HOME REQUIREMENTS

All facilities must be in good standing with the Department of Education.

<u>COMPONENTS</u>	<u>LEVEL 1</u>	<u>LEVEL 2</u> <u>Must meet all</u> <u>requirements for</u> <u>Level 1</u>	<u>LEVEL 3</u> <u>Must meet all</u> <u>requirements for</u> <u>Level 1 and</u> <u>Level 2</u>	<u>LEVEL 4</u> <u>Must meet all</u> <u>requirements for</u> <u>Levels 1 – 3</u>	<u>LEVEL 5</u> <u>Must meet all</u> <u>requirements for</u> <u>Levels 1 – 4</u>	<u>LEVEL 6</u> <u>Must meet all</u> <u>requirements for</u> <u>Levels 1 - 5</u>
<u>A.</u> <u>Administration</u>	<u>1.A.1 The facility has a license in New Provisional or Regular status.</u> <u>1.A.2 The facility may have a program review completed by a certified BAS assessor.</u>	<u>2.A.1 A program review shall be completed by a certified BAS assessor.</u> <u>2.A.2 The primary caregiver shall complete a Strengthening Families training listed on the PDR.</u>	<u>3.A.1 The facility shall score an average of 4.00 or higher on BAS items 2-10 (item 2 is scored but is not included in the average).</u> <u>3.A.2 The primary caregiver shall complete the Strengthening Families online self-assessment for three (3) or more strategies.</u> <u>3.A.3 The primary caregiver shall develop a</u>	<u>4.A.1 The facility shall score an average of 4.00 or higher on BAS.</u> <u>4.A.2 The primary caregiver shall implement at least one (1) additional Strengthening Families action plan for a total of two (2).</u>	<u>5.A.1 The facility shall score an average of 5.00 or higher on BAS.</u>	<u>6.A.1 The facility shall score an average of 6.00 or higher on BAS.</u>

			<u>Strengthening Families action plan and implement at least one (1) action step.</u>			
<u>B. Staff Qualifications and Professional Development</u>	<u>1.B.1</u> The facility has a license in New Provisional or Regular status.	<u>2.B.1</u> The primary caregiver shall complete “Early Learning Standards Basics” training. <u>2.B.2</u> The primary caregiver shall complete an ERS training. <u>2.B.3</u> The primary caregiver shall participate in at least two (2) clock hours of training on nutrition for children, annually. <u>2.B.4</u> The primary				

		<u>caregiver shall complete training on developmentally appropriate physical activities for children.</u>				
<u>C. Learning Environment / Environment Assessment</u>	<u>1.C.1</u> The facility has a license in New Provisional or Regular status. <u>1.C.2</u> The facility may have a FCCERS review.	<u>2.C.1</u> The facility shall score an average of 3.00 or higher on the FCCERS.	<u>3.C.1</u> The facility shall score an average of 4.00 or higher on the FCCERS. <u>3.C.2</u> Caregivers shall maintain a portfolio for each child.	<u>4.C.1</u> The facility shall score an average of 5.00 or higher on the FCCERS.	<u>5.C.1</u> The facility shall score an average of 5.50 or higher on the FCCERS.	<u>6.C.1</u> The facility shall score an average of 6.00 or higher on the FCCERS.
<u>D. Child Health and Development</u>	<u>1.D.1</u> The facility has a license in New Provisional or Regular status.	<u>2.D.1</u> The primary caregiver shall document distribution of ARKids First information to families of uninsured children. <u>2.D.2</u> The primary caregiver shall	<u>3.D.1</u> The primary caregiver shall share information on nutrition and physical activity for children with families. <u>3.D.2</u> The primary caregiver shall use an OEC-	<u>4.D.1</u> The primary caregiver shall use an OEC-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant	<u>5.D.1</u> The primary caregiver shall use an OEC-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant	<u>6.D.1</u> The primary caregiver shall use an OEC-approved tool to complete a self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant

		<u>share information regarding child development, stages of development, and children's health with families.</u> <u>2.D.3</u> All children birth to kindergarten shall have an annual developmental screening. <u>2.D.4</u> The primary caregiver shall use an OEC-approved tool to complete a child nutrition self-assessment and create and implement one (1) action plan in the child nutrition module.	<u>approved tool to complete a physical activity self-assessment and create and implement one action plan in the physical activity module.</u> <u>3.D.3</u> The primary caregiver shall use the OEC-approved tool to complete a second self-assessment in the physical activity module to assess progress.	<u>feeding, outdoor play and learning, OR screen time and create and implement two (2) action plans in that module.</u> <u>4.D.2</u> The primary caregiver shall use the OEC-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time to assess progress.	<u>feeding, outdoor play and learning, OR screen time and create and implement two (2) action plans in that module.</u> <u>5.D.2</u> The primary caregiver shall use the OEC-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time to assess progress.	<u>feeding, outdoor play and learning, OR screen time and create and implement two (2) action plans in that module.</u> <u>6.D.2</u> The primary caregiver shall use the OEC-approved tool to complete a second self-assessment in child nutrition, physical activity, farm to ECE, oral health, breastfeeding and infant feeding, outdoor play and learning, OR screen time to assess progress.
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		<u>2.D.5 The primary caregiver shall use an OEC-approved tool to complete a second self-assessment in the child nutrition module to assess progress.</u>				
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ARKANSAS BETTER BEGINNINGS – OUT-OF-SCHOOL TIME REQUIREMENTS

All facilities must be in good standing with the Department of Education.

<u>COMPONENTS</u>	<u>LEVEL 1</u>	<u>LEVEL 2</u> <u>Must meet all</u> <u>requirements for</u> <u>Level 1</u>	<u>LEVEL 3</u> <u>Must meet all</u> <u>requirements for</u> <u>Level 1 and</u> <u>Level 2</u>	<u>LEVEL 4</u> <u>Must meet all</u> <u>requirements for</u> <u>Levels 1 – 3</u>	<u>LEVEL 5</u> <u>Must meet all</u> <u>requirements for</u> <u>Levels 1 – 4</u>	<u>LEVEL 6</u> <u>Must meet all</u> <u>requirements for</u> <u>Levels 1 - 5</u>
<u>A.</u> <u>Administration</u>	<u>1.A.1 The facility has a license in New Provisional or Regular status.</u> <u>1.A.2 The facility may have a PAS review completed by a certified assessor or a PQA form B review completed by a reliable assessor.</u>	<u>2.A.1 The facility shall have a PAS review completed by a certified assessor. If using YPQI, PAS is not required; however, a PQA Form B review shall be completed by a reliable assessor.</u> <u>2.A.2 The director shall complete a Strengthening Families training, listed on the PDR.</u>	<u>3.A.1 The facility shall score an average of 4.00 or higher on PAS items 1-21 (items 5 and 6 are scored but are not included in the average.). If using YPQI, PAS is not required; however, a PQA Form B score of 3.75 or higher is required.</u> <u>3.A.2 The director shall complete the Strengthening Families online self-assessment</u>	<u>4.A.1 The facility shall score an average of 4.00 or higher on PAS. If using YPQI, PAS is not required; however, a PQA Form B score of 4.00 or higher is required.</u> <u>4.A.2 The director shall implement at least one (1) additional Strengthening Families action plan for a total of two (2).</u>	<u>5.A.1 The facility shall score an average of 5.00 or higher on PAS. If using YPQI, PAS is not required; however, a PQA Form B score of 4.25 or higher is required.</u>	<u>6.A.1 The facility shall score an average of 6.00 or higher on PAS. If using YPQI, PAS is not required; however, a PQA Form B score of 4.75 or higher is required.</u>

			<u>for three (3) or more Strategies.</u> <u>3.A.3 The facility shall develop a Strengthening Families action plan and implement at least one (1) action step.</u>			
<u>B. Staff Qualifications and Professional Development</u>	<u>1.B.1</u> The facility has a <u>license in New Provisional or Regular status.</u>	<u>2.B.1</u> All <u>directors and at least fifty percent (50%) of teaching staff shall complete “intro to the 40 Developmental Assets” training.</u> <u>2.B.2</u> All <u>directors and, and fifty percent (50%) of the teaching staff shall complete an ERS or YPQI training.</u> <u>2.B.3</u> The <u>director and</u>				

		<u>kitchen manager (if applicable) shall participate in training on nutrition for school age children/youth, annually.</u> <u>2.B.4</u> The director shall <u>complete training on developmentally appropriate physical activities for children/youth.</u>				
<u>C.</u> <u>Learning Environment / Environment Assessment</u>	<u>1.C.1</u> The facility has a license in New Provisional or Regular status. <u>1.C.2</u> The facility may have a SACERS or a PQA review completed by a reliable assessor.	<u>2.C.1</u> The facility shall score an average of 3.00 or higher on the SACERS or 3.00 or higher on the PQA.	<u>3.C.1</u> Facility shall score an average of 4.00 or higher on the SACERS or 3.75 or higher on the PQA. <u>3.C.2</u> Staff shall maintain a portfolio for each participant.	<u>4.C.1</u> The facility shall score an average of 5.00 or higher on the SACERS or 4.00 or higher on the PQA.	<u>5.C.1</u> The facility shall score an average of 5.50 or higher on the SACERS or 4.25 or higher on the PQA.	<u>6.C.1</u> The staff/participant ratio shall be 1:20. <u>6.C.2</u> The facility shall score an average of 6.00 or higher on the SACERS or 4.50 or higher on the PQA.

<u>D. Child/Youth Health and Development</u>	<u>1.D.1</u> The facility has a <u>license in New Provisional Regular status.</u>	<u>2.D.1</u> The facility shall <u>document the distribution of ARKids First information to families of uninsured participants.</u> <u>2.D.2</u> The facility shall <u>share families information regarding child or youth development, stages of development, <u>stages of development,</u> and children's health.</u>	<u>3.D.1</u> The facility shall <u>share information on nutrition and physical activity for school age children with families.</u>			
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Authority. Arkansas Code § 20-78-206.

20 CAR § 1001-106. Application.

(a) The application will consist of the following items:

(1)(A) An application indicating the level of Better Beginnings that the individual is applying for.

(B) This can be submitted via the provider portal.

(C) If the provider portal is not operable, applications may be submitted electronically through email at OEC.BetterBeginnings@ade.arkansas.gov; and

(2) Supporting documentation for all items listed in 20 CAR § 1001-105 regarding the facility type and level for which the facility is applying.

(b)(1) Eligible programs that are accredited through state or national accreditation systems are:

(A) Eligible for full or partial reciprocity; and

(B) Given certification at levels that are determined by the Office of Early Childhood.

(3)(A) Facilities with such accreditations shall:

(i) Apply for participation in Better Beginnings via the provider portal; and

(ii) Submit verification of the accreditation.

(B) If the provider portal is not operable, applications may be submitted electronically through email at OEC.BetterBeginnings@ade.arkansas.gov.

(C) Additional documentation of Better Beginnings requirements or reviews may be required to determine the level of Better Beginnings certification.

Authority. Arkansas Code § 20-78-206.

20 CAR § 1001-107. Application review process.

(a) Applications will be denied if they lack the required supporting documentation.

(b) The Office of Early Childhood will review the supporting documentation to determine whether each item submitted meets the intent of the associated requirement.

(c)(1) When the documentation submitted does not meet the requirements or evidence is not included, the facility may not be eligible for that level.

(2) Facilities will be considered for a lower level.

(d) Applicants will be certified at the highest level for which all requirements are met as determined by review of all documentation and assessments.

(e)(1) Applicants who purchase an existing facility that is certified at level two (2) or above and has active voucher participants enrolled may be given a temporary Better Beginnings level to enable them to temporarily bill for the voucher participants that are enrolled.

(2) The new owner will have ninety (90) days to achieve their own Better Beginnings level.

(3) The new owner will be certified at the level for which they qualify.

(4) If they do not qualify within ninety (90) days, they will be removed from participation.

(f) New facilities that are opting into accepting childcare assistance must qualify for at least a provisional level II eligibility which consist of:

(A) Completed and Approved Provisional Eligibility Application; and

(B) Meet Better Beginnings Level 2 within (90 days).

Authority. Arkansas Code § 20-78-206.

20 CAR § 1001-108. Maintaining certification.

(a)(1) Certification for level two (2) and above is valid for thirty-six (36) months unless the facility becomes otherwise ineligible for certification according to 20 CAR § 1001-104, eligibility or 20 CAR § 1001-109, adverse action.

(2) Certification for level one (1) facilities will remain valid as long as the license is in new provisional or regular status.

(b)(1) Facilities certified as Better Beginnings level two (2) and above programs must resubmit all application documents, as outlined in 20 CAR § 1001-106, thirty-five (35) months after the date of the last certification.

(2) Level one (1) facilities are not required to reapply.

(3) Failure to submit required documentation may result in loss of certification status.

(4)(A) Certification will be granted upon completion of all requirements.

(B) See 20 CAR § 1001-107.

(5) Failure to verify annually that the licensing portal has been updated with the facilities current provider information may result in loss of certification status.

(c)(1) Facilities that do not meet requirements for their current level or higher at recertification will be given the option of accepting the highest level for which they qualify or being placed on a ninety-day corrective action agreement. Corrective action agreement that includes support information on how the facility may address deficient areas.

(2) All requirements must be met for the current or higher level by the end of the corrective action agreement.

(3) If the requirements are not met, the facility will be certified at the highest level for which it qualifies.

(d)(1) A certified facility that becomes the subject of an investigation may retain current certification until the investigation is concluded.

(2) The outcome of the investigation may be considered in determining continuation of certification or a corrective action agreement at any level.

(e)(1) Facilities requesting to be reviewed for a higher level of certification must submit a new application for the higher level.

(2) A full application:

(A) Must be submitted according to 20 CAR § 1001-106; and

(B) Will be processed according to 20 CAR § 1001-107.

(3) Facilities meeting higher level requirements will be newly certified at the appropriate level.

(4) Facilities not meeting higher level requirements will be assigned the level of certification achieved.

(f)(1) Certified facilities that change location:

(A) Must submit a new application for Better Beginnings certification according to 20 CAR § 1001-106; and

(B) Will be processed according to 20 CAR § 1001-107.

(2) The facility may retain the current certification level until the application review process is completed.

(3) This process shall be completed within ninety (90) days of the relocation.

(4) If the facility does not qualify within ninety (90) days, it will be removed from participation.

(g)(1) Unannounced visits, reviews, or random checks may be conducted at any time to verify continued compliance with certification requirements.

(2) An unfavorable review may result in a full-scale reassessment, which could change the Better Beginnings status.

(h)(1) It is recommended that each facility implement a continuous quality improvement process with a self-assessment to assist it in maintaining quality practices during the non-assessment years when ERS and PAS reviews are not done.

(2) Technical assistance is available upon request.

Authority. Arkansas Code § 20-78-206.

20 CAR § 1001-109. Adverse action.

(a)(1) Adverse actions include denial, suspension, reduction in level, or removal of certified status.

(2) Adverse actions may include but are not limited to:

(A) Ineligibility to participate according to 20 CAR § 1001-104, eligibility;

(B) Application documentation that is incomplete or does not meet the intent of requirements according to 20 CAR §§ 1001-105 – 1001-108;

(C) Failure to continue to meet the requirements for the component areas for the level that the facility is assigned;

(D) Numerous or serious deficiencies cited by licensing;

(E) Substantiation of complaints received by the Office of Early Childhood;

(F) Being placed on Adverse Action;

(G) Changes in the license status of the facility; or

(H) Falsification of any document or submission of false information to any Department of Education division.

(b) Facilities that have their Better Beginnings certification denied, suspended, or removed are eligible to reapply after twelve (12) months unless otherwise authorized by the Office of Early Childhood Director.

Authority. Arkansas Code § 20-78-206.

20 CAR § 1001-110. Appeal procedure.

(a)(1) Facilities that are denied certification status, are found to be ineligible for a particular level, or have had their certification status reduced or removed may request an appeal.

(2) A written request for appeal shall be submitted to the Better Beginnings Program Administrator within ten (10) days of the notice of action asking that the certification status decision be reviewed.

(b)(1) Upon receipt of the request for appeal, the Better Beginnings Program Administrator will conduct an internal review to:

(A) Ensure that the appropriate processes were followed; and

(B) Determine the validity of the decision.

(2) The Better Beginnings Program Administrator will review the findings with the Commissioner of Education or designee and will transmit the findings of the internal review to the facility within thirty (30) days of the receipt of the request to appeal.

(c)(1) If the outcome of the internal review is unsatisfactory to the facility, the facility has ten (10) days in which to ask for further review by the Better Beginnings Appeal Review Committee.

(2) The Better Beginnings Appeal Review Committee will schedule a hearing and notify the facility in writing of the date and time of the hearing.

(3) The Better Beginnings Appeal Review Committee members are appointed by the Chair of the Arkansas Early Childhood Commission.

(4) A decision of the Better Beginnings Appeal Review Committee is the final Department of Education administrative decision.

(d)(1) In the event that there are appeals made to multiple units in the Office of Early Childhood regarding the action that resulted in the Better Beginnings action being appealed, the Better Beginnings appeal will not be heard until the outcome of the other appeals has been determined.

(2) If the action is overturned, then the Better Beginnings appeal will be scheduled.

(3) If the action is upheld, the decision is final and there will be no Better Beginnings appeal hearing.

Authority. Arkansas Code § 20-78-206.

**DIVISION OF ELEMENTARY AND SECONDARY EDUCATION OEC RULES
GOVERNING BETTER BEGINNINGS TIERED QUALITY RATING AND
IMPROVEMENT SYSTEM**

PUBLIC COMMENTS

Commenter Name and Organization (if applicable): Lucas Harder, Arkansas School Board Association, May 29, 2024

Comments: *Submitted Electronically*

In 2.D.2, the phrase “stages of development” appears twice back to back.

Division Response: **Changes were made to correct erroneous nonsubstantive changes consistent with the comments. No additional changes were made.**

Commenter Name and Organization (if applicable): Donna Kirkwood, Program Coordinator, Childhood Services, ASU, May 24, 2024

Comments: *Submitted Electronically*

Hey there,

I see that the BB rules have been updated to reflect DOE, OEC, etc.

Since they are open to public comment, I’d like to suggest that the following updates if possible:

Pages 6, 9, and 17-Update to the terms used to describe YPQI assessments. PQA is similar to ERS, OQA (formerly Form B) is similar to PAS/BAS.

Page 3-The PAS Subscales have been updated as well.

I highlighted the areas where these edits would be and included comments with each one.

Thanks for considering these changes if possible.

Wishing you well,

Donna Kirkwood

Division Response: **Comment Considered; no changes made. Division declines to make the suggested policy changes.**

Commenter Name and Organization (if applicable): Lucas Harder, Arkansas School Board Association, September 20, 2024

Comments: *Submitted Electronically*

Better Beginnings:

20 CAR § 1001-107(f): Is the (1) here actually necessary as there is not currently an (2) to follow?

(a): This sentence should end with a semicolon and a “and”.

20 CAR § 1001-110(b)(2): “Commissioner of Education”, should be changed to “Commissioner of Elementary and Secondary Education”.

Division Response: **Changes were made to correct erroneous nonsubstantive changes consistent with the comments. No additional changes were made.**