

Arkansas Department of Education Rules Governing the Arkansas Better Chance Program

September 11, 2006

SECTION 1 – REGULATORY AUTHORITY

- 1.1 These rules are enacted pursuant to the authority of the State Board of Education under ACA § 6-11-105 and 6-45-101 et seq. as amended.
- 1.2 The Division of Child Care and Early Childhood Education, Arkansas Department of Health and Human Services, shall coordinate and administer the Arkansas Better Chance Program, providing all appropriate technical assistance and program monitoring necessary to fulfill the requirements of Ark. Code Ann. 6-45-101 et seq., 20-78-206 and 6-11-105. DCCECE will annually provide the State Board of Education a list of grants which are recommended for funding for the next year.
- 1.3 The State Board of Education will approve all rules developed pursuant to Act 212 of 1991 and Act 49 of 2003 as amended and will approve all programs funded under the Arkansas Better Chance Program.

SECTION 2 – PURPOSE

- 2.1 It is the purpose of these rules to set the general guidelines for the operation of early childhood programs funded under the Arkansas Better Chance Program and the Arkansas Better Chance for School Success Program.

SECTION 3 – DEFINITIONS

- 3.1 ABC: Arkansas Better Chance
- 3.2 ABCSS: Arkansas Better Chance for School Success. Unless standards for ABC and ABCSS are listed separately, all requirements of ABC apply to ABCSS.
- 3.3 ADE: Arkansas Department of Education
- 3.4 ADHS: Arkansas Department of Human Services
- 3.4 APSCN: Arkansas Public School Computer Network
- 3.5 CACFP: Child and Adult Care Food Program (Special Nutrition). A federally-funded subsidy program administered by DCCECE designed to provide reimbursement to providers for meals and snacks served to children from low-income families.
- 3.6 CCFH: Child Care Family Home

3.7 CDA: Child Development Associate

3.8 COPA: Child Outcome, Planning and Assessment. A web-based information technology system used to capture and maintain data for all children and families enrolled in ABC.

3.9 Core Quality Components: The six key areas of ABC which include:

- Low student to teacher ratio
- Well-qualified & compensated staff
- Professional development
- Developmental Screening and Child Assessment
- Meaningful parent and community engagement activities
- Proven curricula and learning processes

These components serve as the basis of ABC funding levels.

3.10 DCCECE: Division of Child Care and Early Childhood Education

3.11 DECA: Deveraux Early Childhood Assessment

3.12 DHHS: Arkansas Department of Health and Human Services

3.13 FPL: Federal Poverty Level

3.14 IEP: Individualized Education Program

3.15 IDEA: Individuals with Disabilities Education Act

3.16 In-kind services: Support services provided at either no cost or without monetary exchange. To use in-kind services as match, services must be provided to ABC.

3.17 HIPPY: Home Instruction for Parents of Preschool Youngsters

3.18 LEA: Local Education Agency

3.19 PAT: Parents as Teachers

3.20 Single-Site Classroom: One ABC classroom at a geographic location

3.21 Multi-classroom Site: Multiple ABC classrooms located on the same premises

3.22 SSN: Social Security Number

3.23 Shall: Mandatory standard

3.24 Should: Standard is recommended but not mandatory

3.25 Work Sampling System (WSS): A web-based instrument used by ABC programs to assess a child's progress in various educational domains over the program year.

SECTION 4 – CHILD ELIGIBILITY

- 4.1 The ABC Program serves educationally deprived children, ages birth through 5 years, excluding a kindergarten program. The Arkansas Better Chance for School Success Program serves children ages 3 and 4 years from families with gross income not exceeding 200% of the FPL.
- 4.2 To be eligible, children shall reside within the boundaries of an Arkansas school district. Programs may accept children outside of their local area if they have exhausted local recruiting efforts and have unfilled ABC slots.
- 4.3 Eligible children for the ABC program shall have at least one of the following characteristics:
- Family with gross income not exceeding 200% of FPL
 - Parents without a high school diploma or GED
 - Low birth weight (below 5 pounds, 9 ounces)
 - Parent is under 18 years of age at child's birth
 - Immediate family member has a history of substance abuse/addiction
 - Income eligible for Title I programs
 - Eligible for services under IDEA
 - Parent has a history of abuse or neglect or is a victim of abuse or neglect,
 - A demonstrable developmental delay as identified through screening
 - Limited English Proficiency
- 4.4 Eligible children for the ABC for School Success program must meet the following qualifications:
- Must be three or four years of age by the cutoff date set by ADE
 - Gross family income shall not exceed 200% of the FPL
 - A program is available in the area where the child resides and there is available space for the child to attend the program. (Note: To receive special education services a child must reside within certain district/co-op boundary lines.
- Programs seeking to enroll a kindergarten-eligible child in ABCSS must first consult with DCCECE.
- 4.5 To enroll an eligible child, the child's parent or guardian shall furnish documentation of eligibility and other required information. A list of all acceptable documentation will be published annually by DCCECE, including the disclosure of annual household income and household member information. Children of parents or guardians refusing to furnish required information shall be deemed ineligible for participation. Programs are responsible for verifying eligibility before the child attends and shall maintain copies of eligibility documentation in the child's record.
- 4.6 A copy of the child's birth certificate or hospital record listing a date of birth is required. If official documentation of date of birth is unavailable, the ABC program shall follow the guidelines of the local district in such instances.

- 4.7 In determining income eligibility, programs shall use a family's gross income from employment plus any unemployment compensation. If pay stubs are used to document eligibility, recent documents (within 30 days) shall be used. DCCECE shall publish a list of acceptable documentation annually. If a three-year old child has been qualified for ABCSS, that child shall remain eligible for two years.
- 4.8 Families claiming no earned income (full-time students or unemployed) shall produce a signed and notarized statement to that effect.
- 4.9 Parents or guardians shown to have submitted a falsified document shall be subject to repayment of funds to DCCECE and referral for prosecution.
- 4.10 An age-eligible child who falls into one of the following categories shall be exempt from family income requirements:
- Foster child
 - Child with an incarcerated parent
 - Child in the custody of a family member other than mother or father
 - Child with immediate family member arrested for or convicted of drug-related offenses
 - Child with a parent activated for overseas military duty
- 4.11 The ADE and DCCECE may develop a fee schedule and establish eligibility based on family income for children who are not eligible under Section 4.4, but priority enrollment shall be provided to children eligible under Section 4.4. Families who are qualified for enrollment under a sliding fee scale should pay fees directly to the program. The amount of any parent co-pay as determined by DCCECE shall be deducted from the reimbursement to programs accepting children on a sliding fee scale.
- 4.12 DCCECE, with approval from ADE, may grant waivers to children not meeting the eligibility criteria under Sections 4.3 or 4.4 but possessing multiple risk factors for learning and developmental impairment. Requests for such waivers must be submitted to DCCECE in writing and will be considered on a case by case basis.
- 4.13 Children having certain risk factors may be eligible for home-visiting services, in addition to attending a center-based ABC program. See Section 18.6 for eligibility requirements.

SECTION 5 – PROGRAM/AGENCY ELIGIBILITY

- 5.1 Any child care provider meeting these criteria is eligible to apply for funding:
- Located within the boundaries of the State of Arkansas
 - Licensed by DCCECE as a Child Care Center or Child Care Family Home with no history of formal corrective action or founded complaints which pose an immediate safety risk within 12 months of application date OR has a facility which is licensable
 - Has no outstanding debt to DCCECE due to overpayments or erroneous billing. (This requirement shall be suspended if an appeal is pending.)

- Has obtained State Quality Approval accreditation OR is eligible for such accreditation in the space to be used for the ABC program
- Can provide matching funds in accordance with local to state 40:60 funding ratio

The local-to-state match may be waived by DCCECE if the program is in a school district that has been designated by ADE as being in academic distress and DCCECE determines that the school is unable to provide the local-to-state match requirement. This determination may be made only after DCCECE has assisted the school in identifying potential funding sources to provide local-to-state match requirements.

5.2 Any provider wishing to be considered for funding must fully complete a grant application supplied by DCCECE. Grant applications will be evaluated and scored on the following factors:

- The degree to which the program can provide a developmentally appropriate preschool program as outlined in the grant application
- A strategy of collaboration with the local business & education community
- A fiscally-responsible budget which correlates to core quality models
- A plan of action for parent involvement

5.3 DCCECE will determine an acceptable cutoff score for approved applications. Questions and concerns regarding grant scoring should be referred to the Program Administrator. The ABC Program Administrator shall make the final determination of all grant scores. Grant scores are final.

5.4 All applications shall include a budget which corresponds to the ABC core quality components, details program costs and demonstrates fiscal responsibility. Allowable costs include:

- salaries/fringe
- instructional materials
- staff development
- developmental screenings
- parent/community engagement activities
- financial assistance for staff working towards a degree or credential, including but not limited to books, tuition and travel.

SECTION 6 – FUNDING

6.1 Upon approval of an ABC application, the order of funding shall be based on criteria stated in Act 49 of 2003, which includes areas of the state containing:

- Schools that have 75% or more students scoring below proficiency level on the primary benchmark exams (math and literacy) in the preceding two (2) school years
- Schools designated by ADE as being in school improvement status
- Schools located in a school district in academic distress.

Other factors determining areas to be funded may include socio-economic status of the service area and the availability of existing quality preschool services in an area.

6.2 Any program funded through ABC shall work in collaboration with DCCECE, ADE, local businesses and other early childhood providers (school districts, educational cooperatives, Head Start, HIPPPY, private and non-profit providers, etc.) to ensure that

all eligible children are served in the most suitable environment. This collaboration shall include, but is not limited to, participation in local early childhood meetings, sharing of waiting list information and referring children to other programs when appropriate.

- 6.3 The required local 40% match may include only the cost of providing necessary services for ABC children. Matching funds may be cash or in-kind.
- 6.4 State ABC Funding (60%) for the core components of the program may include salaries and fringe for staff giving direct services to ABC children, professional development, child assessment, developmental screening, meaningful parent and community engagement activities, proven curricula and learning processes, transportation and administration.
- 6.5 The maximum amount of funding is based upon projected child enrollment. Programs will be paid quarterly. Once a grant agreement is signed, one-quarter of the maximum funding will be issued. Payment for subsequent quarters will be based upon actual enrollment. Programs not operating for at least one month during a quarter will not receive payment for that period. Programs will be reimbursed for any child attending at least one-third of the quarter. In any quarter, if actual enrollment is less than 80% of projected enrollment, the quarterly payment will be deducted on a per child basis. Overpayments or the amount of any end of year carry-forward funds shall be deducted from future payments.
- 6.6 Payment may be withheld if programs do not comply with reporting requirements.
- 6.7 ABC is intended to supplement, not supplant, existing early childhood funding sources.
- 6.8 Funding, not to exceed 2% of the total ABC funding pool, shall be available from the ABC monies for the additional support services required of DCCECE in administering the ABC program.

SECTION 7 – REPORTING

- 7.1 Each ABC program shall submit to DCCECE two (2) financial expenditure reports—due on January 30 and July 30 of each year—and quarterly reports—due on September 30, December 15 and March 30 of each year—which detail operating expenses and enrollment data. Programs shall receive guidance from DCCECE on the specific format of each report.
- 7.2 A complete and final disclosure audit of each ABC program is required and must be submitted annually for review to DCCECE. Any ABC program that is annually reviewed by Legislative Audit may submit the summary completed by that agency. All final audits shall be submitted within 120 days of the program’s fiscal year completion.
- 7.3 Programs that fail to adhere to a reporting deadline or respond to a request for information by DCCECE will be subject to compliance action as outlined in Section 21.

- 7.4 Children qualifying under the sliding fee scale must be clearly marked as such in quarterly enrollment reports to DCCECE. Programs shall also report any non-ABC qualifying children who have been assigned to an ABC classroom. Failure to do so is grounds for a compliance plan (See Section 21). DCCECE will inform programs as to the manner that reporting shall take place.
- 7.5 Once a grant agreement has been signed, any change made to the program whatsoever shall be reported to DCCECE within five (5) working days of the change. This includes but is not limited to any changes in address, phone, e-mail address, staff, slot locations or budget items.

SECTION 8 – APPLICATION/RENEWAL APPLICATION

- 8.1 The Request for Applications will specify all application procedures for an ABC program. DCCECE is not obligated to review any proposal received after the submission deadline stated in the application.
- 8.2 If all ABC funds are not allocated or expended during any program year, the DCCECE may initiate an additional application period to fully obligate all available funds.

SECTION 9 – MINIMUM STANDARDS/CLASSROOM PROGRAMS

- 9.1 All ABC classroom programs shall satisfy the requirements specified in The Child Care Licensing Act, ACA § 20-78-201 through 224 and rules and regulations enacted pursuant to these sections.
- 9.2 All ABC center-based or family-home based programs shall maintain a license in good standing as referenced in Section 9.1. Any ABC program whose license is revoked shall be immediately terminated from the ABC program.
- 9.3 Agencies that are barred from participating in DHHS programs pursuant to DHHS Policy 1088 shall be ineligible for participation in ABC. Grant agreements for any existing programs excluded pursuant to this policy shall be terminated immediately. Programs placed on corrective action by DHS shall be subject to ABC compliance action as outlined in Section 21.
- 9.4 DCCECE is directly responsible for the inspection and evaluation of programs as referenced in Section 9.1. Inspections and monitoring visits may occur without prior notice. This includes quality visits, program reviews or any other visit by a DCCECE or authorized representative.
- 9.5 All ABC classrooms shall meet the criteria for becoming an "approved" Early Childhood program under the Arkansas Child Care Approval System Rules and Regulations, Ark. Code Ann. 6-45-103 and 106 (Supp. 1993). An overall average of 5.5 is required for the Environmental Rating Scale or scales that are applicable to each program. DCCECE will utilize the following procedure for any program failing to meet these requirements:

1st No Pass: Recommendations for improvements will be made by the program monitor and DCCECE Program Specialist. Technical assistance is recommended.

2nd No Pass: Technical assistance shall be mandated. Program is advised that the site will have one additional opportunity to meet the requirements.

3rd No Pass: Site shall not be renewed at the end of the program year.

Programs may not physically move a site for the purpose of circumventing this procedure. If a program moves a site to another location but retains the same ownership, those classrooms will count as the original site under this rule. Technical assistance may include recommendations for staff or management changes.

9.6 For each child enrolled, ABC programs shall provide a minimum of 7 hours per day, 178 days per year for instruction.

9.7 Programs shall utilize a parent handbook specifically designed for the ABC program. Attendance and tardy policies shall be clearly outlined in the handbook. Programs should stress the importance of attendance and arrival time to parents. Programs should direct specific cases to DCCECE for technical assistance or guidance.

9.8 For any ABC child also receiving special education services, appropriate staff from the Education Cooperative or school district shall have access to the child at mutually agreeable times during the program day in order to provide services outlined in the child's IEP.

SECTION 10 – STAFF/PUPIL RATIO FOR CLASSROOM PROGRAMS

10.1 Regardless of licensing capacity, the group size in any classroom with ABC children shall not exceed:

- 8 children for ages birth-18 months
- 14 children for ages 18 months-3 years
- 20 children for ages 3-5 years

Programs may integrate ABC classrooms with children funded through other sources. However, the maximum group sizes listed above apply to ALL children in a classroom containing ABC children, regardless of funding source.

10.2 The adult-to-child ratio in any classroom with ABC children shall not exceed:

- 1:4 (birth to 18 months)
- 1:7 (18 months-3 years)
- 1:10 (3 years-5 years)

10.3 A minimum of 50% of the staff must remain in the classroom during rest time for children 3-5 years old only. Full staffing must occur for all other ages and at all other times, including meals.

- 10.4 Pursuant to licensing regulations, a teacher or aide may escort a child or group of children to a bathroom or school nurse if another qualified staff person remains in the classroom. A classroom shall not be counted out of compliance for a teacher taking a brief bathroom break as long as the other staff member remains in the classroom.

SECTION 11 – STAFF QUALIFICATIONS AND TRAINING REQUIREMENTS

- 11.1 The lead teacher shall hold a standard Arkansas teacher license with P-4 certification. Non-public school based or non-educational cooperative based ABC programs may hire a non-certified teacher with a bachelor's degree in early childhood education or child development. Non-public school or non-cooperative based ABC programs may not hire teachers with a provisional or initial teacher license. The Division shall consider degree exemptions for non-public school/coop based providers on a case-by-case basis, contingent upon the teacher having a requisite number of hours in early childhood and/or child development. Lead Teachers must be able to demonstrate competency in the areas of developmentally appropriate programming, curriculum development & daily classroom management.
- 11.2 For multiple classroom sites, the teacher of a second classroom shall hold, at a minimum, an associate degree in early childhood education or early childhood development. Teachers must be able to demonstrate competency in the areas of developmentally appropriate programming, curriculum development and daily classroom management.
- 11.3 The paraprofessional shall hold a minimum of one of the following: an associate degree in early childhood education or child development OR a CDA credential. Paraprofessionals are an integral part of classroom instruction and should be given responsibilities which are commensurate with their education and experience. In general, paraprofessionals should be able to assist with classroom activities, interaction, supervision and observation.
- 11.4 Programs replacing a teacher or paraprofessional during the year—including those taking an indefinite leave of absence—shall consult with the Division on specific qualifications needed.
- 11.5 An ABC program coordinator or site director without teaching responsibilities shall meet the minimum licensing requirements for a center director AND complete Director's Orientation within a reasonable time period, subject to the availability of training. The coordinator or director will preferably have some level of experience in early childhood.
- 11.6 Caregivers in an infant/toddler ABC room shall hold a minimum of a CDA credential in infant/toddler care.

- 11.7 Staff members not qualifying under Sections 11.1-11.3 may work in an ABC program under an approved Staff Qualifications Plan. DCCECE will approve these plans on a case-by-case basis and shall monitor the plan to ensure adequate progress is being made. Programs shall file a Staff Qualifications Plan with DCCECE within fifteen (15) days of the date of hire and shall submit progress reports on January 30 and July 30 annually.
- 11.8 While adhering to the necessary qualifications, ABC programs should also strive to maintain an ethnically diverse staff appropriate to child enrollment.
- 11.9 Between July 1 and June 30 each year, all ABC teachers and aides shall participate in a minimum of thirty (30) hours of staff development on topics pertinent to early childhood education and approved by DCCECE. Persons who are obtaining an early childhood degree may count college course hours pertinent to early childhood education toward the required hours of staff development. Programs should multiply semester hours by 5 to obtain the number of semester hours counted towards ABC professional development.
- 11.10 Teachers and paraprofessionals shall be required to receive training in the following areas:
- Arkansas Early Childhood or Infant/Toddler Education Frameworks
 - Pre-K ELLA (Early Literacy Learning in Arkansas)
 - Math/Science for Young Children
 - Social/Emotional Learning in Arkansas
 - Work Sampling Online
 - COPA
 - Deveraux Early Childhood Assessment (DECA)
 - Special Needs, including process, Special Education rules and regulations and IDEA

With the exception of annual Work Sampling training and updates, timeframes for completing such requirements may vary with availability and access to the above trainings. DCCECE or ADE Special Education may mandate additional training subject to needs in various locations.

- 11.11 In addition to the requirements of 11.10, coordinators for each ABC programs shall ensure that all appropriate staff members attend mandatory ABC training (budgets, reporting, assessments, information technology, etc.) provided by DCCECE. Programs with staff members not adhering to these requirements are subject to the terms of a compliance plan as outlined in Section 21.
- 11.12 The ABC program coordinator and all ABC staff shall register with the Arkansas Early Childhood Professional Development System Registry.
- 11.13 ABC programs shall establish an employment agreement in writing with all classroom staff. This agreement shall outline working conditions, dates and hours of employment, compensation and fringe benefits.

SECTION 12 – STAFFING PATTERNS/CLASSROOM PROGRAMS

- 12.1 Single classroom sites for preschool shall have a teacher qualified under section 11.1. Classrooms with over 10 children must also have a paraprofessional qualified under Section 11.3.
- 12.2 For ABC programs operating infant/toddler classrooms, programs must have one (1) qualified caregiver meeting the requirements of Section 11.6 for either every four children (infants) or seven children (toddlers).
- 12.3 In multi-classroom sites, the following staffing patterns shall be adhered to:

# Classrooms	Lead Teacher (11.1)	Classroom Teacher (11.2)	Paraprofessional (11.3)
1	1	0	1
2	1	1	2
3	1	2	3
4	2	2	4

For sites with more than four classrooms, programs must provide a lead teacher (11.1) for every three classrooms. Lead teachers are responsible for curriculum, program planning & oversight of paraprofessionals aides.

SECTION 13 – PROGRAM STANDARDS

- 13.1 All early childhood programs funded by ABC monies shall be developmentally appropriate and individualized to meet the needs of each student enrolled. Guidelines published by the National Association for the Education of Young Children (NAEYC) and the Arkansas Early Childhood Education Framework will be used to determine developmental appropriateness. (Bredenkamp, Sue, Editor, *Developmentally Appropriate Practice in Early Childhood Programs Serving Children from Birth Through Age 8*).
- 13.2 Programs shall demonstrate that the classroom arrangement satisfies “substantial portion of the day” as defined by the environmental rating scales. If used, room dividers shall be arranged and of sufficient height to prohibit distractions from other classes yet not hinder proper supervision within the classroom.
- 13.3 Each classroom shall be equipped with toys, books & play apparatus to take care of the needs of the total group and to provide each child with a variety of activities through the day. A variety of equipment shall be accessible from low shelves to children of all ages and shall be arranged in learning centers.
- 13.4 The program shall be individualized to meet the needs of each student enrolled. Each curriculum model and the actual classroom practice will be assessed using the

applicable environmental rating scale to ensure the model is developmentally appropriate.

- 13.5 The program shall have a written overall curriculum plan which is arranged in thematic units, projects or topics of study and includes goals and objectives related to the following: cultural diversity, social/emotional development, creative/aesthetic learning, cognitive/intellectual learning, physical development and language.
- 13.6 All programs must utilize a curriculum approved by DCCECE. A list of approved curriculum models will be made available by DCCECE on an annual basis. A program wishing to use a curriculum not on the list may request, in writing to DCCECE, consideration of an additional curriculum. Program coordinators shall ensure teachers have adequate training on curriculum.
- 13.7 Children shall participate in a daily schedule that reflects a balance among the following types of activities: indoor/outdoor; quiet/active; individual/small group/large group; gross motor/fine motor; child initiated/teacher initiated.
- 13.8 Routine and transition times throughout the day, such as preparing for mealtime, shall be used as opportunities for incidental learning. Transition times shall be planned to avoid frequent disruption of children's activities and long waits between activities.
- 13.9 Programs shall maintain an individual child record on site. At a minimum, the record shall contain copies of:
 - Birth certificate or hospital birth record
 - Documentation of program eligibility
 - Application form
 - Emergency information, including non-parental contact and medical information
 - Parental authorization for medical care, daily pick-up and field trips
 - Field trip authorization
 - Completed health form and Immunization record
 - Record of completed developmental assessment
 - Samples of child's work
 - Teacher & parent observations and summaries of parent-teacher conferences
 - Work Sampling Summary Reports and Developmental Checklists

Child records or any ABC file containing personal information on families and children shall be kept in a locked file cabinet with access granted only on a need-to-know basis. The child record shall be available for inspection by DCCECE staff. If certain records must be stored off-site, copies shall be made and given to teachers to maintain in a record on-site. In maintaining and updating child and family data, ABC programs shall utilize the information technology database selected by DCCECE. Other than those documents required for licensing purposes, teachers shall give the child's record to the parent upon completion of or disenrollment from the program.

- 13.10 Discipline shall reflect positive guidance, be consistent and individualized for each child. Such discipline shall be appropriate to the child's level of understanding and

directed toward teaching the child acceptable behavior and self-control. Corporal punishment is an unacceptable method of discipline for children in ABC funded programs and shall not be used. Programs shall specifically define their approach to handling inappropriate behavior in the ABC parent handbook.

- 13.11 When confronting challenging behavior, ABC programs shall take multiple steps to intervene and correct the behavior using a constructive approach before discussing dismissal from a program. Such intervention shall ensure each child has access to professional services, such as referrals to the educational cooperative behavioral specialist, the ADE-funded regional support network for early autism identification, community mental health center and a private therapist. DCCECE shall be notified of any serious discipline concern. If a child in question has a disability and is in the process or has been identified under IDEA, the ABC program shall follow state special education rules and regulations governing suspension/expulsion.
- 13.12 If children demonstrate inappropriate behavior, as indicated by the results of the DECA given by ABC staff, the ABC program shall consult with the Early Childhood Special Education program regarding classroom modifications and interventions.
- 13.13 For any ABC child requiring the intervention services of special education, the ABC program shall collaborate with special education professionals to ensure each party has access to necessary information to provide the appropriate services. Early Education Special Education teachers shall have access to any information pertaining to a child receiving special education that is in the possession of the ABC program that would be necessary for reviewing and evaluating the child's progress in the general education setting. Access to proprietary information on the child shall be on a need-to-know basis.
- 13.14 Teacher-parent discussions regarding a child's behavior shall be held in private and shall focus on an intervention plan for correcting the inappropriate behavior. Teachers should request technical assistance from DCCECE on any discipline issues on which they have questions.
- 13.15 The arrangement of indoor and outdoor equipment, materials and interest areas for each group shall provide for:
 - Accessibility to equipment and materials so that children may select and return them easily
 - An orderly, uncluttered atmosphere
 - Visual and/or auditory supervision of children in all areas
 - Separation of active and quiet play areas
 - Traffic patterns that avoid disruption of activities

13.16 At a minimum, developmentally appropriate equipment and materials of sufficient quantity to accommodate a sustained learning environment shall be provided in the following interest areas/learning centers:

- | | |
|---------------------------------|------------------------------|
| 1. Blocks | 5. Discovery/Science Sensory |
| 2. Dramatic Play | 6. Sand/Water Play |
| 3. Stories/Language Development | 7. Manipulative |
| 4. Art | 8. Music |

13.17 Outdoor play shall be used as an extension of the learning activities that occur in the classroom. As such, ABC staff shall participate in this activity.

13.18 The outdoor play area shall be developmentally appropriate and meet the Consumer Product Safety Commission standards for outdoor play areas. The outdoor play area shall provide the following:

- A variety of surfaces
- An arrangement designed for appropriate flow of activities
- Climbing and other active play items and structures
- Open areas for running and games
- Opportunities for dramatic play
- Adequate storage for equipment and materials
- Partial shade
- Quiet, private spaces
- A separate outdoor area equipped for infants and toddlers (if applicable)

13.19 Provision should be made through program design and networking efforts to ease the transition of children moving from one program or age grouping to another or to public school kindergartens. This provision must include individual needs assessments on each child, lesson plans and specific activities written into the program design. At a minimum, the transition plan shall involve parents and appropriate school district personnel.

13.20 ABC programs are required to provide free nutritious meals and snacks for all children enrolled in ABC/ABCSS. Mealtime is an opportunity to engage children in conversation about the day and themselves. Therefore, ABC staff shall participate with the children during this time. Children shall be given an appropriate amount of time for meals and conversation.

13.21 Parents or guardians of children qualified as eligible for ABC services shall not be required to pay any fees or provide food or supplies during ABC program hours. This includes enrollment and field trip fees.

13.22 Electronic mail is a necessary means by which DCCECE communicates vital information to programs. All participating programs must maintain a working e-mail address which is checked daily. Applicable information shall be distributed to classroom staff by the program coordinator.

SECTION 14 – ASSESSMENT AND SCREENINGS

- 14.1 DCCECE and ADE shall work cooperatively to ensure that the assessments are conducted as required by Act 49 of 2003.
- 14.2 Children in the ABC program shall be assessed annually to provide an indication of each child's progress towards school readiness.
- 14.3 The assessment shall address a child's strengths, progress, and needs and shall serve as a central part of an effective early childhood program. The assessment instrument selected by DCCECE and ADE shall be used for children enrolled in an ABC program.
- 14.4 A comprehensive longitudinal study shall be implemented to evaluate the ABC program to ensure that the program goals are achieved. The study will be designed to use sound research-based evidence to determine whether the programs meet the expected standards. This research shall include children entering the program at ages three (3) and four (4) years and follow the children through completion of the fourth grade benchmark exams. Research results will be provided annually to the Governor and the Senate Interim Committee on Education and the House Interim Committee on Education.
- 14.5 Within forty-five (45) days of entering an ABC program, a child shall receive a routine annual developmental screening to determine individual needs. The program agency shall be responsible for completing the developmental screening.
- 14.6 The developmental screening must include, at a minimum, the following areas: vocabulary, visual-motor integration, language and speech development, fine and gross motor skills, social skills and developmental milestones. The purpose of screening is to identify developmental delays and/or educational deficiencies. Children so identified shall be referred to Special Education within seven (7) calendar days of the date of screening. Programs shall comply with state and federal laws for Special Needs students.
- 14.7 DCCECE will provide a list to programs of all acceptable developmental screening instruments on an annual basis.
- 14.8 Within 45 days of the first day of attendance, every child shall receive an age-appropriate health screening, which includes a hearing and vision test, performed by a licensed physician or physician assistant. Programs should contact DCCECE for information on seeking a waiver under Ark. Code Ann. § 6-18-701 (Repl. 1993). Programs shall work in partnership with parents to obtain health screening information.

- 14.9 On or before the first day of attendance, parents or guardians shall provide proof that their child is current on all required immunizations or is on an acceptable "catch up" schedule. A waiver from this requirement may be granted from the DHHS Division of Health under ACA § 6-18-702 (Repl. 1993).

SECTION 15 – PARENT AND COMMUNITY INVOLVEMENT

- 15.1 Each program shall have a plan for parent involvement which includes opportunities for parental input into program operation & design. Parent involvement plans shall include a mechanism for parental advice and review of programmatic plans, parent conferences & a method to involve the parent in the child's educational experience.
- 15.2 The program shall have an "open door" policy for parents which encourages visiting and participation in classroom activities. Opportunities for at least two parent-teacher conferences shall be given to parents.
- 15.3 The program shall publish & utilize a parent handbook specifically for ABC program.
- 15.4 Each program shall have a plan for community/school district/educational services cooperative/agency involvement, which includes a description of how cooperation with other service providers who are concerned with the education, welfare, health and safety needs of young children, will be established and maintained. Programs should consider providing opportunities for community representatives to participate in the educational activities of the classroom.

SECTION 16 – TRANSPORTATION

- 16.1 Any child who is less than 6 years old and weighs less than 60 pounds shall be restrained in a child passenger safety seat. Any child who is at least 6 years or weighs at least 60 pounds must be restrained by a safety belt. (Ark. Code Ann. § 27-34-104). Conventional school buses are exempt from this requirement except for the transportation of infants/toddlers.
- 16.2 Infants and toddlers shall not be transported on school buses that are not equipped to accommodate required child safety seats.
- 16.3 If ABC children are transported on public school buses, the program shall submit to DCCECE a plan for the following:
- Escorts to and from the bus pickup area
 - A visual identification method for buses and children to ensure children get on the correct bus
 - A thematic unit on bus safety to be presented to the children in the ABC preschool classroom at the beginning of each program year

Programs must comply with child care licensing regulations on transportation and staff-child ratio. Programs must obtain an alternative compliance waiver from the

Licensing Unit before deviating from any transportation requirement. Program Rosters shall be used daily to track all ABC children being transported by the ABC program. Copies of all rosters shall be kept on file for inspection by DCCECE.

- 16.4 Offering transportation to and from an ABC program is strictly optional. DCCECE and ADE accept no liability for the transportation of children participating in an ABC program.
- 16.5 Programs may count the cost of a parent's transporting children to the program as part of their match. The maximum amount allowed shall be determined by the Division on an annual basis.

SECTION 17 – OTHER PROGRAM MODELS

- 17.1 Alternate programs may include, but are not limited to, Licensed Child Care Family Homes, PAT and HIPPY. These programs will comply, where applicable, with the regulations herein.
- 17.2 All ABC funded alternate program models will be developmentally appropriate, meet applicable health and safety standards, provide developmental and health screenings and ensure immunizations of the child served.

SECTION 18 – HIPPY REGULATIONS

- 18.1 HIPPY programs shall meet program criteria as outlined in the contractual agreement signed by each site with Arkansas Children's Hospital and HIPPY USA.
- 18.2 Each HIPPY program serving at least 160 families must have one (1) full-time coordinator, holding a minimum of a bachelor's degree in education, social work, sociology, psychology, or related field. Those coordinators without a related degree must obtain at least 12 college course hours per year. This coordinator shall also meet additional job requirements as described in the HIPPY USA Coordinator job description. New HIPPY Coordinators must attend National HIPPY Preservice Training and receive certification.
- 18.3 HIPPY Home Based Educators who work 20-24 hours per week may not serve more than 15 families; Home Based Educators who work 25-30 hours may not serve more than 22 families and Home Based Educators working 31-40 hours per week may not serve more than 27 families. Minimum requirements for home educators include a high school diploma/GED and a current CDA credential. All new HIPPY home-based educators are required to attend new Home-based Educators training provided by Arkansas State HIPPY.

- 18.4 Hiring of any HIPPY coordinator or home-based educator not meeting the requirements of 18.02-18.03 must be approved by DCCECE through a Staff Qualifications Plan. DCCECE shall monitor such plans to ensure adequate progress is being made. HIPPY Coordinators working under a staff qualifications plan must obtain at least 12 college hours per year.
- 18.5 HIPPY programs may serve children 3 and 4 years of age or a child who does not meet the compulsory school entry age.
- 18.6 In order to dually enroll a child in an ABC center and HIPPY, a child must meet the ABC income requirements (< 200% FPL) plus possess at least two of the following factors:
- Parents without HS diploma or GED
 - Birth weight < 5 pounds, 9 ounces
 - Parent is < 18 years of age at child's birth
 - Family has a history of substance abuse/addiction
 - Eligible for services under IDEA
 - Parent has a history of abuse or neglect or is a victim of abuse or neglect
 - Child exhibits a demonstrable developmental delay-as identified through an appropriate screening
 - Child lives in a single parent household or has parents who are divorced
 - Child is a foster child
 - Child has incarcerated parent
 - Child has parents who cannot read
 - Child is homeless
 - Child or parent has limited English Proficiency
 - Family is income-eligible for Title I
 - Child is in the custody of family member other than mother and father

Home-visiting programs shall be responsible for verifying eligibility before enrolling the child. Dual enrollment shall not exceed 25% of the program's total ABC enrollment.

- 18.7 Center-based and home-visiting programs shall collaborate in providing services to any child qualifying for dual enrollment under 18.6. Center-based programs shall be responsible for assessments and screenings. This information shall be shared with the home-visitor, as well as any IEP or special needs information.
- 18.8 The Arkansas HIPPY Training and Technical Assistance (T & TA) Office will monitor and assist HIPPY programs throughout the state. Annual program site reviews and assessments will be forwarded to DCCECE for consideration of program compliance and funding renewal. The Arkansas HIPPY Office will assist DCCECE with determining program compliance at the local level.
- 18.9 HIPPY programs shall meet requirements as set forth in Sections 4-7 & 14-16.
- 18.10 Group meetings should reflect the educational programming standards as set forth in Section 13 and guidelines set forth in the HIPPY model.

- 18.11 Any enhancements designed to complement the HIPPY curriculum must be approved by the Arkansas HIPPY Office prior to implementation with families.

SECTION 19 – PAT REGULATIONS

- 19.1 PAT Programs shall meet program criteria as outlined in the PAT Program Implementation and Planning Guide.
- 19.2 All PAT Coordinators must attend the PAT Institute Training and obtain either a Parent Educator Certificate or an Administrator's Certificate.
- 19.3 Each program must have a certified Parent Educator. The Parent Educator may also serve as Coordinator.
- 19.4 PAT Parent Educators working on a part-time basis (20 hours per week) should serve 30 and not more than 40 children and their families.
- 19.5 PAT Programs shall operate on a twelve month, year-round basis. Families must be offered twelve personal visits and six parent group meetings.
- 19.6 PAT Programs may serve children from the prenatal period to five years of age with proper certification.
- 19.7 PAT programs may enroll children also participating in a center-based program under the guidelines of 18.6.
- 19.8 PAT Programs must coordinate services with HIPPY Programs where both exist in the same community to avoid duplication of services.
- 19.9 PAT Programs shall meet requirements as set forth in Sections 4-7 and 14-16.

SECTION 20 – CHILD CARE FAMILY HOMES

- 20.1 Licensed child care family homes participating in ABC must meet the same requirements as an ABC center, except where listed in this section.
- 20.2 Group size for an ABC classroom in a CCFH shall not exceed sixteen (16) children or maximum licensing capacity, whichever is less.
- 20.3 The ABC family home teacher must possess a minimum of a CDA credential and file a Staff Qualifications Plan which outlines a plan to complete a coursework towards a four-year degree in early childhood or child development.

- 20.4 In evaluating the ABC program in a CCFH, the Family Day Care Rating Scale (FDCRS) shall be utilized. Family homes shall be subject to the same guidelines as listed in 9.5.

SECTION 21 – COMPLIANCE

- 21.1 An ABC program found to be out of compliance with any ABC Rule or Regulation shall be placed on a 90-day Compliance Plan. During this probationary period, a program must make all necessary corrections or be subject to termination from the ABC program. Compliance deficiencies may also result in immediate termination from the ABC program, denial of future ABC funds, repayment of funds and exclusion from participation in any DHHS programs.
- 21.2 Issues for a compliance plan may include, but are not limited to:
- Founded licensing or maltreatment complaints
 - Any other violation of minimum licensing standards
 - Revocation of Quality Approval status or failing to meet Quality Approval standards
 - Financial mismanagement, including use of ABC funds for programs other than ABC
 - Habitually late reports or missing information
 - Failure to report a change in program status within five working days
 - Program deficiencies documented by DCCECE or any authorized representative
 - Erroneous or fraudulent billing of DCCECE vouchers or Special Nutrition programs
 - Falsification of any document or information
 - Hiring of unqualified staff without consultation with the Division on a Staff Qualifications Plan.
 - Staff members not meeting the requirements of a Staff Qualifications Plan.
- 21.3 Any program who submits a falsified document will be subject to immediate termination from the ABC program, repayment of funds and possible referral of program officials and/or responsible employees for criminal prosecution.
- 21.4 An ABC program may appeal any adverse action taken by DCCECE. Such appeals must be in writing and be received within thirty (30) days of the notice of corrective action. A program wishing to appeal should send a written notice to Attention: DCCECE Division Director, P.O. Box 1437, Slot S-140, Little Rock, AR 72203. The Division Director will make a recommendation to the State Board of Education, which will issue a final ruling.