

Licensing Professional Development

Regulation Theories of Monitoring and Innovations in Licensing

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NATIONAL CENTER ON
Early Childhood Quality Assurance



Licensing Measurement & Monitoring Systems: Elements and Dichotomies

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Research Institute for Key Indicators



PennState

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Human Development

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RIKI/NARA

Licensing Measurement and Monitoring Systems

Regulatory science
applied to human
services regulatory
administration

Richard Fiene, PhD
RESEARCH INSTITUTE
FOR KEY INDICATORS



PennState

Program Quality Continuum Dichotomies

- 1) “Do no harm” versus “Do good”.
- 2) Closed system versus Open system.
- 3) Rules versus Indicators.
- 4) Nominal versus Ordinal measurement.
- 5) Full versus Partial compliance.
- 6) Ceiling effect versus No Ceiling effect/Open-ended.
- 7) Gatekeeper versus Enabler.
- 8) Risk versus Performance.
- 9) Structural versus Process Quality.
- 10) Hard versus Soft Data.



Licensing Measurement Elements

1. **Lack of Variance in data distributions. Data tightly grouped at high compliance levels.**
2. **Ceiling/Plateau Effect in data distributions. A diminishing returns effect.**
3. **Difficulty distinguishing levels of quality between full and substantial compliance.**
4. **Nominal measurement level: Either In-Compliance or Out-of-Compliance.**
5. **Attempting to move to ordinal measurement level when quality is included.**
6. **Dichotomization of data is warranted because of the data distribution.**
7. **Problem with false negatives and positives, especially false negatives.**
8. **Lack of reliability and validity testing.**
9. **Ease in distinguishing levels of quality between low and substantial compliance.**
10. **Skewed Data. Majority of programs in substantial or full regulatory compliance.**



Monitoring Systems Dichotomies

- 1) Substantial versus Monolithic.
- 2) Differential Monitoring versus "One size fits all".
- 3) Not all standards are created equal vs All standards are created equal.
- 4) "Do things well" versus "Do no harm".
- 5) Strength based versus Deficit based.
- 6) Formative versus Summative.
- 7) Program Quality versus Program Compliance.
- 8) "100-0" scoring versus "100" or "0" scoring.
- 9) QRIS versus Licensing compliance with health and safety.
- 10) Non-Linear versus Linear relationships.



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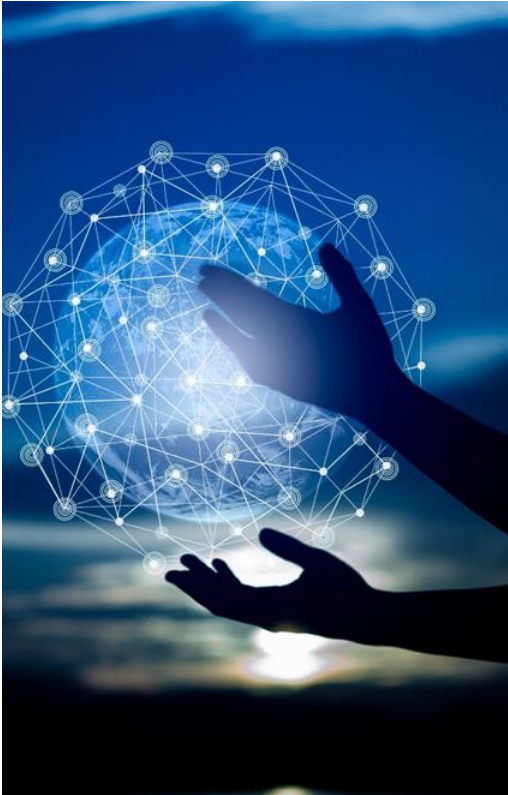
Human Services

Monitoring/Observation Visits in Tennessee

Presentation Points

- Transforming Business Model and Service Delivery
- Philosophy and Vision
- Overhaul of Quality Rating and Improvement System (QRIS)
- Staff Reorganization
- Resources and Supports

Industry Transformation



- Child Care Workforce
 - Babysitters to Educators
- DHS Staff
 - Enforcers to Partners
- Report Card Process
 - Quality Rating to Quality Improvement
- Administrative Tasks
 - Cumbersome to Empowering
- Capacity
 - Child Care Obstructer to Child Care Creator
- Payment Assistance
 - Access to Care becomes Access to Quality
 - Isolated Interaction becomes Continuity of Care



Child Care Vision/Goals

Improve Quality

Increase Access

Strengthen Business Efficiency





QRIS Redesign

Fundamental Issues to be Addressed

PROCESS

Burdensome, redundant, and inefficient

CONTENT

Lacks focus on quality elements that matter most for children

PURPOSE

Emphasis on compliance and measurement

QRIS Redesign

Big Ideas for Recommendations

PROCESS	Big Idea 1: Streamlined process and ongoing engagement support more accurate picture of quality.
CONTENT	Big Idea 2: Program quality defined by the strongest predictors of child outcomes.
PURPOSE	Big Idea 3: Programs receive targeted, relationship-based quality improvement coaching. Big Idea 4: Financial supports reinvest in quality for all programs. Big Idea 5: Families can find child care that is the best fit for their family through a clear, simple process.

Tool Development

- Strongest Indicators of Successful Child Outcomes
- Standards of Practice and Licensure Rules
- Two Sections of Elements and Indicators:
 - Health & Safety
 - Teacher Child Interactions
- Quarterly Evaluations with Immediate Feedback to Provider on areas needing Improvement
- Annual Score based on Overall Average
- Violations Captures through Unmet Elements/Indicators



Scoring

- Each element indicator on the Classroom Observation Tool is scored based on “required evidence”. To achieve a score of “met” on an item, all required evidence must be either visually observed or documented during the teacher interview.
- The total score for both Health and Safety and Teacher/Child Interactions are combined to create the overall score for the quarterly visit.
- Upon completion of the quarterly visit, prior to departure, the Licensing Consultant (LC) will meet with the agency director and/or educator to review the scoresheet and discuss strategies for areas that may have been deficient. In addition to technical assistance, connections to tools and resources available through our network of Quality Partners will be provided through warm hand-offs

Quality Levels

- A quality score is 80% or above. Anything below the 80th percentile is an area needing improvement.

Thresholds for color	
<60% of points	Red
>=60% to < 80%	Yellow
>=80%	Green

- In future state, there will only be two bonus level calculations.
- Scores between 80 to 89 will receive a 15% bonus.
- Scores between 90 to 100 will receive a 20% bonus.

Critical Items

Critical Items are Health and Safety items that **must be** monitored during **each** visit. When scoring Health and Safety the Licensing Consultant will check the items which they are scheduled to monitor from the options below for that visit plus the eleven (11) Critical Items. Critical Items are listed at the beginning of the Health and Safety section of the Observation Tool.

- 4 Health & Safety Sections
 - Supervision Practices/Facilities/Equipment
 - Record Keeping
 - Healthy Weight Practices/Disease Prevention
 - Org Structure/Qualification



Scoring Example (met)

Rating	Point Value	Elements and Indicators	Required Evidence
Element 1. Early Learning Activities and Routines			
Met	2	E1.1: Inclusiveness/Choice/Balance of Teacher & Child initiated activities. Opportunities for children to feel motivated to explore and learn.	<ul style="list-style-type: none"> ✓ Each child provided an opportunity to participate in program activities. ✓ Balance between child's choice and educator directed activities. ✓ Group times limited based on children's age and ability to encourage independent exploration. ✓ All children allowed to move freely and choose their own companions during free play.

This element indicator was scored "Met" as **all required evidence** was either observed or documented to occur based on the educator interview. The point value for this element indicator is **2**.

Scoring Example (not met)

Rating	Point Value	Elements and Indicators	Required Evidence
Element 1. Early Learning Activities and Routines			
Not Met	0	E1.1: Inclusiveness/Choice/Balance of Teacher & Child initiated activities. (opportunities for children to feel motivated to explore and learn).	<ul style="list-style-type: none"> ✓ Each child provided an opportunity to participate in program activities. ✓ Balance between child's choice and educator directed activities. ✓ Group times limited based on children's age and ability to encourage independent exploration. ✗ All children allowed to move freely and choose their own companions during free play.

This element indicator was scored "Not Met" as the children were not allowed to move freely and choose their own companions during free play. All required evidence must be observed/documented. The point value for this element indicator is zero (0).

Scoring Example (NA)

Rating	Point Value	Elements and Indicators	Required Evidence
Critical Items (CI): Must be monitored during each visit			
NA	3	<p>CI 1.8: Transportation Supervision procedures as outlined in 1240-04-01-.17</p> <p>This may be scored NA if the agency does not provide transportation</p>	<ul style="list-style-type: none"> • Management responsibility for compliance with transportation rules and children. • Agency conducts vehicle emergency evacuation drills quarterly. • Passenger logs contain first and last name of each child • Transportation loading and unloading procedures followed as outline in licensing rules • Driver and reviewer conduct separate physical walk through upon drop-off /return to agency and signs passenger log. • Passenger logs reconciled with master sign in/out sheet.

This element indicator was scored "NA" as this agency does not provide transportation. Points are not deducted when an agency receives an NA. The score for this element indicator is three (3).

On-site Inspection

Example



Aligning Staffing with Vision

Licensing Division- Two Units

Field Operations

- Director of Field Operations
- 6 Regional Managers
- 21 Field Supervisors
- 122 Licensing Consultants
 - Current caseload size is 1:20

Pre-Licensure Unit

- Pre-Licensure Director
- 2 Program Managers
- 12 Program Specialists

Licensing Field Operations Support

- Monitoring/Evaluation Visits
 - 4 Quarterly visits utilizing Compliance/Quality Tool
 - Complaint Investigations
 - Violation and/or Legal Enforcement Follow-Up Visits
- Strengthen Relationships and Work in Partnership for Continuous Quality Improvement



On-line Corrections

Example

Pre-Licensure Support Unit

- The Pre-Licensure Unit officially launched in August 2021. The purpose of the unit is to streamline processes and increase support for new child care providers during the licensing process and provisional licensure period.
- Support new agencies throughout the child care licensing process
 - Deliver training that equips agencies with the tools needed to serve families *and* run successful businesses
 - Provide guidance that ensures compliance with licensure rules and regulations
 - Assists in navigating local codes and zoning interactions
- Grow child care capacity across the state, particularly in rural areas
 - Build partnerships with community and business leaders to assess child care needs and explore solutions and necessary supports
 - Establish local contacts, facilitate effective and impactful connections
 - Recruit prospective providers to increase the number of child care slots available in rural areas of the state
- Creation of 13,200+ slots of capacity, representing all nine regions of the state

Establishment Grant

- One-time grant award for start-up costs
- \$1,000 per slot of capacity, up to \$100,000
- Can be used for furniture, equipment, supplies, materials, and curriculum
- Eligibility requirements:
 - Participation in pre-licensure program
 - Completion of Small Business Academy
 - Acceptance of Child Care Certificate
- Over 3.5 million has been issued to date



Warm Hand-Off from Provisional Period to Continuous License

- The Pre-Licensure team continues to support the new agency when the Provisional License is issued (120 day license)
 - Conducts 1 visit per month to monitor for compliance and support in meeting quality expectations
 - Recommends approval of continuous license
 - Recommends denial of provisional if agency is unable to fully demonstrate compliance or shows improvement to do so.
 - In last month of provisional period, a warm handoff from the Pre-licensure team for the new agency to Field Operations is completed. There is a joint walk-through by the Pre-licensure team and the Licensing Consultant who will be assuming the agency in their caseload-this further strengthens relationship building



**Resources, Tools,
Supports**

Quality Supports-All Supports Available Statewide

- Expansion Grant
 - Mirrors establishment grant criteria
 - \$1,000 per slot of increased capacity, up to \$100,000
 - Can be used for furniture, equipment, supplies, materials, and curriculum
- Support & Enhancement Grant
 - Available to licensed agencies annually
 - Base of \$4,000 with additional \$1,000 qualifiers:
 - Economically distressed counties
 - Completion of Infant Toddler Specialization credential through CCR&R
 - Seeking national accreditation
 - Participation in Child Care Certificate Program
 - Compliance or remediation of deficiencies requiring a Put on Notice letter



Additional Quality Supports

- WAGE\$®
- Education-based salary stipend, ranging from \$600-\$7,800 annually
 - Intended to be a retention tool and to incentivize continuing education
- Child Care Resource & Referral (CCR&R)
 - Technical assistance and training opportunities
 - Infant/Toddler Specialization
 - Coaching & Mentoring
 - Network of Quality Coaches
 - Infant/Toddler Coaches
 - Family Engagement Quality Coaches
 - Health & Well-Being Coaches
 - Inclusion Quality Coaches
 - Tech Goes Home
 - Small Business Academy

Additional Quality Supports

- Childcare Tennessee
 - Substitute Pool
 - Bulk purchasing
 - Pinterest-like online resource center
- Tennessee Early Care Training Alliance (TECTA)
 - Professional development opportunities
 - Tuition and Academic supports
 - Tennessee Early Childhood Program Administrator Credential
 - Tennessee Infant-Toddler Credential
- Tennessee Family Child Care Network
 - Resources specific to group and family home agencies
 - Demonstration sites

Resources

- Child Care Provider Monitoring and Inspections
[Child Care Provider Monitoring and Inspections \(tn.gov\)](#)
- [Resources for Child Care Providers](#)
[Child Care Resources for Providers \(tn.gov\)](#) [Child Care Resources for Providers \(tn.gov\)](#)
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Questions/Discussion



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CHILDREN & FAMILIES