



Quality for ME: Maine's Quality Rating and Improvement System

What is a quality rating and improvement system (QRIS)?

Maine's quality rating and improvement system is called *Quality for ME*. *Quality for ME* is a voluntary, four-Step program designed to increase awareness of the basic standards of early care and education.

Quality for ME has three goals:

- To recognize early care and education programs that provide quality care
- To encourage and support programs to increase their level of quality
- To provide families with identifiable standards of quality



Quality for ME was created with input from many practitioners, families, researchers, child advocates, and stakeholders. In a process that took two years, the Department of Health and Human Services, Office of Child and Family Services (referred to as DHHS OCFS) held several focus groups to find out how families and practitioners define quality in early childhood and out-of-school time programs. That feedback, combined with national research, was used to create a tiered QRIS to classify Maine programs based on documented indicators of quality. Many programs throughout the state, representing family child care, out-of-school time programs, Head Start, center-based care, as well as accredited and non-accredited programs, participated in the testing phase of development. Their feedback helped to shape the standards used by the system.

Why is *Quality for ME* important?

Quality for ME is important because we all care and want what is best for Maine's children. Studies have shown that children in quality early care programs have better developed language skills, motor skills, and reasoning ability when they get to school. They are more likely to be successful throughout their school years, less likely to repeat grades, and more likely to graduate from high school.¹ If all children receive high quality early care, not only will they be better prepared for the future, but communities can expect to spend less on remedial school programs where the costs for correction are much higher.

Programs in Maine that voluntarily choose to participate in *Quality for ME* are recognized for wanting to meet higher standards of quality than those required by Child Care Licensing.

¹ Burchinal, M. R., Kainz, K., Cai, K., Tout, K., Zaslow, M., Martinez-Beck, I., & Rathgeb, C. (2009). *Early care and education quality and child outcomes*. (OPRE Research-to-Policy Research-to-Practice Brief No. 2009-15). Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, US Department of Health and Human Services.



Quality for ME also helps programs identify their needs for additional resources and supports to increase their level of quality.

Who is eligible to participate in Quality for ME?

In order to participate in Quality for ME at a Step 1, programs must meet the following minimum requirements:

- Must have been without any serious licensing violations in the past 12 months²
- Must have enrolled 100% of current employees as active members in the Maine Roads to Quality (MRTQ) Registry

Who is required to join Quality for ME?

Licensed programs that accept the Child Care Subsidy Program (CCSP) are required to join Quality for ME. All Head Start programs in Maine are also required to join.

What is the difference between the Maine Roads to Quality Registry and Quality for ME?

The Maine Roads to Quality Registry is a part of the Maine Roads to Quality Professional Development Network (MRTQ PDN). MRTQ PDN is a collaborative partnership between the Cutler Institute of Health and Social Policy at the University of Southern Maine, the University of Maine Center for Community Inclusion and Disability Studies, and the Department of Psychology at the University of Maine.

Both MRTQ PDN and Quality for ME are systems for which individuals or programs complete applications. For this reason – and because both systems contain the word “quality” – the differences between the two can be confusing. The chart below clarifies the important distinctions:

	
<ul style="list-style-type: none"> • Quality for ME is a system for the PROGRAM. 	<ul style="list-style-type: none"> • The MRTQ Registry is a system for INDIVIDUALS.
<ul style="list-style-type: none"> • Enrollment with Quality for ME must be renewed every three years. 	<ul style="list-style-type: none"> • Registry membership should be updated regularly, but never expires.
<ul style="list-style-type: none"> • There is no fee to join Quality for ME. 	<ul style="list-style-type: none"> • There is no fee to join the Registry.

How is Quality for ME different from Child Care Licensing?

The State of Maine regulates the need for and provision of a license to operate a child care program. Licensing regulations set the minimum standards that ensure the basic health,

² See Appendix B for an explanation of “serious licensing violations.”



safety, and developmental needs of children are being met. Participation in *Quality for ME* is voluntary and intended to recognize and promote higher quality care and to support and reward programs that want to move up the Steps.

Both Child Care Licensing and *Quality for ME* are administered by Maine's DHHS, but each is managed within a different division. Licenses are issued and monitored by the Division of Licensing and Regulatory Services, Child Care Licensing Unit. *Quality for ME* is administered by the Office of Child and Family Services (OCFS), Early Intervention and Prevention Division. The divisions will share information regarding a program's current licensing status and compliance history, but Child Care Licensing staff do not make decisions about the Step at which a program is rated.

OCFS makes the final determination on a program's Step rating and issues the appropriate certificate. Step ratings are valid for a three-year period, unless a program no longer meets the standards for their assigned Step. All licensed programs are eligible to be placed at Step 1 if:



- They have had no substantiated serious licensing violations within the last year.
- All direct service staff (including administrative staff who work with children) are members of the Maine Roads to Quality Registry.

What if my program has a substantiated serious licensing violation?

Serious licensing violations are those that pose a serious risk to children. Substantiation of serious violations will result in removal from *Quality for ME*. A list of violations that will disqualify a program from the system is included as Appendix B of this document (pages 14-24). In the event this should happen, it is the program's responsibility to inform families of your change in status and to revise any publications used for marketing that refer to the program's participation in *Quality for ME*.

How does national accreditation fit into *Quality for ME*?

Accreditation is awarded by national professional organizations to programs that meet designated standards of quality. Although accreditation is part of the requirement to obtain a Step 4 rating, there are a few additional standards that are unique to Maine included in *Quality for ME*. A number of organizations award accreditation to early childhood and out-of-school time programs, but for the purposes of placement at Step 4, the following accrediting bodies are recognized by *Quality for ME*:

- The National Association for Family Child Care (NAFCC)
 - Family child care programs
 - Small facilities (may also be eligible for NAEYC accreditation – contact MRTQ PDN for more information)
- The National Association for the Education of Young Children (NAEYC)
 - Child care centers serving children age 8 and younger



- The American Montessori Society (AMS)
- Head Start programs are considered to meet Step 4 standards through the National Head Start Performance Standards as evidenced by zero non-compliance items in most recent review/all non-compliance items identified in most recent review corrected
- The Council on Accreditation (COA)
 - Out-of-school time programs
 - Social service agencies with an early childhood or out-of-school time component

What are the incentives for being part of *Quality for ME*?

- Parents or guardians of any dependent child(ren) enrolled in programs at a Step 4 with *Quality for ME* are eligible to receive a double child care tax credit on their Maine income tax.
- Programs who pay state taxes and have a Quality Improvement Plan may apply for a Child Care Investment Tax Credit for expenses made to improve quality.
- Programs who accept child care subsidy are eligible for higher tiered reimbursement rates as they move up on the Steps with *Quality for ME*.
- Programs participating with *Quality for ME* are listed with a special designation on Child Care Choices (<https://childcarechoices.me>) noting their current Step.



What are the supports available to programs participating with *Quality for ME*?

One of the goals of *Quality for ME* is to encourage and support programs with moving up the Steps. Those supports include:

- Technical assistance, including on-site consultation, from:
 - The Maine Afterschool Network
 - Maine Roads to Quality Professional Development Network
 - The Head Start Quality Initiative
- Programs that choose to pursue national accreditation through NAFCC, NAEYC, or COA may be eligible for targeted technical assistance and accreditation support cohorts.
- Programs will be able to access resources that will aid them in meeting many of the criteria within the *Quality for ME* system.

What is the process for enrolling with *Quality for ME*?

The following steps are the general process for enrolling a program with *Quality for ME*:

1. Ensure that all direct service staff (including administrative staff who work with children) are members of the MRTQ Registry. Join the MRTQ Registry at <https://mrtq->



[registry.org](https://mrtq.org). For more information about the MRTQ Registry, including our policies and contact information, visit <https://mrtq.org/index.php/registry/>.

2. Once all staff are current Registry Members, the program can apply for *Quality for ME* at <https://qualityforme.org>. By entering the program’s license number, the application will access administrative data about the program, including:
 - Licensing status
 - Staff members on the MRTQ Registry, including Level(s) on the Career Lattice and whether or not staff have completed specific training
 - Program accreditation status
3. Self-evaluate your program against the unique standards at each Step. All standards within each Step must be satisfied before moving to the next Step. **Be sure to click through to the final screen and click “Submit” to ensure that your application is submitted:**

Step Report

The results for your program are presented below. Scores for each of the eight QRS areas are based on four sets of standards, referred to as Step 1 to Step 4. In order to achieve a given Step, a program must satisfy all of the standards associated with that Step, as well as the standards associated with lower Steps. For example, in order to achieve Step 2 on Administrative Policies and Procedures, a program must satisfy all the standards for both Step 1 and Step 2. A score of 0 indicates that at least some Step 1 standards were not met.

A Final Step rating is also given, which is equal to the lowest Step obtained across the eight QRS areas. In other words, in order to receive a Final Step rating of 3, a program would have to be on Step 3 or 4 across all eight areas.

If you have any questions regarding how or why Step values are determined, please contact qrhelp@maine.edu with the Quality for Maine program.

Section Name	Steps
Compliance History / Licensing Status	4
Learning Environment / Developmentally Appropriate Practice	4
Program Evaluation	4
Staffing and Professional Development	4
Administrative Policies and Procedures	4
Parent / Family Involvement	4
Community Resources	4
Child Observations	4
Overall the Program is at Step	4

Congratulations, this is the highest step level.

Step Report screen

Recommendations

Compliance History / Licensing Status

Current step is #4.
This is the highest step. Congratulations!

Learning Environment / Developmentally Appropriate Practice

Current step is #4.
This is the highest step. Congratulations!

Program Evaluation

Current step is #4.
This is the highest step. Congratulations!

Staffing and Professional Development

Current step is #4.
This is the highest step. Congratulations!

Administrative Policies and Procedures

Current step is #4.
This is the highest step. Congratulations!

Parent / Family Involvement

Current step is #4.
This is the highest step. Congratulations!

Community Resources

Current step is #4.
This is the highest step. Congratulations!

Child Observations

Current step is #4.
This is the highest step. Congratulations!

Final screen - CLICK SUBMIT

4. Upon completion of the online application, the program will be given a Step rating, along with information about what standards need to be met in order to reach the next Step. A staff member at OCFS will review the application and the program will be formally notified by mail with a certificate indicating the Step rating with *Quality for ME*. If your program has questions regarding the status of the application, including if the program is awaiting approval to accept CCSP funds, please contact OCFS at (207) 624-7909.
5. Assemble a portfolio of supporting documentation. This is evidence that standards at each level have been met. The materials should be gathered into a digital portfolio on your computer or a physical portfolio notebook, kept on your premises, and made available if you are chosen for an on-site portfolio review.



What is the process for an on-site portfolio review?

The purpose of this announced and mutually agreed upon visit by OCFS is to review supporting documentation to validate the program's self-assessment, that was completed as part of the *Quality for ME* online application process. Programs are selected from a random list of programs with Step 2, 3, or 4 ratings based on geographic regions. This process is important in the continuing efforts to

maintain integrity of all programs enrolled in *Quality for ME*.

What if an agency operates multiple sites?

Just as each site requires a separate license, each site will require a separate application for *Quality for ME*.

What if the program does not agree with the Step rating from OCFS?

Programs that believe their Step rating is incorrect, or who do not feel the Step rating granted by OCFS is accurate, may appeal the decision by requesting an informal review by OCFS. If the program is not satisfied with the result of the informal review, they may request an administrative hearing.

The following policy is in place for this purpose:

A program must request an informal review and obtain a decision before requesting an administrative hearing. If the program is dissatisfied with the informal review decision, the program owner/operator may write to OCFS at the Department of Health and Human Services to request a hearing provided he/she does so within ten (10) calendar days of the date of the Director's report on the Department's action. Subsequent appeal proceedings will be limited only to those issues raised during the informal review. The Office of Administrative Hearings shall notify the program in writing of the date, time, and place of the hearing, and shall designate a presiding officer. Programs will be given at least twenty (20) calendar days' advance notice of the hearing date. The hearing shall be held in conformity with the Maine Administrative Procedures Act, 5 M.R.S.A. §8001 et seq. and the Administrative Hearings Regulations.

Contact information:

The Department of Health and Human (DHHS), Office of Child and Family Services (OCFS), Services Child Care Subsidy Program

- By phone at 1-877-680-5866 or 207-624-7999
- By email CCSP.DHHS@maine.gov
- By fax 207-287-6308



- By mail:
Office of Child and Family Services
2 Anthony Avenue, #11 SHS
Augusta, ME 04333

Maine Roads to Quality Professional Development Network

- By phone at 1-888-900-0055
- By email mrtq.contact@maine.edu
- By fax 207-780-4511
- By mail:
Maine Roads to Quality Professional Development Network
PO Box 9300
Portland, Maine 04104-9300





Appendix A: Glossary

Accreditation – A process that validates a program is employing quality processes and procedures in delivering programming that conforms to national standards. Although many professional organizations accredit early childhood and out-of-school time programs, *Quality for ME* recognizes accreditation by: the National Association for the Education of Young Children (NAEYC) for center-based care, the National Association for Family Child Care (NAFFC) for family child care programs, Council on Accreditation (COA) for school age care and social service organizations with early childhood/school age components, the American Montessori Society (AMS) for Montessori programs, and Head Start Compliance for Head Start Programs.

Advancement policy – A policy for employees within a child care program that outlines the opportunities for advancement within the program.

American Montessori Society (AMS) – This society provides leadership and advocacy for the Montessori philosophy of education. The mutual association strengthens their members and promotes Montessori principles within the educational and greater communities. Their products and services include program improvement and accreditation, conferences, research, and public policy advocacy.

American Montessori Society (AMS) Accreditation Standards – The standards used by the American Montessori Society to measure the quality of early care and education programs adhering to their educational philosophies. The AMS accreditation system is recognized by *Quality for ME*.

Attendance policy – A policy within the parent/family handbook that outlines the expectations around a child's attendance and payment for child care services in the child's absence.

Benefit package – An outline of benefits offered to employees working in the child care program. These may include reduced child care rates for children of staff, tuition reimbursement, paid training, mileage reimbursement for training and education, health insurance, dental insurance, disability insurance, retirement plan, paid vacation, paid sick time, paid personal time, and/or paid holidays.

Bulletin boards – Visual display boards where owners/directors can post information and resources of which families and employees should be aware.

Career Lattice – The Maine Roads to Quality Registry Career Lattice awards Levels of achievements to early childhood and out-of-school time practitioners based on training and employment history or earned credentials. There are three Career Lattices attached to the MRTQ Registry: the Direct Care Professional Lattice for practitioners who work in family child care, centers or out-of-school time programs, the Social Service Professional Lattice for practitioners who work primarily with families, the Administrative/Manager/ Coordination Professional Lattice for practitioners who manage programs or work in other programs that support early care and education practitioners, the Public School Educator Lattice for



practitioners working in public schools, and the License Exempt Practitioner Lattice for those who work with one or two children and are not required to be licensed.

Center-based care – Refers to programs that are licensed as child care centers.

Center for Community Inclusion and Disability Studies – Maine’s University Center for Excellence in Developmental Disabilities Education, Research and Service; has a statewide mission to build capacity and create systemic change consistent with the principles of inclusion, universal access, diversity and social justice. The Center’s work in the area of early care and education helps to expand Maine’s capacity to support increased access and participation of children with developmental, linguistic, cultural and other diverse learning needs in quality inclusive early learning settings.

Child abuse reporting – All employees and volunteers in child care settings are required legally and ethically to report child abuse in accordance with state law.

Child Development Associate (CDA) Credential – A national early care and education credential administered by the Council for Professional Recognition.

Child Development Services – The system of early intervention service provision in Maine for children birth through age five.

Child survey – A tool used in out-of-school time programs to measure the level of satisfaction children have with components of the program they attend.

Cognitive Domain – The area of development that includes a person’s ability to acquire knowledge through perception, reasoning, or intuition.

Communication Domain – The area of development that includes a person’s ability to exchange ideas or information through speech or signs.

Communities of Practice (CoPs) – As a form of peer-to-peer technical assistance, Communities of Practice emphasize increased dialogue among professionals about professional knowledge and practice, with ongoing reflection and active inquiry.

Council on Accreditation (COA) – The largest independent accrediting body for organizations that provide high-quality social and behavioral healthcare services to children, youth, seniors, and families in the United States and Canada. COA is recognized as Maine’s accrediting body for out-of-school time and social service agencies with early care or youth programs.

Daily schedule – A predetermined schedule of events that are followed each day to provide consistency for children within the program.

Dental insurance – A benefit offered to employees of an early care and education setting to provide full or partial financial assistance to an employee when obtaining dental/oral health care.

Department of Health and Human Services (DHHS) – DHHS is Maine’s administrative department that is home to the Office of Child and Family Services (OCFS). OCFS oversaw the development of *Quality for ME* and monitors the project in an administrative capacity.



Developmentally Appropriate Practice (DAP) – An approach to teaching grounded in the research on how young children develop and learn and in what is known about effective early education. Its framework is designed to promote young children’s optimal learning and development. DAP involves teachers meeting young children where they are, both as individuals and as part of a group; and helping each child meet challenging and achievable learning goals.

Disability insurance – A benefit offered to employees of program to provide full or partial financial support in the event an employee is unable to work.

Discipline policy – A policy that outlines the methods a program uses to deal with children’s challenging behaviors. Inappropriate methods of discipline are outlined in the State of Maine Child Care Licensing Rules.

Employee handbook – A handbook that includes the policies and guidelines for staff members employed within the program.

Enrollment packets – Information provided to families upon their child’s entrance into a program. This should include policies relating to the operation of the facility and care of children in the program.

Family Child Care – Programs that operate within a private home and often serve multiple age groups. In Maine, if an individual is providing child care for more than two children who are unrelated to them, that person(s) must be licensed by Maine’s Division of Licensing and Regulatory Services. The maximum number of children allowed in a family child care home in Maine is 12; depending on the number and ages of children, additional staff may be required.

Family Child Care Association of Maine (FCCAM) – A professional state-level organization that offers support to family child care programs in Maine.

Field trips – Organized, supervised opportunities for children to venture away from the child care program and experience a different setting.

Grievance policy – A policy that is included in the employee handbook that outlines the method in which staff members can address issues with program practices and/or personnel issues toward conflict resolution.

Hiring and firing - Employment policies that detail the expectations of employers before engaging program personnel and clarifying employee behaviors that may result in the termination of employment. The policy should include the progression of corrective steps or opportunities, if any, that may be taken prior to dismissal.

Infants and toddlers – Children from birth through twelve months (infants) and twelve to thirty-six months (toddlers).

Intentional curriculum planning – The connection between observing a child’s interests and development and planning for the provision of opportunities and experiences to support and expand that development.



Job performance evaluation – An opportunity for a supervisor to meet with a staff member and provide feedback on their job performance.

Lead teacher – The individual who has overall responsibility for children enrolled in the program or classroom.

Learning environment – The characteristics and physical settings of an early childhood or out-of-school time program.

Maine Association for the Education of Young Children (MaineAEYC) – An association that promotes high-quality early learning for all children, birth through age 8, by connecting practice, policy, and research. MaineAEYC advances a diverse, dynamic early childhood profession and supports all who care for, educate, and work on behalf of young children and families.

MaineCare – A program of DHHS that helps to assist families in achieving their maximum potential, independence, employability, safety, and health by providing health care to individuals based on income eligibility guidelines. For more information on MaineCare see their web site, www.maine.gov/dhhs/bms

Maine's Early Learning and Development Standards (MELDS) – Replaces the *State of Maine Early Childhood Learning Guidelines (MELG)*, 2005, and serves as a guide for all early childhood educators' efforts to improve professional practice and programs for young children from the age of three until kindergarten entrance.

Maine Parent Federation – A statewide, private, nonprofit organization that provides information, advocacy, education, and training to parents and professionals to benefit all children.

Maine Roads to Quality Professional Development Network (MRTQ PDN) – A statewide organization that works to promote and support professionalism in the field of early childhood education and out-of-school time programming and to improve quality through the provision of a statewide system of professional development.

Maine Roads to Quality (MRTQ) Registry – Maine's early childhood and out-of-school time professional recognition system. Registry members receive recognition for their experience working with children and families, ongoing training, and educational accomplishments in early childhood education or related fields.

Mileage reimbursement – A benefit offered to employees to provide full or partial financial support for travel related to training and education.

National Association for Family Child Care (NAFCC) – A national professional association dedicated to promoting quality child care by strengthening the profession of family child care. Their products and services include education, research, conferences, program accreditation, policy advocacy, and numerous publications.

National Association for Family Child Care (NAFCC) Accreditation Standards – The standards used by the National Association for Family Child Care to measure the quality of family child care programs. The NAFCC Accreditation Standards is recognized by *Quality for ME*.



National Association for the Education of Young Children (NAEYC) – A national professional association dedicated to improving the well-being of all young children, with particular focus on the quality of educational and developmental services for all children from birth through age eight. Their products and services include education, research, conferences, program accreditation, policy advocacy, and numerous publications.

National Association for the Education of Young Children (NAEYC) Accreditation Standards – The standards used by the National Association for the Education of Young Children to measure the quality of center based programs. The NAEYC accreditation system is recognized by *Quality for ME*.

Paid holidays – A benefit offered to employees to provide full or partial financial support for an employee when observing holidays not worked when the setting may, or may not, be open.

Paid personal time – A benefit offered to employees to provide full or partial financial support in the event an employee misses time worked to attend to personal business.

Paid sick time – A benefit offered to employees to provide full or partial financial support in the event an employee is unable to work due to illness.

Paid training – A benefit offered to employees to provide full or partial financial support for an employee pursuing further training/educational opportunities.

Paid vacation – A benefit offered to employees to provide full or partial financial support for an employee when taking time away from the workplace when the setting may, or may not, be open.

Parent advisory/involvement group – A group of interested parents and/or family members who advise a program's director/owner on program practices and organizes opportunities for family involvement.

Parent conferences – Opportunities for family members to connect with program staff and discuss children's development, strengths, areas of concern, and any other issues that parents/guardians or program staff want to address.

Parent resource library – A collection of books, articles, and other materials that parents can access at the program. Library items are often loaned out for a period of time and returned so that they may be loaned out to another family member or staff member.

Parent survey – A tool used to measure the level of satisfaction parents have with components of the program their child(ren) attend.

Physical development - The area of development that includes person's ability to acquire increased strength and coordination, refers to both gross and fine motor development.

Professional development activities – Activities that promote professional development including training and attending professional organization meetings (e.g. MaineAEYC, FCCAM, MRTQ CoPs).



Publicly funded child care/health insurance - Maine's DHHS encompasses programs that provide both subsidized child care and health care (MaineCare) to qualifying Maine families. DHHS actively pursues opportunities to distribute information about these programs.

Quality for ME - Maine's voluntary quality rating and improvement system.

Quality Rating and Improvement System (QRIS) – A set of standards used to evaluate and document the quality and program improvements of early care and education settings.

Reduced child care rates – A benefit offered to employees of an early care and education setting to provide full or partial financial support for the attendance of the employee's child(ren) at the setting.

Retirement plan – A benefit offered to employees to provide full or partial financial support to an employee after a pre-determined length of service and/or upon reaching a pre-determined age.

School Age Care – This designation applies to programs that operate as out-of-school time programs.

Self-assessment – A process of self-reflection to refine practices toward program improvement and the provision of high-quality care.

Sexual harassment policy – Policies designed to protect employees from receiving unwanted sexual attention in the workplace. These policies provide clear expectations about unacceptable behaviors and spell out the consequences of not adhering to these expectations.

Social/Emotional Domain – The area of development marked by self-awareness, self-concept, and interaction with peers and adults.

Staff meetings - Opportunities to discuss any matters pertinent to the program, track progress toward goals, disseminate information to staff regarding policies, changes, expectations, address issues particular to any child or group of children, and/or celebrate accomplishments. Evidence that these staff meetings have occurred should be included in the portfolio of supporting documentation. Evidence can include agendas, log book, or minutes.

Substantiated serious violations – Licensing violations that pose serious risk to children (see Appendix B for clarification).

Supporting Maine's Infants and Toddlers: Guidelines for Learning and Development – A guide for practitioners to use when linking programming and practice to the developmental milestones of children from birth to age three.

Tiered system – Tiered quality rating and improvement systems require participants to satisfy all criteria of one Step before moving on to the next higher Step.

Tuition reimbursement – A benefit offered to employees to provide full or partial financial assistance when an employee pursues additional training and/or educational opportunities.



Women, Infant, and Children (WIC) – A program that provides access to supplemental nutrition for low-income pregnant and nursing women and their children (up to age 5) who are at nutritional risk. The program provides some foods, health care referrals, and information on eating healthy.

Written daily communication – Communication between caregiver and family member that includes information about daily routines (eating, napping, toileting, etc.) and any additional pertinent information about the child’s day.

Written improvement plan – A written action plan based on program weaknesses identified through self-assessment and/or as a result of a formal observation.

Written philosophy about families and the program – The written expression of a program’s concept of the role of families in the program. Clear expectations between families and program staff can minimize misunderstandings, avoid potential disappointments and notably enhance a child’s early care experience



Appendix B: Serious Licensing Violations

Programs applying to *Quality for ME* must be in compliance with licensing regulations and have no substantiated serious violations for at least 12 and up to 36 months, depending on the Step. This Appendix describes those licensing violations defined as serious.

Family Child Care

Lack of Supervision

Children shall never be left alone.

- **No child left alone in vehicle.** The staff shall not leave any child alone in a motor vehicle.

Ratios shall be maintained at all times.

- **Number of children served.** A Family Child Care certificate permits a qualified person to care for three (3) to twelve (12) children between the ages of six (6) weeks old and thirteen (13) years old, according to age groups and staffing requirements detailed in Section IX.A of Rules for Family Child Care Providers. Effective August 2008, children living in the home who are five (5) years and older are not counted in determining the certificate capacity of a Family Child Care. All children in care who are younger than thirteen (13) years old shall be counted in child/staff ratios.
- **Adult to child ratios in vehicles.** There shall be one adult present for up to six preschool children transported. Additional preschool children shall be supervised according to staff-child ratios specified in Section IX of Rules for Family Child Care Providers. One adult person shall be in the vehicle for every three non-ambulatory children.

Children shall be actively supervised.

Providers or staff shall have knowledge of and accountability for the activity and whereabouts of each child in care, the ability to see or hear all children at all times and to provide prompt intervention when needed. Sound monitors alone shall not be considered as an acceptable form of supervision.

- **Constant supervision.** Staff must directly supervise children at all times. Children must be within sight and sound of staff.
- **Provider to be awake.** The provider shall be awake and alert to the needs of children (night time care).
- **Supervision of play area.** The provider or a staff person shall supervise the children when they are using the play area.

Any family child care provider that operates a swimming pool over twenty-four inches (24") deep at any point must be in compliance with Department of Health and Human Services, Maine Center for Disease Control and Prevention, Division of Environmental Health Rules Relating to Public Swimming Pools and Spas.



- **Water safety attendant on duty.** The family child care provider must have an appropriately trained water safety attendant, as required by these rules, present at all times during swim instruction or other swimming or wading activity.
- **Swimming pools.** For swimming pools, the water safety attendant must have completed within the past three (3) years a Department-approved basic water safety course that includes training in non-swimming water rescue techniques. A copy of the current certificate must be on file in the family child care. In a pool that is more than four (4) feet deep at any point, if a non-swimming rescue is not feasible, then a lifeguard must be on duty.
- **Wading pools.** For wading pools the water safety attendant on duty must hold a valid CPR certificate and a valid first aid certificate.
- **Off-site activities.** For swimming and wading activities away from the family child care premises, the family child care provider must provide an adequate number of water safety attendants, including lifeguards, as required by these rules, if the wading pool, swimming pool, beach, lake or water park operator does not.
- **Constant supervision.** Staff must directly supervise children at all times. Children must be within sight and sound of staff.
- **Staff to child ratios.** The staff-to-child ratio must be maintained at all times.
 - If the pool is more than four (4) feet deep at any point, only adults who can swim may be counted in the staff-to-child ratios.
 - For swimming pools, water safety attendants, including lifeguards, and swimming instructors do not count toward staff-to-child ratios. Water safety attendants, including lifeguards, must be stationed outside and next to the swimming pool.
 - Exception. If three (3) or fewer children are in the swimming pool and the water safety attendant is stationed outside and next to the swimming pool, the water safety attendant may count toward the staff-to child ratio.
 - Wading pools. For wading pools, water safety attendants may count toward staff-to-child ratios.

Administrative negligence

Children shall be cared for by qualified personnel.

A Family Child Care Provider shall be at least eighteen (18) years old.

- **Background checks required.** Criminal history reports, motor vehicle reports, Out-of-Home Abuse Investigation Reports and child protection reports shall be obtained for each individual applicant for a certificate, and for each paid, unpaid, temporary or regular staff member or volunteer, in a Family Child Care. Criminal history reports, Out-of-Home Abuse and Neglect Investigation reports and child protection reports shall also be obtained for any adult living in or frequenting the Family Child Care.

Staff or volunteers who are at least 16 years old and under 18 years old, shall be under the direct supervision (within sight or sound) of a staff member who is over age 18.



A staff member who is certified in basic adult, child, and infant First Aid and cardiopulmonary resuscitation (CPR) shall be present at all times while child care is being provided.

- **Driver requirements.** Any person assigned by the provider to drive children under care shall have the proper license to drive the class of motor vehicle being used.

Children shall be protected from abuse and neglect.

- **Constructive methods of guidance.** The Family Child Care shall use only constructive methods of guidance. This may include, but is not limited to interventions such as conflict resolution, encouraging the use of language skills, redirecting, providing choices, positive reinforcement, recognizing of a child's strengths, and allow for individual differences.
- **Actions that might be harmful to children are strictly forbidden.** No child shall be subjected to an action or practice detrimental to the welfare of children as defined by the Department of Health and Human Services in Section VIII.A.1, Rules for Family Child Care Providers.
- **Abuse and Neglect in the Family Child Care.** The provider shall ensure that staff, volunteers and others living in the household or frequenting the Family Child Care do not abuse or neglect the children in any way, including physical, sexual, or emotional abuse.
- **Reporting requirement.** The provider and all child care personnel (staff) are required to report to the Department of Health and Human Services when there is reasonable cause to suspect abuse or neglect of a child under the age of eighteen (18). The Family Child Care shall make all child care personnel aware of their status and responsibility as mandated reporters of suspected abuse or neglect of a child.

Children shall have health and medication needs met safely.

- **Accidents and sudden illness.** The provider shall immediately notify the child's parent or guardian of any serious illness, injury, or accident involving their child. If the parent is not available at the time of emergency, the provider must notify an adult designated by the parent. For any serious illness or injury, the provider shall seek appropriate medical attention.
- **Giving medication.**
 1. The provider shall give a child prescription medication only upon written, signed and dated order from either a parent or a physician.
 2. The provider shall only give medication prescribed for the specified child, according to the label instructions on the original container.
 3. The provider shall not give any nonprescription medications to a child without written permission from the parent. Verbal permission is allowed in emergencies if the provider makes a written note and then gets written permission from the parent as soon as possible.
 4. The provider shall keep a written record, noting each time any prescription and nonprescription medication is given to a child.



- **Napping/resting.** Infants shall be placed on their backs for sleeping, unless contraindicated by a physician. Placing children on their abdomens for sleeping shall be avoided, unless specifically instructed by the child's physician to do so.

Sleeping infants shall be checked at least every thirty (30) minutes.

Smoking is prohibited on the premises when children are present. This includes all indoor and outdoor areas used by the Family Child Care where children may be present.

Environmental Hazards

Children shall be cared for in facilities appropriately maintained and inspected.

The Family Child Care provider shall take immediate steps to correct any condition in the physical building or on the premises, which poses a danger to children's life, health or safety.

Children shall be provided with safely maintained space.

- **Safety in moving vehicles.** Children shall be seated with seat belts fastened or in child safety seats as required by State law, while the vehicle is in motion. All children age twelve (12) and under shall ride in the back seat.

Children shall not be exposed or have access to unsafe equipment and materials.

- **Safe outdoor equipment.** All equipment shall be firmly secured, clean, and in proper repair.
- **No weapons.** Weapons shall not be carried in any vehicle in which children are riding. Firearms shall be kept unloaded and, along with any other weapons, shall be locked up to prevent contact by children. Ammunition shall be locked in a separate location from weapons.

Any medications, cleaning supplies, toxic substances, matches, lighters, power tools, and other items dangerous to children shall be kept where children cannot see or reach them.

- **Size of toys, food or other objects.** Infants and toddlers shall not be allowed to use toys or objects which could be swallowed or cause choking. Foods that are choking hazards due to the size, shape or texture shall not be served to infants and toddlers.
- **A crib or bed for each child.** A provider who offers nighttime care shall have a safe and sturdy crib for each infant, and a safe and sturdy bed or cot with mattress and a pillow for each older child.

Violating the rights of children in family child care settings.

- **Right to freedom from abuse and neglect.** Children shall be free from mental, verbal, physical and/or sexual abuse, neglect and exploitation.
- **Right to confidentiality.** Children's records and information kept by the Family Child Care are confidential. Family Child Care shall follow the Rules regarding confidentiality as outlined in Section V.D of these Rules.



- **Right to freedom from harmful actions or practices.** Each child has the right to freedom from harmful actions or practices that are detrimental to his/her welfare and to practices that are potentially harmful to the child.
- **Right to a safe and healthy environment.** Each child has a right to an environment that meets the health and safety standards in these Rules.
- **Right to be free from discrimination.** A child shall be provided child care without regard to race, age, national origin, religion, disability, sex or family composition.
- **Right to consideration and respect.** Children shall be treated with dignity, consideration and respect in full recognition of their individuality. This includes the use of developmentally appropriate practices by the Family Child Care.
- **Right to be informed of services provided by the Family Child Care.** A child's legal guardian shall be fully informed of items or services which are included in the rate they pay for children attending the Family Child Care.
- **Right to information regarding the Family Child Care's deficiencies.** A child's legal guardian has the right to be fully informed of findings of any certification review conducted by the Department. The Family Child Care shall inform children's legal guardian that the certification review results are public information and available for examination upon request. Legal guardian shall be notified in a timely manner by the Family Child Care provider of any actions proposed or taken against the Family Child Care by the Department, including but not limited to, decisions to issue conditional certificates, refusal to renew a certificate or to impose fines or other sanctions.
- **Right to a service plan.** Each child has the right to expect the provider to assist him/her in implementing any reasonable plan of service developed with community or state agencies.
- **Right to a variety of appropriate activities, materials and equipment.** Each child has a right to a variety of activities, materials and equipment that meets the child's interests and capabilities.
- **Mandatory report of rights violations.** Any person or professional who provides health care, social services or mental health services or who administers a Family Child Care who reasonably believes that the Rules pertaining to children's rights and the conduct of childcare have been violated, shall report this information to the Department's Child Care Licensing Unit. Any person reporting suspected abuse and neglect shall report this information to Child Protective Intake Services, pursuant to Title 22 M.R.S.A. § 4011-A and Section XVI of these Rules. Documentation shall be maintained in the Family Child Care that a report has been made.
- **Reasonable modifications and accommodations.** To afford individuals with disabilities the opportunity to participate in a Family Child Care, the Family Child Care shall act as follows:
 1. The Family Child Care shall make reasonable modifications to their policies and practices to include children, parents and guardians with disabilities, unless to do so would be a fundamental alteration of their program.
 2. The Family Child Care shall make the home accessible to people with disabilities. Existing homes must remove any readily achievable barriers, while newly



constructed homes and any altered portions of existing homes must be fully accessible. If existing barriers can be easily removed without much difficulty or expense, providers must remove those barriers immediately even if there are no children with disabilities using the program (rearranging tables, chairs or other furniture are examples of readily achievable barrier removal).

Additional Information

- **Grounds for intermediate sanctions.** The following circumstances shall be grounds for the imposition of intermediate sanctions:
 1. Impeding or interfering with the enforcement of laws or rules governing the certifying of a Family Child Care, or giving false information in connection with the enforcement of such laws and rules; and/or
 2. Failure to comply with Rights for Children in Family Child Care, Section VI of these Rules.

Disclaimer

The Department will consider licensing violations on a facility by facility basis and reserves the right to determine whether serious risk to children was present, either as defined by these guidelines, or in some other manner not stated herein.



Center-Based Care, Including Head Start and Out-of-School Time

Lack of Supervision

Ratios shall be maintained at all times.

- **Children under six (6) weeks of age.** No child under six (6) weeks of age, as verified by a birth certificate, shall be cared for in a Child Care Facility.
- **Children of staff members.** Children of staff members shall be counted in the appropriate age groups when in care at the facility.
- **Supervision for each child.** Each child, during both indoor and outdoor times, shall be supervised by a child care staff member who is aware of and responsible for the ongoing activity of each child and who is near enough to the children to intervene when needed.
- **Supervision while napping.** The facility shall provide supervision to children during napping and/or sleeping hours and at all other times by awake staff.
- **Adult to child ratios in vehicles.** There shall be one (1) adult present for up to six (6) preschool age children, infants, or toddlers transported. Additional preschool age children shall be supervised in accordance with staff/child ratios, Sections XXVII.A. and XXIX.A.1. *Rules for the Licensing of Child Care Facilities.*

In addition, one (1) staff person or adult volunteer per every three (3) non-ambulatory children must be present in the vehicle.

- **Swimming and wading activities – water safety attendant on duty.** The child care facility must have an appropriately trained water safety attendant, as required by Section XVI of 10-148 Chapter 32 of the *Rules for the Licensing of Child Care Facilities*, present at all times during swim instruction or other swimming or wading activities.
- **Constant supervision.** Staff must directly supervise children at all times as outlined in section XVI of 10-148 Chapter 32.

If the pool is more than four (4) feet deep at any point, only adults who can swim may be counted in the staff-to-child ratios.

For swimming pools, water safety attendants, including lifeguards, and swimming instructors do not count toward staff-to-child ratios. Water safety attendants, including lifeguards, must be stationed outside and next to the swimming pool.

- **Exception.** If three (3) or fewer children are in the swimming pool and the water safety attendant is stationed outside and next to the swimming pool, the water safety attendant may count toward the staff-to-child ratios.
- **Wading pools.** For wading pools, water safety attendants may count toward staff-to-child ratios.
- **Outdoor supervision.** All parts of the playground must be under constant view of the supervising staff.



Administrative Negligence

Children shall be cared for by qualified personnel.

There must be present at all times a staff member in each Child Care Facility who is currently certified in first aid and infant, child, and adult Cardiopulmonary Resuscitation (CPR).

- **Licensed driver.** Any person authorized by the facility to transport children shall be properly licensed to operate that class of vehicle.

All staff and volunteers who transport children as part of their regular duties shall complete the Department-approved children's transportation training.

- **Personnel record must contain:**
 - Record of SBI (State Bureau of Investigation) criminal history report. Record of Child Protective Services Record check. These shall be applied for prior to or at the time of employment.
 - Annual motor vehicle check for all persons employed in any Child Care Facility in a capacity involving the transporting of minors as stated in the Child Protection Act, 17 M.R.S.A. § 2872.

Children shall be protected from abuse and neglect.

- **Positive methods of child guidance.** Staff shall use positive methods of child guidance which encourage self-control, self-direction, self-esteem, and cooperation. Child guidance shall meet the individual needs of each child.
- **Actions that might be harmful to children are strictly forbidden.** No child shall be subjected to an action or practice detrimental to the welfare of children as defined by the Department of Health and Human Services in Section VIII.A.5. Rules for the Licensing of Child Care Facilities.

Children shall have health and medication needs met safely.

- **Accidents and sudden illness.** The facility shall immediately notify the child's parent or guardian of any serious illness, injury, or accident involving their child. An adult designated by the parent or legal guardian shall be notified immediately should the parent or legal guardian be unavailable at the time of the emergency.
- **Administration of medication:**
 - Written orders required. The facility shall administer prescription medication only upon written order from a physician or according to the labeled instructions on the original medicine container and with a written, signed, and dated request from the parent or legal guardian.
 - Recording the administration of medications. The facility shall record the administration of all medications, including the amount, time, date, and signature of the administrator of the medication.
 - Nonprescription medication. The facility shall not administer any nonprescription medication to a child without written, signed, and dated parental permission naming the medication and dosage. Verbal permission is



allowed in emergencies if the provider makes a written note and then gets written permission from the parent as soon as possible.

- **Infant toddler program:**

- Napping/resting. Infants shall be placed on their backs for sleeping, unless contraindicated by a physician. Placing children on their abdomens for any reason shall be avoided, unless specifically instructed by the child's physician to do so.
- Smoking is prohibited on the premises when children are present. This includes all indoor and outdoor areas used by the facility, where children may be present.
- Mandatory reporting. The facility shall make all child care personnel aware of their status and responsibility as mandated reporters to the Department of Health and Human Services when there is reasonable cause to suspect abuse or neglect of a child under the age of eighteen (18).

Environmental Hazards

Children shall be cared for in facilities appropriately maintained and inspected.

The facility shall take immediate steps to correct any condition in the physical facility or on the premises, which poses a danger to children's life, health, or safety.

Children shall be provided with safely maintained space.

- **Vehicle requirements:**

1. Number of passengers. The number of persons transported in any vehicle shall not exceed the seating capacity of the vehicle.
2. Safety in vehicles. No child shall be permitted to remain in any vehicle while it is unattended. Children must be seated with seat belts fastened or in child safety seats (when applicable according to State law) while the vehicle is in motion.
3. The driver shall wear a seat belt.
4. All children age twelve (12) and under shall ride in the back seat.
5. One child per seat belt. The buckling of more than one child in a single seat is prohibited.
6. Weapons in vehicles. Weapons shall not be transported in any vehicle in which children are riding.

Children shall not be exposed to or have access to unsafe equipment and materials.

Weapons, firearms, and ammunition are prohibited in child care facilities.

All medications, cleaning supplies, toxic substances, matches, lighters, power tools, and items dangerous to children shall be stored in such a way as to be inaccessible to children, even in rooms which are not used by children.

A separate mat, bed, or cot with blanket or sleeping bag shall be provided to each toddler and preschool age child in care for more than four hours per session.



Violating the Rights of Children

- **Right to freedom from abuse and neglect.** Children shall be free from mental, verbal, physical and/or sexual abuse, neglect, and exploitation.
- **Right to confidentiality.** Children's records and information kept by the Child Care Facility are confidential. Child Care Facilities shall follow the Rule regarding confidentiality as outlined in Section X.D of Rules for the Licensing of Child Care Facilities.
- **Right to freedom from harmful actions or practices.** Each child has the right to freedom from harmful actions or practices that are detrimental to his/her welfare and to practices that are potentially harmful to the child.
- **Right to a safe and healthy environment.** Each child has a right to an environment that meets the health and safety standards of these Rules.
- **Right to be free from discrimination.** A child shall be provided child care services without regard to race, age, national origin, religion, disability, sex, or family composition.
- **Right to consideration and respect.** Children shall be treated with dignity, consideration, and respect in full recognition of their individuality. This includes the use of developmentally appropriate practices by the Child Care Facility.
- **Right to be informed of services provided by the Child Care Facility.** A child's legal guardian shall be fully informed of items or services which are included in the rate they pay for child care services.
- **Right to information regarding the Child Care Facilities' deficiencies.** A child's legal guardian has the right to be fully informed of findings of the most recent licensing review conducted by the Department. The Child Care Facility shall inform children's legal representatives that the licensing review results are public information and available for examination upon request. Legal representatives shall be notified in a timely manner by the Child Care Facility of any actions proposed or taken against the Child Care Facility by the Department, including, but not limited to, decisions to issue conditional licenses, refusal to renew a license or to impose fines or other sanctions.
- **Right to a service plan.** Each child has the right to expect the provider to assist him/her in implementing any reasonable plan of service developed with community or state agencies.
- **Right to a variety of appropriate activities, materials, and equipment.** Each child has a right to a variety of activities, materials, and equipment that meets the child's interests and capabilities.
- **Mandatory report of rights violations.** Any person or professional who provides health care, social services or mental health services or who administers a Child Care Facility or program who reasonably believes that the Rules pertaining to children's rights and the conduct of child care have been violated, shall report this information to the Community Services Center, Child Care Licensing Unit. Any person reporting suspected abuse and neglect shall report this information to Child Protective Intake Services, pursuant to Title 22, M.R.S.A. § 4011 and Section XXII of Rules for the



Licensing of Child Care Facilities. Documentation shall be maintained in the facility that a report has been made.

- **Reasonable modification and accommodations.** To afford individuals with disabilities the opportunity to participate in a child care program, the Child Care Facility shall act as follows:
 1. The Child Care Facility must make reasonable modifications to their policies and practices to include children, parents, and guardians with disabilities, unless to do so would be a fundamental alteration of their program.
 2. The Child Care Facility must make the facility accessible to people with disabilities. Existing facilities must remove any readily achievable barriers, while newly constructed facilities and any altered portions of existing facilities must be fully accessible. If existing barriers can be easily removed without much difficulty or expense, providers must remove those barriers immediately, even if there are no children with disabilities using the program. (Installing offset hinges to widen a door opening, installing grab bars in toilet stalls, or rearranging tables, chairs, or other furniture are all examples of readily achievable barrier removal.)

Additional Information

- **Grounds for intermediate sanctions.** The following circumstances shall be grounds for the imposition of intermediate sanctions:
 1. Impeding or interfering with the enforcement of laws or rules governing the certifying of a Child Care Facility, or giving false information in connection with the enforcement of such laws and rules; and/or
 2. Failure to comply with Rights for Children in a Child Care Facility, Section XI of these Rules.

Disclaimer

The Department will consider licensing violations on a facility by facility basis and reserves the right to determine whether serious risk to children was present, either as defined by these guidelines, or in some other manner not stated herein.