

Response to Comments Received
FFY 2019-2021 Child Care and Development Fund (CCDF) State Plan
Office of Child and Family Services
Department of Health and Human Services
Comment Period Ending June 18, 2018

The Department of Health and Human Services (DHHS) is designated as the lead agency with the primary responsibilities for the planning and administration of the Child Care and Development Fund (CCDF).

In accordance with Public Law 113-186, the Child Care and Development Block Grant (CCDBG) Act of 2014, and MRS Title 5, Chapter 375, 9052 a public hearing was held by the Maine Department of Health and Human Services, Office of Child and Family Services. The purpose of the hearing was to seek public and provider input and comment on the draft plan for the provision of child care services funded by the Federal Child Care Development Fund. The State Plan describes Maine's plan to support the state's child care infrastructure and comply with the federal requirements of the Child Care and Development Block Grant (CCDBG) Act of 2014.

A public hearing notification was published in four Maine Newspapers and a copy of the announcement was made available on the State of Maine OCFS website and distributed to stakeholders upon request.

One public hearing was held on June 18, 2018 from 10a.m.-12p.m in Augusta, Maine with remote access through Zoom with video and telephone capabilities.

Participants were invited to present comments and questions regarding the State Plan. Comments are summarized below in order of commenters at the hearing and written in order of receiving written response. Comments are summarized below and like comments with the same general intent are synthesized into a single comment with a response that follows.

Public Hearing Commenter Number, Name, and Organization:

Commenter #1: Margaret Leitch Copeland

Commenter #2: Chantel Pettengill, Child Care Advisory Chair

Commenter #3: Lori Bozeman

Commenter #4: Melanie Collins

Commenter #5: Roslyn Fisher, Child Care/Jobs Team of Faith Linking in Action

Commenter #6: Tara Williams, Maine Association for the Education of Young Children

Written Commenter Number, Name, and Organization:

Commenter #7: Peter Lindsay, United Way of Mid Coast Maine

Commenter #8: Lori Moses, Catherine Morrill Day Nursery

Commenter #9: Jody Harris, Maine Center for Economic Policy

Commenter #10: Deborah Arcaro, The Family Child Care Association of Maine

Commenter #11: Dewey Meter

Commenter #12: June Holman, Child Care Provider

Commenter #13: Steve Brier, Little Dolphin School Foundation

Commenter #14: Becky Smith, American Heart Association

Commenter #15: Joby Thoyalil, Maine Equal Justice Partners

Commenter #16: Kathy Folan, Home Away from Home Childcare

The following responses will address concerns and provide clarification.

1.2.2a

Commenter #15 – Would like the Department to clarify how it intends to meet a 30-day eligibility from receipt of application to comply with State law. The eligibility process is cumbersome and needs improvement to minimize disrupting parents' lives. Recommends having one total application form over a financial and a program process.

The Child Care Subsidy program strives to complete program eligibility within 30 days of receiving the Child Care Subsidy Program application. The Lead Agency will not make changes to the State Plan based on this comment.

1.2.2b

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department fund a resource and referral network.

The Lead Agency will not be adding this to the State Plan as a result of this comment.

Commenter #11 – Recommends the Department add Career Centers to the section.

Career Centers will not be added to this section as they do not locate child care but refer to the resources discussed in 1.2.2b.

1.2.5

Commenter #15 – Recommends providers be required to maintain confidentiality.

The following language has been added based on current CCSP provider agreements signed by providers. “CCSP providers sign an agreement to maintain confidentiality of all records and other information concerning parents and/or children, with the exception of authorized disclosures to staff of the Department of Health and Human Services or other authorized State or Federal agency staff in accordance with law.”

1.3.1

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12 – Recommends the Department include the CCAC and MCGC in the process of the State plan.

The Lead Agency will take into consideration beginning the process of consultation with the CCAC and MCGC in development of the state plan earlier in the development of the FFY 2022.

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department hold a meeting with the Family Child Care Association of Maine and the Maine Association for the Education of Young Children.

The Lead Agency will consider attending meetings with the Family Child Care Association of Maine and the Maine Association for the Education of Young Children at time of invitation and schedule permitting.

Commenter #8 – Recommends the Department hold some public hearings in the evening for greater availability of providers.

The Lead Agency will take this comment into consideration for the next CCDF state plan’s public hearing.

1.4

Commenter #6, Commenter #7, Commenter #8, Commenter #10 - Recommends specific goals be set with each coordinating partner. Goals that could include contracts, grants, and scholarships for center and family child care.

The Lead Agency will continue to coordinate and communicate with each of the partners listed in the state plan. No additional language will be added to the state plan at this time.

Commenter # 8 – Recommends the goals be especially for under-served geographic areas or populations.

The Lead Agency’s efforts for coordination with each partner includes considerations for all geographic areas and populations throughout the state.

1.4.1

Commenter #15- Would like clarification on the goals of State with tribal communities and wait list for tribal members.

The language has been added to the state plan “The initial goal was to increase communication and increased awareness of dual eligibility”

1.5.1

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department use more funding sources and combine funding options. Commenter #8 would like the Department to draw down every dollar available.

Funding is only received by State and Federal funds. Funds drawn are based on need.

1.5.2

Commenter #7, Commenter #11, Commenter #15 – Recommends the State include a budget of the dollar amount of the public funds.

Funding is only received by State and Federal funds.

1.7.1

Commenter # 2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12 – Recommends the Department reinstate the use of CCR&Rs to increase accessibility, supply, and quality of early care.

The Lead Agency will not be adding CCR&Rs.

1.8.1.

Commenter #2, Commenter #4 – Recommends time be allowed for the development of the disaster plan.

Comments or concerns regarding the disaster plan submitted to the Lead Agency will be considered. The Lead Agenda does not create the agenda for CCAC meetings.

2.1.1

Commenter #9- Recommends the Department create consumer education and outreach on awareness of children and families of color and on linguistic and cultural needs.

The Lead Agency will not add this language to the state plan.

Commenter #15 – Recommends the Department help providers working with individuals that have limited English proficiency and set goals to achieve this.

The Lead Agency will not add this language to the state plan. The Department currently has a translation service that is used across the Department, including CCSP.

2.2.1

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department make available the option for any type of parent complaint and not just child abuse.

The Lead Agency has added the following language to the state plan “In addition, any parental complaints can be reported to the Department through means of phone, fax, or email.”

2.2.5

Commenter #6, Commenter #8, Commenter #11- Would like clarification on how the public can obtain the information on substantiated complaints.

The Lead Agency added the following language, “In addition, the public can contact their local licensing specialist for substantiated complaints.”

2.3.4c

Commenter #6, Commenter #7, Commenter #8, Commenter #10 – Recommends updating the link.

The link has been updated. <http://www.maine.gov/dhhs/ocfs/ec/occhs/licensing.htm>

2.3.7

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12 – Recommends the Department describe the plan for what will happen after the waiver ends. In addition, include a review of the Informal Dispute Resolution to improve the appeal process.

The Lead Agency’s plan is to update the computer system to include all CCDF requirements of monitoring and inspections. The Child Care Choices website will reflect these updated changes.

Commenter #16 – Recommends the Department ensure that all postings are fair and in language all can understand. Also, to have a process that is not expensive to dispute errors in record keeping.

The Lead Agency will not be changing the language of the state plan based on these comments. The Department currently has a translation service that is used across the Department, including CCSP.

2.3.8

Commenter #2, Commenter #4, Commenter #12 – Recommend the Department redefine their definition of substantiated abuse and only include if it has been definitively substantiated.

The Lead Agency will not be changing the language of the state plan based on these comments.

2.5.4

Commenter #6, Commenter #8, Commenter #10 – Recommends the addition of a link to recourses on child health & nutrition.

The Lead Agency has added the following link to their Health and Safety webpage:
<http://muskie.usm.maine.edu/maineroads/health.htm>

2.5.5

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department expand its explanation and add CCR&Rs.

The Lead Agency will not make changes to the state plan based on these comments.

2.5.6

Commenter #6, Commenter #7, Commenter #8, Commenter #10, Commenter #11, Commenter #15 – Recommends the Department have a policy for expulsion and suspensions of children.

The Lead Agency will not make changes to the state plan based on these comments. MRTQ has resources and District Coordinators statewide in all eight of Maine’s districts to provide technical assistance and onsite consultation to providers and parents on many topics that include behavior management, expulsion, and suspension.

Commenter #6, Commenter #8, Commenter #10 – Recommends working with MCGC to incorporate their report and create a voluntary statewide early childhood consultation program to provide support and guidance to educators.

Lead Agency will not make changes to the state plan based on these comments. MRTQ has resources and District Coordinators statewide in all eight of Maine’s districts to provide technical assistance and onsite consultation to providers and parents on many topics that include behavior management and social emotional development.

2.6.1b

Commenter #8, Commenter #10, Commenter #11- Recommends the Department add to Screening, Diagnosis, and Treatment section clarification on DOE (CDS) being the body that administers developmental screenings and a link to specific Maine developmental screenings.

The Lead Agency has added the language to the state plan, “The Department’s webpage provides resources for information on developmental screenings.

<http://www.maine.gov/dhhs/children.shtml>”

2.7.1c

Commenter #8, Commenter #10 – recommends the addition of a link.

The Lead Agency has added the link to the state plan.
<http://www.childcarechoices.me/SearchForChildcare.aspx#>

3

Commenter #6, Commenter #8, Commenter #10, Commenter #12 – Recommends the Department consider continuing child care subsidies for children with developmental delays an extra year before Kindergarten.

The Lead Agency provides continuation of reimbursement rate for a child delaying kindergarten until seven years of age upon request.

3.1.1

Commenter #2, Commenter #4 – Recommend the Department allow for children ages 13 and older but below 19 years old.

The Lead Agency will not make changes to the state plan based on these comments.

3.1.1 c

Commenter #2, Commenter #4, Commenter #15 – Recommends the Department consider children age 13-18 under court supervision to have CCSP assistance.

The Lead Agency will not make changes to the state plan based on these comments.

3.1.2

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12, Commenter #15 – Recommends the Department allow parents to qualify for CCSP based on education and training alone. This could include learning to drive or speak English.

The Lead Agency will not make changes to the state plan based on these comments.

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10 – Recommends include the following in the initial eligibility criteria to include engaging in a job search or seeking employment for parents that are homeless and include foster care.

The Lead Agency will not make changes to the state plan based on these comments.

3.1.6

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12 – Recommend the Department lay out specific policies and procedures around providing more continuity of care for each family and individual child's needs. Examples include partnering with Head Start, Pre-K, and family and center-based child care to create a package of arrangements that accommodates parent's work schedules; providing more intensive case management for families with children with multiple risk factors; and including in the eligibility determination process a question about whether a child has an Individualized Education Program or Individual Family Service Plan. Layer care and create packages for continuity of care. This is especially important when there are special needs, the need for night care, wrap around care, and/or other challenging situations.

The Lead Agency will not make changes to the state plan based on these comments.

3.1.9

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12 – Recommends the Department extend the time allowed to replace documents.

The Lead Agency will not make changes to the state plan based on these comments. Services cannot be provided without proof of identity unless

Commenter #2, Commenter #4, Commenter #12 - Recommends the Department continue to allow self-employed to produce notarized self-verification of income in the form of cash flow charts, profit and loss statements or other documents to be acceptable proof of income until the next tax document is officially filed. Banks allow this all the time. Recommend: Allow notarized letters in the absence of official court documents for child support and alimony payments. Recommend: Letter of Just Cause be allowed in cases where support collection or verification would cause potential harm to the client or the child ie ... including but not limited to...restraining orders, violent history or drug use.

The Lead Agency has added profit and loss statement as proof of income into the state plan.

3.1.10

Commenter # 3, Commenter #6, Commenter #8, Commenter #10, Commenter #16 – 30 Days for eligibility is too long and the process should be shortened. A two-week notice for eligibility ending.

The Lead Agency will not make changes to the state plan based on these comments.

Commenter #2, Commenter #4, Commenter #12 - Recommends the Department eligibility determinations should be completed within 10 calendar days of receiving an initial application whether it is initially complete or incomplete. Ultimately, this process should be complete within 24 hours' potential job loss can result from unnecessary delays in this process. 24-48 hours should be the target goal if additional information is not needed, and 10 days if additional information is needed. Eligibility, when in receipt of a completed application, should take no more than 48 hours. Incomplete applications should be retained for 6 months and during that time, monthly reminder notices and telephone calls to the parent and the provider (if known) should be required of the lead agency. The agency should use all means of contact to the parent and to the provider for all information requests, (text, phone, email, mail etc.) within 1 business day of the initial application. In addition, once all information is received, notification of eligibility should be completed using all means of communication stated above, within 2 business days. To track accountability and integrity of the Department, the Lead Agency should track eligibility determinations and report the time that it takes for eligibility, monthly.

The Lead Agency will not make changes to the state plan based on these comments.

3.2

Commenter #2, Commenter #4, Commenter #12 - Recommends the Department have expeditious approval process for homeless children is vital for the wellbeing of a child in this situation.

The Lead Agency will not make changes to the state plan based on these comments.

3.2.1

Commenter #16 – Recommends the Department allow a delay of two years for a child with special needs to attend school and extend the age to 19 for services.

The Lead Agency provides continuation of reimbursement rate for a child delaying kindergarten until seven years of age upon request.

3.2.1d

Commenter #2, Commenter #4 - Recommends the Department allow for 12-week job search for initial eligibility.

The Lead Agency will not make changes to the state plan based on these comments.

Commenter #6, Commenter #7, Commenter #8, Commenter #10 – Recommends goals for families transitioning from TANF.

The Lead Agency has corrected its response as this question is not applicable as we do not prioritize individuals with TANF.

Commenter #15 – Does the Department plan to prioritize these services?

The Lead Agency has corrected its response as this question is not applicable as we do not prioritize individuals with TANF.

3.3.1

Commenter #2, Commenter #4 - Recommends the Department align with other programs for 12-month eligibility before review.

The Lead Agency will not make changes to the state plan based on these comments.

Commenter #12 – Recommends the Department 12-month eligibility should not be affected by income changes, job loss, and be aligned with other reviews. This is a great change to the program that will support continuity of care as long as the 10-day reporting is very clear and late parent fee payments are not used to unfairly bump people off of the program and require them to re-apply and cause additional re determinations. In the case of job training or educational program, it should say ‘enrolled’ instead of ‘attending’.

The Lead Agency will not make changes to the state plan based on these comments.

Commenter #2, Commenter #4, Commenter #12 - Recommends the Department change the language to state, temporary job loss allowance should say, while the parent is still ‘employed’ instead of still ‘working’.

The Lead Agency will not make changes to the state plan based on these comments.

Commenter #15 – Recommends the Department includes any changes in residency within the state and any change of age during the 12-month eligibility period.

The lead Agency has added the following language to the definition of temporary change, “that does not exceed 3 months or a longer period established by the Lead Agency; any changes in age, including turning 13 years old during the 12-month eligibility period; and any changes in residency within the state, territory, or tribal service area.”

Commenter #15 – Would like clarification of CCSP Policies in effect.

The Lead Agency has changed the language to the state plan to “The proposed CCSP Rule changes have not been promulgated yet contain definition 1.81 Temporary Change which will reflect CCDF requirement. Temporary Change in the proposed rules is defined in the state plan under section 3.3.1b.

3.3.2

Commenter #15 – Recommends the Department allow for after a 3-month period of job search to have a parent be again eligible once they have been determined again eligible. To check policy corresponding to link. Questions the Departments ability to discontinue assistance prior to 12-month for owing parent fees, the Department restitution, or not cooperating with ASPIRE, moving out of state, or unacceptable absences.

A parent is deemed eligible again once after a 12-week job search if they are participating in a qualified activity. The Lead Agency is within CCDF guidelines of discontinuing assistance regarding owing parent fees, the Department restitution, or not cooperating with ASPIRE, moving out of state, or unacceptable absences.

Commenter #2, Commenter #4, Commenter #12, Commenter #16- Recommends changing “unacceptable absences” to “excessive unexplained absences”

The Lead Agency will not make changes to the state plan based on these comments.

Commenter #2, Commenter #4, Commenter #12 – Recommends the Department add the language, “The parent had a case denied by the department due to proven fraud with the ASPIRE requirements that has determined that there was a misrepresentation by the parent, after issuance of an administrative hearing decision which determined that the intentional misrepresentation occurred or the parent waives an administrative hearing.” Closure of an ASPIRE case can be for a reason as simple as the client missed a scheduled meeting and this closure can be subject to many variables beyond the clients control and should not immediately be considered to represent fraudulent activities and negate involvement in another program. To do so would restrict a family’s options if they cannot designate the time to fight a simple closure of benefits due to insignificant determinations like neglected to attend a meeting or appeared to neglect to pass in work search verification. Closure of Aspire, does not necessarily constitute fraud or non-compliance. This allows families to have more opportunities continue to work and not lose eligibility based on possible errors or subjective situations which clients may not have the capacity, resources or time to fight or understand.

The Lead Agency will not make changes to the state plan based on these comments.

3.3.3

Commenter #2, Commenter #4, Commenter #12, - Does 10-day reporter mean that they will lose their subsidy if they don't report everything or only the things that are stated in B? If OFI closes other programs due to ineligibility, will 12 months still apply to childcare eligibility, or could their childcare services end prior to the 12 months? Will they lose subsidy if OFI closes?

Recommend: Changing this to 10 business days instead of calendar days and allowing an extension for extenuating circumstances. Family tragedy, major events or major Holiday weeks can make this reporting requirement difficult to meet and it would be unfortunate to see a family lose their childcare subsidy, simply because they had the misfortune of having a reportable event occur during the holidays.

The Lead Agency will not make changes to the state plan based on this comment. Maine Care, SNAP, ASPIRE, and TANF are not governed by CCDF.

Commenter #9 – Recommends to continue 12-month eligibility regardless of job-loss.

The Lead Agency will not make changes to the state plan based on this comment.

Commenter #2, Commenter #4, Commenter #12, Commenter #16 – Recommends two-week reporter and to have Department clarify what is required to be reported. Parent fees requiring a reduction be done in 7 business days.

The Lead Agency will not make changes to the state plan based on this comment.

3.3.4

Commenter #2, Commenter #4, Commenter #12 – Recommends the Department consider checking the box labeled “other” and allowing an extension for extenuating circumstances. i.e. Death in the family, eviction or holidays can delay the parent's ability to gather required documents in a timely manner. Also, recommend reminder notification of review outlining required documentation to the parent and the provider with 60 days' advance notice.

The Lead Agency will not make changes to the state plan based on this comment.

3.4.1

Commenter #2, Commenter #4, Commenter #12 – Recommend family size be accounted for in the parent fee.

Family size is accounted for in the parent fee

Commenter #15- Would like clarification on parent co-payment and sliding fee on the chart. Recommends the Department use no more than 7% of a family's income to determine parent fee.

The Lead Agency will not make changes to the state plan based on this comment.

3.4.4

Commenter #15 – recommends the Department waive co-payments for families with income under 100% FPL.

The Lead Agency will not make changes to the state plan based on this comment. Copayments are based on a sliding fee scale. Copayments can be as low as \$0.

3.4.6

Commenter #15- Recommends the Department consider a family's essential expenditures when determining co-payments.

The Lead Agency will not be changing the language of the state plan based on these comments.

4

Commenter #9 – Recommends the Department have rates that ensure sufficient cost for caring for infants and toddlers.

The Lead Agency conducts market rate surveys to determine rates. The lead agency will be paying 75% reimbursements rates as of 06/30/2018 as recommended by CCDF.

4.1.2

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department improve information provided to families searching for child care.

MRTQ is currently in the process of updating the Child Care Choices website. If a parent requests, a CCSP financial resource specialist (FRS) can mail a printed list of providers from the Child Care Choices webpage.

4.2.5

Commenter #2, Commenter #4, Commenter #12 – Would like clarification on the Market Rate Survey completion.

The market rate survey data collection ended on April 16, 2018. During the next month ICF, the company contracted to conduct the survey, compiled and deciphered the collected data. The Market Rate Final Report was received June 22, 2018. The 2018 market rates went into effect June 30, 2018.

4.3.1

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12, Commenter #16 – Reimbursement rates backdated to 4/16/2018

The Lead Agency will not be backdating rates.

Commenter #15 – Supports the Departments 75% reimbursement rate.

Thank you.

4.3.2

Commenter #15 – Supports the Departments decision to have an increased incentive for providers with nontraditional hours of child care.

Thank you.

4.4.1

Commenter #1 – Recommends to have online billing system to have a prepopulated screen that shows each child’s name for that day to prevent issues that arise on eligibility.

The Lead Agency will not be changing the online billing screen at this time.

Commenter #15 – Would like clarification of parents paying the difference as the current rule does not permit this practice. Opposes the change occurring as it and suggest following legislative lead on the matter.

The lead agency has changed the language to state “The Lead Agency has conducted a 2018 market rate survey and will be reimbursing at the 75% rate for all licensed providers as of 06/30/2018.

Commenter #6, Commenter #8 – Recommends the Department provide a parent survey to the decision of pay the difference.

The Lead Agency will not make changes to the state plan based on this comment.

Commenter #2, Commenter #4, Commenter #12, Commenter #16 – Recommends parent fee reflect for family size.

The Lead Agency does include family size when determining parent fees.

4.5.1b

Commenter #5 – Would like to know if parents and providers are notified before eligibility changes?

The Lead Agency sends a two-week notice to parents and providers prior to eligibility changes.

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12, Commenter #16 – Recommends basing pay on child’s enrollment and not by hours.

The Lead Agency will not make changes to the state plan based on this comment.

4.5.1c

Commenter #11- Would like clarification on the two practices of time increments and registration fees.

The Lead Agency has added the following language to the state plan for clarification, “The following breakdown is for hourly time increments Infant/Toddler/Preschool: full-time is 30 + hours per week, part-time is 20-29 hours per week, half-time 10-19 hours, and quarter-time is 0-9 hours per week. School age: full-time is 30 + hours per week, part-time is 11-29 hours per week,

half-time is 6-10 hours per week, and quarter-time is 0-5 hours per week.” Parents choosing a provider charging registration fees are responsible for those fees.

4.5.1e

Commenter #6, Commenter #8, Commenter #1- Recommends the notice to parents of changes come before it occur.

The Lead Agency sends a two-week notice to parents and providers prior to eligibility changes.

4.6.1-4.6.3

Commenter #6, Commenter #8, Commenter #10- To increase the supply and quality of early care and education for infants and toddlers, children with disabilities, children who need care during non-traditional hours, and children in underserved areas, recommend implementing grants and contracts, start-up funding, and recruitment of early childhood educators. In addition, recommend increasing and strengthening family child care networks, technical assistance, and support for improving business practices, such as management training, paid sick leave, and shared services.

The Lead Agency will not make changes to the state plan based on this comment.

4.6.2

Commenter #2, Commenter #4, Commenter #12 – Recommend the Department add other recommendations stated previously, grants for equipment to accommodate infant care, special needs, night care. Maine’s plan should include designating startup funding and select that option. This will allow Maine to explore options to increase supply of childcare for infants and toddlers, special needs and nontraditional hours of care and other. Working parents in Maine are struggling with childcare supply, especially in these categories.

The Lead Agency will not make changes to the state plan based on this comment.

5.1.1

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12 – Recommends additional requirements for recreation programs on health and safety training like CPR and background checks.

Recreation programs that are CCSP providers are licensed-exempt and are required to follow all health and safety training requirements, CPR certification, and background checks.

Commenter #2, Commenter #4, Commenter #12 – Recommend the Department require family members receiving CCSP to have background checks.

The Lead Agency will not make changes to the state plan based on this comment.

5.1.4

Commenter #2, Commenter #4, Commenter #12 – Recommend the Department require License exempt providers receiving Federal Funds should also have to be CPR certified.

The Lead Agency will not make changes to the state plan based on this comment.

5.2.1

Commenter #2, Commenter #3, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12, Commenter #13, Commenter #16– Recommends the Department align definitions of age, rates, and ratios between the Department, Licensing, and CCDF.

The Lead Agency and Licensing’s definitions of ages are aligned. The alignment of ratios to age definitions will not be changed based on these comments.

5.2.2

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12, Commenter #13 Commenter #16 – Recommends the Department accept equivalent training as a replacement over new requirements of training.

The Lead Agency waives the health and safety training for current Step 4 QRIS providers.

Commenter #2, Commenter #4, Commenter #12 – Recommend the Department require relatives and license exempt programs receiving Federal Funds should also be required to complete the same training requirements as all other licensed programs who receive Federal Funds.

The Lead Agency will not make changes to the state plan based on this comment.

Commenter #2, Commenter #4, Commenter #12, Commenter #13 – Recommends the Department provide the funding to train staff.

The Better Kids Care training has been and continues to be provided at no cost by the Lead Agency. MRTQ provides trainings at little to no cost.

5.2.2a

Commenter #14 – Recommends the Department to include the optional standards and requirements of providers on the topics of nutrition, physical activity, and screen time for children.

The Lead Agency will not make changes to the state plan based on this comment. MRTQ does offer resources and guidance with their District Coordinators on these topics.

5.2.3c

Commenter #6, Commenter #8, Commenter #10 - Recommend expanding the answer to include the full list of requirements.

The Lead Agency will not make changes to the state plan based on this comment. The required trainings are listed 1 to 13 with this section.

5.2.5

Commenter #6, Commenter #8, Commenter #10 - Recommend including the details of the training requirements.

The Lead Agency will not make changes to the state plan based on this comment. The required trainings are listed 1 to 13 with this section.

5.3.3

Commenter #1 – Recommends to have useful items brought to monitoring of license-exempt providers by their licensing specialists to assure baseline quality.

The Lead Agency will not make changes to the state plan based on this comment.

Commenter #2, Commenter #4, Commenter #12 – Recommends the Department answers this by saying, there are no license-exempt centers in the State. A Rec Center is a center, so if they are able to accept CCDF funds without a license, shouldn't they be considered license exempt?

The Lead Agency also indicates that there are no license exempt family childcare in the state. Individuals caring for less than 3 children in their home are license exempt family providers. Recommend: Rec centers should have to complete the same background checks and have CPR requirements and meet the same health and safety standards found in licensing that licensed providers are required to meet, in order to receive CCDF funds.

The Lead Agency will not make changes to the state plan based on this comment. A rec center is considered a license-exempt provider and are required to take the required health and safety trainings, be CPR certified, and have background checks. Child care centers and family child cares are licensed. The proposed 2018 CCSP rules not yet promulgated state, "Staff or volunteers who are at least sixteen (16) years old and under eighteen (18) years old, must be under the direct supervision (within sight or sound) of a staff member who is age eighteen (18) or older."

5.3.5

Commenter #2, Commenter #4, Commenter #12, Commenter #16 – Recommends accountability measures for licensing and subsidy departments through anonymous evaluations to be mailed in.

The Lead Agency will not make changes to the state plan based on this comment.

5.4.1

Commenter #5, Commenter #6, Commenter #7, Commenter #8, Commenter #10 – Would like to know the status of the waiver on background checks that include fingerprinting and who will pay for them?

The Lead Agency will update its computer system to comply with CCDF requirements regarding background checks. The Lead Agency will consider covering the cost of background checks.

Commenter #2, Commenter #4, Commenter #12, Commenter #16 – Recommends the Department pay for background checks.

The Lead Agency will consider covering the cost of background checks with the updated system.

5.4.9

Commenter #2, Commenter #12 – Recommend correction of the price of background checks. Recommends the Department pay for background checks.

The Lead Agency will consider covering the cost of background checks acquired with the updated system.

5.4.10

Commenter #2, Commenter #4, Commenter #12 – Recommends the Department conduct background checks on relatives to insure safety of children whose care is paid with CCDF funds. Risks to children by relatives exceeds risks to children in professional childcare settings.

The Lead Agency will not make changes to the state plan based on this comment.

6.1.3

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12– Recommends seek additional ways to provide workforce support with financial assistant, loan forgiveness, and incentives. Also, increase availability of trainings and consultations.

The Lead Agency will not make changes to the state plan based on this comment. An increase availability of trainings and consultations has been occurring with the addition of the District Coordinators in each of Maine’s 8 districts with MRTQ.

Commenter #7 – Recommends increased mental health consultants.

The Lead Agency will not make changes to the state plan based on this comment.

6.2

Commenter #9- Recommends professional development that includes racial bias and cultural competency for the child care workforce.

MRTQ’s trainings are designed to include racial and culturally diverse populations.

6.2.3

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department address children with disabilities and are learning English.

The Lead Agency will not make changes to the state plan based on this comment.

Commenter #15 – Does not believe the Department addresses the recruitment and facilitation of providers that are LEP. Recommends the department hold a stakeholder meeting that includes representation from the immigration community from leaders and representatives to identify gaps in the system.

The Lead Agency will discuss this recommendation with its State’s Advisory Council (SAC), Maine Children’s Growth Council and with the Child Care Advisory Council.

6.2.5

Commenter #15 – Does not feel the Department addresses training and development of LEP providers. Recommends the department hold a stakeholder meeting that includes representation from the immigration community from leaders and representatives to identify gaps in the system.

The Lead Agency will discuss this recommendation with the SAC, Maine Children’s Growth Council (MCGC) and with the Child Care Advisory Council.

6.2.6

Commenter #15 – Recommends the Department include in the training for homelessness recent immigrants.

The Lead Agency will not make changes to the state plan based on this comment. The homelessness trainings meet guidelines set by McKinney-Vento Homelessness Assistance Act of 1987.

6.2.8

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12 - Recommend a greater focus on strengthening business practices in this section. Develop and support grants and contracts to start up programs, to incentivize programs to take infants and toddlers, and to cover costs and provide materials to complete QRIS requirements.

The Lead Agency will not make changes to the state plan based on this comment.

6.3.1d

Commenter #6, Commenter #8, Commenter #10 – Recommend expanding this response to explain how the Guidelines were coordinated across agency lines, e.g., with DOE or with MCGC, or how they will be in the future.

The MCGC formed a subcommittee, Professional Development Alignment Team (PDAT), to include members the Department of Education and representatives of early childhood educators.

6.3.2

Commenter #6, Commenter #8, Commenter #10 – Recommend expanding response to explain how the Guidelines are used.

The Lead Agency has added the following link to explain the guidelines,
<http://www.maine.gov/dhhs/ocfs/ec/occhs/infantstoddlers.pdf>
<http://www.maine.gov/doe/publicpreschool/documents/Maine-ELDS.pdf>

6.3.3

Commenter #7, Commenter #6, Commenter #8, Commenter #10 – Recommends including percentage of programs moving up on the quality rating system and update the QRIS system.

The Lead Agency will include the data for the number of programs moving up on the QRIS. The Lead Agency will be reviewing a proposal for a revision of the QRIS system.

Commenter #11- Recommends the use of data reports to be used to provide measurable indicators. Examples being CCAC data reports and Annual reports submitted to ACF.

Several factors are used to determine measurable indicators, one being CCAC data reports.

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department expand the response to describe measurable indicators that will be used to evaluate Maine’s progress in improving the quality of child care programs, such as goals for technical assistance, trainings, and number of programs at each level of our QRIS.

The Lead Agency has added the following language to the state plan, “The early learning guidelines are imbedded into Maine’s quality rating system. For the State fiscal year 07/01/2017-06/30/2018, 99 providers enrolled in QRIS for the first time, 11 programs moved from step 2 to step 3, 6 programs moved from step 3 to step 4, 10 programs moved from step 1 to step 2, 3 programs moved from step 1 to step 3, and 1 program moved from step 1 to step 4.

7.1.2

Commenter #7 – Recommends the Department identifying the overarching goals of the needs assessment results.

The Lead Agency supports District Coordinators statewide in all eight districts to provide technical assistance and onsite consultation to providers and parents on many topics that include behavior management and social emotional development.

Commenter #6, Commenter #8, Commenter #10 – Recommends the invest in a voluntary early childhood mental health consultation program.

The Lead Agency will not make changes to the state plan based on this comment.

7.2

Commenter #9- Recommends the Department use quality improvement dollars for child care program development in underserved communities of color.

The Lead Agency will not make changes to the state plan based on this comment.

7.2.

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department fund a CCR&R service.

The Lead Agency will not make changes to the state plan based on this comment.

7.3.1a

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department expand the responses to include more information about training in nutrition and physical activity, how the state will increase support around social and emotional development, what policy or program will help to reduce expulsion, and how CDS plays a supporting role.

The Lead Agency will not make changes to the state plan based on this comment. The Lead Agency in conjunction with MRTQ’s District Coordinators has been increasing its support in these areas since the addition of the DC’s in October of 2017.

Commenter #5 – Recommends the State do more to help providers with children’s behavioral issues and help prevent expulsion.

The Lead Agency will not make changes to the state plan based on this comment. The Lead Agency in conjunction with MRTQ’s District Coordinators has been increasing its support in these areas since the addition of the DC’s in October of 2017.

Commenter #11 – Questions why is behavior management strategies still a top need for providers? Include CDS as a role.

Behavior management strategies as a top need reflects responses given for needs of support.

7.3.2

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department develop and respond here with “measurable indicators of progress” to “evaluate its progress” and outline which data indicates if “the state or territory has met these measures.”

The Lead Agency has added the following to the state plan, “For the State fiscal year 07/01/2017-06/30/2018, 99 providers enrolled in QRIS for the first time, 11 programs moved from step 2 to step 3, 6 programs moved from step 3 to step 4, 10 programs moved from step 1 to step 2, 3 programs moved from step 1 to step 3, and 1 program moved from step 1 to step 4.”

7.4.5

Commenter #2, Commenter #4, Commenter #12 – Recommends the Department set aside funds that can be used to help pay for substitutes or paid time off or to increase pay for the people in the profession. Creating policies to force small struggling business owners to provide these benefits will only cost more money and cause more closures and restrict supply. Additional use of funds to support diverse childcare endeavors will be an investment in increasing childcare quality and supply. Some examples of ways that this can be done are to offer stipends for meeting next level on QRIS, Grant/loan combo for equipment, improvements or supplies, low cost loans to improve health and safety standards, purchase equipment for special needs, infants or to replace recalled or outdated equipment, scholarship programs, cost of training reimbursements or substitutes or to cover startup costs to programs for materials and supplies to meet the demands for more infant programs.

The Lead Agency has added a check to the Tax Credit box as parents with children at a Step 4 provider receive a tax credit. The Lead Agency currently provides a 2% for Step 2, 5%, for Step 3, and a 10% for Step 4 bump in reimbursement rates for providers on QRIS.

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department provide grants for materials and supplies, awards, ongoing or periodic quality stipends, scholarships, and increased compensation for degrees/certificates to create sustainable quality programs in Maine.

The Lead Agency has added a check to the Tax Credit box as parents with children at a Step 4 provider receive a tax credit. The Lead Agency currently provides a 2% for Step 2, 5%, for Step 3, and a 10% for Step 4 bump in reimbursement rates for providers on QRIS.

Commenter #16 - Recommends when there are several options available to use funds that the Department select more options throughout the plan.

The Lead Agency has added a check to the Tax Credit box as parents with children at a Step 4 provider receive a tax credit.

7.5.1

Commenter #2, Commenter #4, Commenter #6, Commenter #8, Commenter #10, Commenter #12– Recommends the Department fund a network of supports (RDCs and/or CCR&Rs) in Maine.

The Lead Agency will not be changing the state plan based on these comments.

7.5.2

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department respond with data indicating if the state or territory has met these measures.

The Lead Agency has added the following to the state plan, “All consultations are tied to the Quality for ME standards and substandards. Once the consultation is open standards and substandards are chosen that best align with the consultation request. Goals and action steps are developed and evaluated throughout the consultation process. After the consultation, the process is evaluated by the consultant and consultee and the substandards are rated as not started, not met or met. Most the substandards are met. Reasons for "not started" include the consultee deciding not to move forward with consultation or choosing a different substandard. Reasons for "not met" include changes within the program such as staffing, accreditation status, or lack of consultee follow through. For the contract year, July 1, 2017, through June 30, 2018, 74 consultations were closed. These consultations evaluated 103 substandards with the following results: 6(5.8%) - Not Started, 8(7.8%) - Not Met, and 89(86.4%) – Met”

7.6.1

Commenter #2, Commenter #4, Commenter #3 Commenter #6, Commenter #8, Commenter #10 Commenter #12 – Recommends the Department fund a network of supports (RDCs and/or CCR&Rs) in Maine. MRTQ, the Opportunity Alliance, and 2-1-1 have supports in place that can be connected and expanded as part of the implementation.

The Lead Agency will not make changes to the state plan based on this comment.

7.7.2

Commenter #2, Commenter #4, Commenter #12, Commenter #16 – Recommends closers for training days paid during business hours negatively impact families when a program closes.

The Lead Agency will not make changes to the state plan based on this comment.

Commenter #2, Commenter #4, Commenter #12 (Possibly to include 7.7.1)– Recommends the Department instead of just monitoring or tracking the improvements when there are improvements required by licensing, MRTQ could provide support services to people who are facing sanctions that will put them at risk of losing the ability to provides services to all of their CCDF clients. This support could be in the form of grants or loans or stipends to help bring the licensee into compliance. This would go a long way to increase the quality of care, maintain continuity of care, especially for the CCDF clients, because when a provider, who accepts CCDF funds, is sanctioned, they risk losing the ability to provide services to all of the CCDF clients. This can be an unfortunate disruption in continuity of care and cause harm to children and families.

The Lead Agency has added the following language to the state plan, “MRTQ support programs for quality improvement and have opened onsite consultation based on licensing referrals.”

7.7.3

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department respond with data indicating if the state or territory has met these measures.

The Lead Agency has added the following language to the state plan, “During the State fiscal year of 2017 there was an increase of 50 CCSP providers from the previous year. CCSP providers can register to MRTQ and gives them access to their trainings. Monthly tip sheets are sent to licensed-exempt providers with their billing sheets.”

Commenter #2, Commenter #4, Commenter #12 – Recommends the Department have in addition to MRTQ/PDN assisting the state in checking the completion of health and safety requirements and monitoring the improvements, the funds should be used to support and pay for quality improvement, especially when it involves a provider trying to be in compliance with health and safety requirements. For example, sometimes there is a need for new fencing, playground safety issues, recalled equipment replacement or installing fire egress windows. This funding is especially important when new requirements or standards are put into place and can create a make-or-break moment for a business. This loss of business decreases the supply of providers who are available to take CCDF funds.

The Lead Agency will not make changes to the state plan based on this comment.

7.8.2

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department respond with more specific for measuring outcomes. A sample response could be: *Maine measures progress by the total number of programs and the percent of enrolled programs at levels 3 and 4 of the QRIS, measured over time.* Offering sample data from two or more points in time would complete the response.

The Lead Agency has added the following to the state plan, “For the State Fiscal Year 2018 the following indicators of quality were measured in addition to the 31 programs moving to higher step levels, 99 programs remained at step 1, 22 programs remained at step 2, 22 programs remained at step 3, and 44 programs remained at step 4. To remain at current step level, a program has to meet requirements and trainings.

7.9.2

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department respond with more specific for measuring outcomes.

The Lead Agency has added the following to the state plan, “During the period of 07/01/2017 - 06/30/2018, 10 programs moved from step 1 to step 2, 3 programs moved from step 1 to step 3, 1 program moved from step 1 to step 4, 11 programs moved from step 2 to step 3, and 6 programs moved from step 3 to step 4. Programs moving from Step 3 to Step 4 would have successfully met national accreditation.”

7.10.2

Commenter #6, Commenter #8, Commenter #10 – Recommends the Department respond with data indicating if the state or territory has met these measures.

The Lead Agency has added the following to the state plan, “MRTQ PDN Inclusion Warm Line (IWL) received 41 calls from 7/1/2017-6/30/2018. Resources are offered to the caller and information about on-site consultation is provided. MRTQ PDN has developed an IWL resource bank that contains vetted materials from reputable sources on a wide variety of topics. IWL is jointly staffed by inclusion, health and mental health consultants from MRTQ PDN, and the University of Maine Center for Community Inclusion and Disability Studies.”

8.1.3

Commenter #2, Commenter #4, Commenter #12 – Recommends the Department fund for parents and providers an independent agency or an Ombudsman in order to issue formal complaints about lack of accessibility to services that they qualify for, or problems with procedures and processes or when CCDF guidelines are not properly followed by the administrative departments or to correct errors or misinformation.

The Lead Agency will not make changes to the State Plan based on this comment.

Commenter #16 – Recommends a place to submit complaints that associated with subsidy and eligibility.

The Lead Agency has added the following language to the state plan, “Complaints can be made at any time by contacting any CCSP staff’s supervisor or through constituent services at http://www.maine.gov/dhhs/contactus.shtml#comments_questions”

8.1.5

Commenter #2, Commenter #4, Commenter #12 – It will cost the department more than \$10.00 to collect a \$10.00 overpayment. Overpayment should not be considered fraud if the mistake is on the part of the department. In this plan, unintentional overpayment is treated the same way as intentional overpayment. Recommend: Differentiation of intentional or unintentional overpayments and the processes used. Unintentional overpayments may occur and may not require the same aggressive processes. There should be a complaint department and an investigation when administrative error causes improper payment, whether it’s an overpayment or an underpayment or lack of payment or delayed payment to providers. These can be due to unnecessarily delayed eligibility, or reduction in parent fees or improper notification to parents or providers of changes in eligibility or hardships caused by delayed payments. An independent agency should be tracking these occurrences in order to help the lead agency verify the proper avenues to recoup payment when necessary, improve processes that lead to such overpayments and improve provider relations in such a way that it will increase supply of programs accepting CCDF funds.

The Lead Agency will not make changes to the state plan based on this comment.

Additional comments:

Commenter #2, Commenter #12 –

A. The Child Care Advisory Council requested to be consulted in the development of the State Plan, on multiple occasions. In many meetings, multiple CCAC members requested to have discussion and education on the development of the States Plan and those requests for consultation were consistently denied each time. As such, general purpose local government was not consulted during the development of this plan.

The only recommendations that have been allowed to be given to the lead agency regarding the CCDF plan from representatives of general purpose government (CCAC), is the submission of this document at public hearing today.

B. Some members of CCAC have also attended every Maine Children’s Growth Council Meeting for the past several years and would like to stress that the Lead Agency did not ‘discuss and/or provide the CCDF preprint plan, draft plan, nor any table rules’, as it is stated in the States response to that requirement.

The lead agency only attended one MCGC meeting. At that meeting, prior to completion of the draft plan, there was no discussion or viewing of any of the above-mentioned documents at any of the Maine Children's Growth Council meetings.

On June 4th, after this plan went out to public comment, the Lead Agency attended their second Maine Children’s Growth Council Meeting and simply announced that the Draft Plan is open for public comment but did not offer or engage in any discussion or consultation with the Maine Children’s Growth Council.

Response:

On March 2, 2018 and April 6, 2018, the Lead Agency provided all members of the Child Care Advisory Council (CCAC) and interested parties the following documents via email:

- CCDF Plan Preprint
- A Tool to Read Child Care and Development Fund Rule
- CCDBG Plain Language

A Tool to Read Child Care and Development Fund Rule and CCDBG Plain Language are both documents the Administration for Children and Families (ACF) created to assist individuals in understanding the changes from the FFY2015-2018 CCDF state plan requirements to the FFY2019-2021 state plan requirements. On March 12, 2018, these materials were also sent via email to Peter Lindsay, co-chair of the Maine Children’s Growth Council (MCGC), Maine’s State Advisory Council (SAC) with the offer to contact the Lead Administrator with any questions or concerns regarding the state plan. The Lead Agency does not create the agendas for the MCGC meetings and was only given a few minutes to give an update. During the February 2, 2018 CCAC meeting, members of the CCAC had questions regarding the state plan. The Lead Administrator reached out to Laura Landry to discuss the questions posed, and Laura offered to

be part of the next CCAC meeting via phone. The Lead Agency agreed and included Laura on the March CCAC meeting agenda.

On March 2, 2018, Laura Landry and Amy Spates Program Specialists from ACF attended the CCAC meeting via phone to answer members' questions. At the April 6, 2018 CCAC meeting the Lead Administrator informed members that the state plan was still being drafted and offered to attend a meeting of the subcommittee formed to address the development of the state plan. The Lead Administrator further explained that the Tool to Read Child Care and Development Fund Rule and CCDBG Plain Language documents previously provided, would indicate the major changes in the new state plan. Members agreed to provide the Lead Administrator with three (3) dates to choose from in their scheduling of the meeting. The Lead Administrator did not receive any further correspondence regarding this meeting.

Commenter #12- During my attendance at public comment, I was surprised at the disinterest of the moderators of the meeting. It appeared as though some were playing games on their computer and not at all interested in any of the public comments. While I appreciate that this process is simply routine protocol, I find this behavior to be insulting to the people who made the effort to prepare testimony on a very complex application and attend to deliver that testimony in person. Some of us drove a long way.

Three (3) OCFS staff attended the public hearing: The Lead Administrator facilitated, one staff performed related administrative duties, and the other staff typed each individual comment made.