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Memorandum

To: Patsy French, Chair, Legislative Committee on Administrative Rules (LCAR)
Louise Corliss, Secretary of State's Office

From: Reeva Sullivan Murphy, Deputy Commissioner, Child Development Division (CDD)

Subject: Filing of Final Proposed Child Care Licensing Regulations: Afterschool Child Care Programs

Date: June 7, 2016

Cc: Hal Cohen, Secretary, Agency of Human Services
Ken Schatz, Commissioner, Department for Children and Families

Introduction

The Vermont Child Care Licensing Regulations for Afterschool Child Care Programs recently underwent revision and the new regulations were adopted by the Department for Children and Families in November 2014. After the initial adoption of the amendments to the Vermont Child Care Licensing Regulations in 2014, but before their effective date, the federal government passed the Child Care and Development Block Grant Act of 2014 that requires states to implement certain additional rules related to child care programs receiving funds through the grant. The programs that are required to follow these new federally mandated rules are all child care programs receiving funds to support children and families through the Child Care Financial Assistance Program (formerly known as subsidy). Given that all child care programs can potentially serve children receiving these funds, the rules will be applied to all child care programs. In addition, Vermont Act 60 (2015) requires changes to child abuse reporting and Act 37 (2015) requires changes to exemption criteria for immunizations.

This final proposed rule includes changes that are directly related to the new state laws and federal requirements and some changes made in response to public comments received. The majority of changes are related to formatting and renumbering. Substantive changes to be implemented include:

- 1.1 effective dates of these changes
- 4.3 due to new state immunization requirements
- 4.13 and 4.14 due to new state requirements regarding child abuse reporting
- 5.11 and 5.12 have been replaced with new 5.11-5.19 due to new federal requirements for fingerprinting as part of background checks
- 5.31 due to new federal requirements for staff orientation and health and safety training



- 10.8 due to new federal requirement
- 18.25a and 18.25b have been replaced by 18.25a -18.25k regarding new federal background check requirements
- 18.26 has been deleted, updated and inserted into Section 11 to align with the final proposed rules for Child Care Licensing Regulations for Center Based Child Care and Preschool Programs which only requires asbestos assessments under specific circumstances rather than in all new applications
- 18.58 clarified language around timeframe for a Commissioner's Review hearing
- 18.65 clarified language around timeframe to request an appeal

Enclosed Documents

Enclosed for filing, please find one set of rule filing documents, which includes the following:

1. Final Proposed Rule Coversheet
2. Adopting Page
3. Economic Impact Statement
4. Public Input Statement
5. Clean Text of the Final Proposed Rules
6. Annotated Text of the Final Proposed Rules
7. ICAR Approval received by E-mail
8. Signatory Authority Memo
9. Responsiveness Summary which includes all public comments received

Response to Public Comments

CDD sought public input through conducting two in-person public hearings in different geographic locations and by providing online forums for public comments to be received. Comments were compiled and organized in the responsiveness summary document based on the corresponding rule. The responsiveness summary details the comments received on each rule section, CDD's response to each comment and final proposed rule text if it differs from the text of the proposed rule. In the annotated text, red text indicates changes originally proposed. Green text are new changes between the proposed rule and final proposed rule in response to public comment.

As stated, some provisions of the final proposed rules are based on new requirements of the Child Care and Development Block Grant Act of 2014. One component of the federal law is the requirement for fingerprint supported background checks. CDD has been coordinating with Vermont Agency of Education (AOE) and Vermont Crime Information Center (VCIC) on implementing this federal law. We have received many public comments on this new requirement and like most other states, Vermont has requested an extension to implementation of the fingerprint supported background check requirement. CDD anticipates receiving a response from the federal government by September 1 and if we receive an extension to this federal requirement, CDD will notify providers and affected agencies about the delayed implementation. CDD will





continue its current process of running in-state criminal background checks on providers and staff while working to implement the full provisions of the fingerprint supported background check law.

If you have any questions about this rule filing, please contact Reeva Murphy at 241-0819 or Jennifer Benedict at 224-6236. Thank you.



Administrative Procedures – Final Proposed Rule Coversheet

Instructions:

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this final proposed filing will be considered complete upon the submission and acceptance of the following components to the Office of the Secretary of State and to the Legislative Committee on Administrative Rules:

- Final Proposed Rule Coversheet
- Adopting Page
- Economic Impact Statement
- Public Input Statement
- Scientific Information Statement (if applicable)
- Incorporated by Reference Statement (if applicable)
- Clean text of the rule (Amended text without annotation)
- Annotated text (Clearly marking changes from previous rule)
- Copy of ICAR acceptance e-mail
- A copy of comments received during the Public Notice and Comment Period.
- Responsiveness Summary (detailing agency’s decisions to reject or adopt suggested changes received as public comment).

All forms submitted to the Office of the Secretary of State, requiring a signature shall be hand signed original signatures of the appropriate adopting authority or authorized person, and all filings are to be submitted, no later than 3:30 pm on the last scheduled day of the work week.

Certification Statement: As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

Rule Title: Child Care Licensing Regulations: Afterschool Child Care Programs

Paul Dragan for, on 6-8-16
 (signature) (date)

Printed Name and Title:

Hal Cohen, Secretary
 Vermont Agency Of Human Services

RECEIVED BY: _____

- Final Proposed Rule Coversheet
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- Economic Impact Statement
- Public Input Statement
- Scientific Information Statement (if applicable)
- Incorporated by Reference Statement (if applicable)
- Clean text of the rule (Amended text without annotation)
- Annotated text (Clearly marking changes from previous rule)
- ICAR Approval received by E-mail.
- Copy of Comments
- Responsiveness Summary

1. TITLE OF RULE FILING:

Child Care Licensing Regulations: Afterschool Child Care Programs

2. PROPOSED NUMBER ASSIGNED BY THE SECRETARY OF STATE

16P-006

3. ADOPTING AGENCY:

Vermont Agency of Human Services, Department for Children and Families, Child Development Division

4. PRIMARY CONTACT PERSON:

(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).

Name: Reeva Sullivan Murphy, Deputy Commissioner

Agency: Vermont Agency of Human Services, Department for Children and Families, Child Development Division

Mailing Address: 280 State Drive, NOB 1 North, Waterbury, VT 05671-1040

Telephone: 802 241 - 0819 Fax: 802 241 - 0846

E-Mail: Reeva.Murphy@vermont.gov

Web URL *(WHERE THE RULE WILL BE POSTED)*:

<http://dcf.vermont.gov/cdd-blog/proposal-revisions-afterschool-child-care-programs-regulations>

5. SECONDARY CONTACT PERSON:

(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).

Name: Jennifer Benedict, Director of Child Care Licensing

Agency: Vermont Agency of Human Services, Department for Children and Families, Child Development Division

Mailing Address: 280 State Drive, NOB 1 North, Waterbury, VT 05671-1040

Telephone: 802 224 - 6236 Fax: 802 241 - 0846

E-Mail: Jennifer.Benedict@vermont.gov

6. RECORDS EXEMPTION INCLUDED WITHIN RULE:

(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE EXEMPTING IT FROM INSPECTION AND COPYING?) Yes

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

Section 658H of the Child Care and Development Block Grant Act of 2014 (42 U.S.C. §9858f)

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

As part of this rule, the Department is implementing a new federal fingerprint supported background check requirement for all program staff in licensed child care. In complying with federal law, the Department may only provide the result of the background check to the licensed program without revealing the basis for the decision. Background check information and results shall not be publicly available.

7. LEGAL AUTHORITY / ENABLING LEGISLATION:

(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).

33 V.S.A. § 105 (b), 33 V.S.A. § 3502 and 3 V.S.A § 801 (b) (11)

8. THE FILING HAS CHANGED SINCE THE FILING OF THE PROPOSED RULE.

9. THE AGENCY HAS INCLUDED WITH THIS FILING A LETTER EXPLAINING IN DETAIL WHAT CHANGES WERE MADE, CITING CHAPTER AND SECTION WHERE APPLICABLE.

10. SUBSTANTIAL ARGUMENTS AND CONSIDERATIONS WERE RAISED FOR OR AGAINST THE ORIGINAL PROPOSAL.

11. THE AGENCY HAS INCLUDED COPIES OF ALL WRITTEN SUBMISSIONS AND SYNOPSES OF ORAL COMMENTS RECEIVED.

12. THE AGENCY HAS INCLUDED A LETTER EXPLAINING IN DETAIL THE REASONS FOR THE AGENCY'S DECISION TO REJECT OR ADOPT THEM.

13. CONCISE SUMMARY (150 WORDS OR LESS):

Since the adoption of our current licensing regulations for Afterschool Child Care Programs, Vermont state laws and federal laws have changed. As such, the proposed revisions to the Child Care Licensing Regulations for Afterschool Child Care Programs include language consistent with Vermont state laws regarding child immunization and mandated reporting requirements (Acts 37 and 60 of 2015). Also, the proposed revisions

include language consistent with new federal laws which require that background clearances include fingerprinting and require prescriptive staff orientation and emergency response planning (Child Care and Development Block Grant Act of 2014).

14. EXPLANATION OF WHY THE RULE IS NECESSARY:

The Agency of Human Services is required to maintain and enforce these regulations by state statute. They are necessary to protect the health and safety of children in Afterschool Child Care Programs and to ensure that positive child development and learning are promoted in those programs.

15. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:

All afterschool programs not exempt from regulation including private for-profit and non-profit community based programs;

Local education agencies that operate afterschool programs after school hours or provide or lease space for other entities to provide afterschool services in school buildings;

Department for Children and Families and Department of Health in the Vermont Agency of Human Services;

Division of Fire Safety in the Vermont Department of Public Safety;

Department of Environmental Conservation in the Vermont Agency of Natural Resources;

Vermont Crime Information Center in the Department of Public Safety;

Insurance carriers for afterschool child care providers; and

School aged children and their families.

16. BRIEF SUMMARY OF ECONOMIC IMPACT(150 WORDS OR LESS):

The Department and afterschool programs will share costs associated with the addition of fingerprinting to the background check process. There are 143 licensed afterschool programs in Vermont. Programs may elect to pay the fingerprinting process fee for staff or require staff to pay. This is estimated to be up to \$25 per person once every five years.

The Department will incur costs for training staff and providers on changes to these regulations. A one-time Bright Futures Information System update is also necessary to accommodate changes to all child care program rules, estimated at approximately \$50,000 - \$80,000. On an on-going basis, the Department will pay \$16.50 per person once every five years to the Vermont Crime Information Center for processing fingerprint checks.

Vermont Crime Information Center will incur costs associated with the increased volume of fingerprints.

For families, an increase in requirements for programs could result in a minimal increase in rates charged by programs.

17. A HEARING WAS HELD.

18. HEARING INFORMATION

(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).

IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION.

Date: 3/24/2016

Time: 06:30 PM

Street Address: The Family Place, 52 Olcott Drive, Hartford, Vermont

Zip Code: 05055

Date: 3/29/2016

Time: 06:30 PM

Street Address: Best Western, 45 Blush Hill Road, Waterbury, Vermont

Zip Code: 05676

Date:

Time: AM

Street Address:

Zip Code:

19. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):

4/5/2016

20. KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE SEARCHABILITY OF THE RULE NOTICE ONLINE).

child care

afterschool child care programs

licensing regulations

afterschool

Child Development Division

Department for Children and Families

Administrative Procedures – Adopting Page

Instructions:

This form must be completed for each filing made during the rulemaking process:

- Proposed Rule Filing
- Final Proposed Filing
- Adopted Rule Filing
- Emergency Rule Filing

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

1. TITLE OF RULE FILING:

Child Care Licensing Regulations: Afterschool Child Care Programs

2. ADOPTING AGENCY:

Vermont Agency of Human Services, Department for Children and Families, Child Development Division

3. AGENCY REFERENCE NUMBER, IF ANY:

None

4. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment as long as the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **AN AMENDMENT OF AN EXISTING RULE** .

5. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND LAST DATE OF ADOPTION FOR THE EXISTING RULE*):

14-P16, Child Care Licensing Regulations: Afterschool Child Care Programs, November 21, 2014

BE AS SPECIFIC AS POSSIBLE IN THE COMPLETION OF THIS FORM, GIVING FULL INFORMATION ON YOUR ASSUMPTIONS, DATABASES, AND ATTEMPTS TO GATHER OTHER INFORMATION ON THE NATURE OF THE COSTS AND BENEFITS INVOLVED. COSTS AND BENEFITS CAN INCLUDE ANY TANGIBLE OR INTANGIBLE ENTITIES OR FORCES WHICH WILL MAKE AN IMPACT ON LIFE WITHOUT THIS RULE.

1. TITLE OF RULE FILING:

Child Care Licensing Regulations: Afterschool Child Care Programs

2. ADOPTING AGENCY:

Vermont Agency of Human Services, Department for Children and Families, Child Development Division

3. CATEGORY OF AFFECTED PARTIES:

LIST CATEGORIES OF PEOPLE, ENTERPRISES, AND GOVERNMENTAL ENTITIES POTENTIALLY AFFECTED BY THE ADOPTION OF THIS RULE AND THE ESTIMATED COSTS AND BENEFITS ANTICIPATED:

COST TO AFTERSCHOOL CHILD CARE PROGRAMS AND/OR STAFF:

All Afterschool Child Care Programs not exempt from regulation would be affected.

New federal record check requirements that include fingerprinting apply to staff employed by the Afterschool Child Care Programs, counted in staff/child ratios, or left alone with children. Programs may elect to pay the fingerprinting process fee for staff or require staff to pay it. This is estimated to be up to \$25 per person once every five (5) years. There are approximately 550 afterschool program staff members subject to the fingerprint background check requirements. The total estimated cost for staff is \$13,750 approximately every five years, though please note that costs will be incurred for fingerprinting every year because not all staff will be on the same fingerprinting schedule.

COSTS TO THE DEPARTMENT FOR CHILDREN AND FAMILIES:

The Department may incur some costs for training licensing staff and providers on the changes in regulations for this set of regulations. Also, the Bright Futures Information System will need to be updated to accommodate these changes as well as other changes proposed in two other sets of licensing regulations which are estimated at approximately \$50,000 - \$80,000 in one-time information technology costs. On an on-going basis, the Department will pay \$16.50 per person once every five (5) years, to the Vermont Crime Information Center for processing fingerprint background clearances. The total estimated cost to the Department for fingerprint background checks is \$9,075

approximately every five years, though please note that costs will be incurred for fingerprinting every year because not all staff will be on the same fingerprinting schedule.

COSTS TO OTHER STATE AGENCIES:

Vermont Crime Information Center will incur costs associated with the increased volume of fingerprints required to be processed. The volume increase is estimated at 10,000 background checks the first year for all child care providers with significantly less over the next four years. The total estimated cost to Vermont Crime Information Center (VCIC) is unclear at this time. The Department has communicated with VCIC about the estimated increase in background checks and associated timeframe which is currently that all programs and staff will have fingerprint supported background checks complete by September 1st, 2017. CDD has requested an extension to implement this aspect of the federal law and will receive a response from the federal government by September 1st. If CDD receives an extension, providers and affected agencies will be notified about the delayed implementation of this federal requirement.

COSTS TO FAMILIES:

For children and their families, there are no direct additional costs associated with the proposed changes. An increase in requirements for programs could result in a minimal increase in rates charged by programs.

Child care services have been proven to have a net positive impact on local and state economies. Well devised regulations ensure stability and consistency in child care services as well as the productive engagement of children in care. Increased background checks assure families that their children will be safer in afterschool care.

4. IMPACT ON SCHOOLS:

INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON PUBLIC EDUCATION, PUBLIC SCHOOLS, LOCAL SCHOOL DISTRICTS AND/OR TAXPAYERS:

Some local education agencies operate afterschool child care programs and some provide or lease space to other entities to provide afterschool services in school buildings. 21st century afterschool activity programs, operated under a federal grant by local schools, are exempt from licensing by Vermont statute, but may opt to become licensed if they choose to accept child care subsidies for school age children eligible for the Child Care Financial Assistance Program. Studies indicate that high quality afterschool programs help children succeed in school and, therefore, improved regulation may have a net positive impact on student achievement in public education by supporting increased and consistent quality in afterschool programming. These

regulations do not require local education agencies to provide afterschool services.

5. COMPARISON:

COMPARE THE ECONOMIC IMPACT OF THE RULE WITH THE ECONOMIC IMPACT OF OTHER ALTERNATIVES TO THE RULE, INCLUDING NO RULE ON THE SUBJECT OR A RULE HAVING SEPARATE REQUIREMENTS FOR SMALL BUSINESS:

Regulations governing child care programs are required by Vermont statute in order to protect the health and safety of children in out-of-home care and promote child development and learning. Working parents can send their children to Afterschool Child Care Programs with an assurance that their children will be safe and productively engaged. The alternative of less stringent or no regulations could increase the risk of harm to school age children in these programs and have a negative impact on working families and children in out-of-home care. Child care services have been proven to have a net positive impact on local and state economies, and well devised regulations ensure stability and consistency in child care services.

Additionally, an alternative of less stringent regulations or no regulations regarding fingerprinting with background clearances and requirements for staff orientation and emergency response planning will result in Vermont not being in compliance with federal law which would impact the amount of federal funds Vermont receives to support Vermont's Child Care Financial Assistance Program and those families that receive this financial support to afford child care.

An alternative of less stringent regulations or no regulations regarding immunization and mandated reporting changes will increase the risk of harm to children in afterschool child care.

6. FLEXIBILITY STATEMENT:

COMPARE THE BURDEN IMPOSED ON SMALL BUSINESS BY COMPLIANCE WITH THE RULE TO THE BURDEN WHICH WOULD BE IMPOSED BY ALTERNATIVES CONSIDERED IN 3 V.S.A. § 832a:

An alternative of less stringent regulations or no regulations may decrease afterschool program costs to provide and maintain space required to provide services, personnel costs for supporting staff and costs of equipment and materials necessary to provide an environment and program for afterschool program small businesses, but could also increase the risk of harm to children in licensed afterschool programs.

Additionally, regulations that are not in compliance with federal law would result in a decreased amount of federal funds available to Vermont families in the form of child care financial assistance, which could mean a decreased enrollment in afterschool programs because families may not be able to afford

afterschool child care. This could translate to less revenue to afterschool programs and even the closure of some afterschool programs.

7. GREENHOUSE GAS IMPACT: *EXPLAIN HOW THE RULE WAS CRAFTED TO REDUCE THE EXTENT TO WHICH GREENHOUSE GASES ARE EMITTED, EITHER DIRECTLY OR INDIRECTLY, FROM THE FOLLOWING SECTORS OF ACTIVITIES:*

a. TRANSPORTATION —

IMPACTS BASED ON THE TRANSPORTATION OF PEOPLE OR PRODUCTS (e.g., “THE RULE HAS PROVISIONS FOR CONFERENCE CALLS INSTEAD OF TRAVEL TO MEETINGS” OR “LOCAL PRODUCTS ARE PREFERENTIALLY PURCHASED TO REDUCE SHIPPING DISTANCE.”):

No anticipated direct or indirect impacts.

b. LAND USE AND DEVELOPMENT —

IMPACTS BASED ON LAND USE AND DEVELOPMENT, FORESTRY, AGRICULTURE ETC. (e.g., “THE RULE WILL RESULT IN ENHANCED, HIGHER DENSITY DOWNTOWN DEVELOPMENT.” OR “THE RULE MAINTAINS OPEN SPACE, FORESTED LAND AND /OR AGRICULTURAL LAND.”):

No anticipated direct or indirect impacts.

c. BUILDING INFRASTRUCTURE —

IMPACTS BASED ON THE HEATING, COOLING AND ELECTRICITY CONSUMPTION NEEDS (e.g., “THE RULE PROMOTES WEATHERIZATION TO REDUCE BUILDING HEATING AND COOLING DEMANDS.” OR “THE PURCHASE AND USE OF EFFICIENT ENERGY STAR APPLIANCES IS REQUIRED TO REDUCE ELECTRICITY CONSUMPTION.”):

No anticipated direct or indirect impacts.

d. WASTE GENERATION / REDUCTION —

IMPACTS BASED ON THE GENERATION OF WASTE OR THE REDUCTION, REUSE, AND RECYCLING OPPORTUNITIES AVAILABLE (e.g., “THE RULE WILL RESULT IN REUSE OF PACKING MATERIALS.” OR “AS A RESULT OF THE RULE, FOOD AND OTHER ORGANIC WASTE WILL BE COMPOSTED OR DIVERTED TO A ‘METHANE TO ENERGY PROJECT’.”):

No anticipated direct or indirect impacts.

e. OTHER —

IMPACTS BASED ON OTHER CRITERIA NOT PREVIOUSLY LISTED:

No anticipated direct or indirect impacts.

Administrative Procedures – Public Input Statement

Instructions:

In completing the public input statement, an agency describes what it did do, or will do to maximize the involvement of the public in the development of the rule. This form must be completed for the following filings made during the rulemaking process:

- Proposed Rule Filing
- Final Proposed Filing
- Adopted Rule Filing
- Emergency Rule Filing

1. TITLE OF RULE FILING:

Child Care Licensing Regulations: Afterschool Child Care Programs

2. ADOPTING AGENCY:

Vermont Agency of Human Services, Department of Children and Families, Child Development Division

3. PLEASE LIST THE STEPS THAT HAVE BEEN OR WILL BE TAKEN TO MAXIMIZE PUBLIC INVOLVEMENT IN THE DEVELOPMENT OF THE PROPOSED RULE:

Most of the proposed changes to these rules are a result of changes to federal and state laws. There was public participation by affected parties at both the national and state level during the enactment of these laws.

Because most of the changes in this rule revision are due to new federal laws and revised Vermont laws, pre-rulemaking public involvement was not sought. However, CDD did hold two in-person public hearings in two different locations during evening hours to accommodate various work schedules. A press release was sent to all major Vermont media outlets to announce the public comments and proposed changes, and comments were collected through a variety of methods including SurveyMonkey and written comments.

Since the closing of public comment on April 5, 2016, CDD staff organized, reviewed and responded to each public comment on the proposed rules, as indicated in the attached public comments summary. Some changes were made to the rules as a result of public input.

4. BEYOND GENERAL ADVERTISEMENTS, PLEASE LIST THE PEOPLE AND ORGANIZATIONS THAT HAVE BEEN OR WILL BE INVOLVED IN THE DEVELOPMENT OF THE PROPOSED RULE:

The Department has undertaken a global rule revision project to update Vermont's child care licensing regulations. As part of this process, the Department sought and incorporated feedback from over 100 providers and other stakeholders with the goal to streamline five sets of licensing regulations into three sets of updated, strengthened and clarified regulations.

The Afterschool Child Care Programs rules were the first set of rules that were updated with revisions adopted November 2014 with an effective date of January 1, 2016. During that rulemaking process, public input was sought and provided by Agency of Education staff, multiple current and prior Child Development Division (CDD) leadership staff, afterschool program staff, afterschool program directors and stakeholders, and the general public with participation in open discussion meetings and various online surveys intentionally designed for the rule promulgation process.

These proposed revisions to the current Afterschool Child Care Programs rules are driven by additional federal requirements received and state law changes made after the regulations that are effective January 1, 2016 were adopted in November 2014. The Child Development Division sought public input from interested stakeholders as part of this rulemaking process and notified afterschool providers and interested stakeholders about the proposed rule and opportunities for public comment. In addition, the text of the proposed rule and rulemaking documents was posted on the Division's website and a press release was sent to major media outlets to inform the public about the opportunity for public input. The Division held two public hearings in different parts of the State during the evening in order to maximize public participation.