

Written Submissions and Synopses of Oral Comments Received and Response to Comments to CBCCPP Revisions 2020

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| General Comment | <p>Early Childhood Family Mental Health Consultation is an unfunded service that could assist child care programs with best practices in the social emotional behavioral domain. Better training of child care providers and teachers relating to trauma and behavioral issues is critical. Centers are really struggling and the CDD has appeared 'tone deaf' to the changes that children have brought to the centers. – <i>Provider of ECFMH; Program Manager; and ECFMH Consultation to child care programs</i></p> | <p>Thank you for this reminder of the importance of children's and families' mental health. CBCCPP regulations support program directors identifying professional development that will meet staff's needs with how best to care for and educate children (e.g. CBCCPP rule 2.2.24, and 7.4.2). CBCCPP rule 4.4.3 supports the program with making referrals with written parental consent.</p> | |
| General Comment | <p>Consider language that gives exception to pre-k programs in a public school to include pre-k programs in an independent school. – <i>Independent school serving children 6 weeks through 8th grade</i></p> | <p>Public School Prekindergarten Programs (PSPP) have a multi-tiered infrastructure that is uniform across Vermont. The exceptions given to PSPPs have been designed specifically because of this. Independent schools do not have the same type of multi-tiered infrastructure nor do all independent schools have to have the same infrastructure. As a result, the same exemptions</p> | |

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| | | <p>would not be applicable. Several of the revised regulations are within the body of the CBCCPP regulations (and have not been put specifically in CBCCPP section 8.2 for PSPP) because they were exceptions that may apply to all CBCCPPs and are not unique to the PSPP environment and/or business structure.</p> | |
| General Comment | <p>These regulations look good - I have no concerns and appreciate the joint agency/ department efforts to reduce duplication for schools, but also to support private programs. – <i>Public School Staff/Administrator</i></p> | <p>Thank you for this feedback.</p> | |
| General Comment | <p>Some of the requirements throughout these regulations are ones that most schools will not need to worry about (e.g. the hot/cold water which is regulated by plumbing codes; RNs giving medication do not need additional training). Others are ones that have come up as questions (e.g. complying with transportation regulations when you use a busing company). It would be helpful if you could put all this information</p> | <p>The Child Development Division will update the CBCCPP Guidance Manual once revised regulations have been approved to support clarity for all including PSPPs.</p> | |

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| | <p>in the guidance manual so that teachers do not waste time trying to find out if they are in compliance. Most of this is in the 'notes' section from the document that public school programs worked on but putting that information into the guidance manual would make it easier to find and comply with. – <i>Public School Staff/Administrator</i></p> | | |
| <p>General Comment</p> | <p>The Vermont regulations for Child Care are over the top and making it very hard to stay in this profession. We are short 2,100 teachers in VT and over 100 programs have closed since the regulations came out. Vermont should be reducing the number of regulations not just updating them. It is already impossible for teachers to be paid a livable wage but when programs are required to have more supplies, qualifications, and testing done it pulls money out of the teachers' pockets. I have been a teacher for 15 years, have a bachelor's in early childhood special education and a teacher's license and I live paycheck to paycheck, last month</p> | <p>While many believe the CBCCPP regulations do not protect the health and safety of children enough, still others believe we are overregulating. The Child Development Division has worked hard to identify the regulations that create a foundational level of health and safety for children in out-of-home group care and education. We believe CBCCPP regulations have the appropriate balance of foundational requirements.</p> <p>In addition, several CBCCPP regulations capture requirements in state and federal statutes and may not be changed.</p> | |

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| | <p>I was food and housing insecure because I had some unexpected bills and no safety net. I also "make too much" to qualify for assistance. People are leaving VT because of the cost of living and everything being over-regulated. These regulations are not helping our low-income state. – <i>Privately Operated CBCCPP owner/staff</i></p> <p>-----</p> <p>In light of what happened to the number of Early Education spots available to families in the wake of the last change in regulations, especially high-quality ones, I would urge the State to look at new changes as an opportunity to fix some of the damage. I cannot hire qualified people - they aren't out there. We seriously considered shutting our doors this year, due solely to staffing shortages. I have lost all my best teachers, who did not hold paper</p> | <p>The Child Development Division has worked hard to identify the regulations that create a foundational level for supporting children in out-of-home group care and education. We believe CBCCPP regulations have the appropriate balance of foundational requirements, including staff credentialing and written documentation. One key element of this revision was to specifically look at reducing administrative burden.</p> <p>-----</p> <p>The Child Development Divisions recognizes and agrees that a key challenge for the field is staff recruitment and retention. We have identified several contributors including the low unemployment rate that is impacting all Vermont businesses' ability to recruit qualified staff. The Child Development Division has joined with other Vermont entities to support recruitment and retention of staff into this profession. This partnership has included but is</p> | |

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| | <p>credentials but were experienced, reliable, and who had stuck with a lousy system through thick and thin for love of the work. I can't replace them. Even when I do find staff, they are frequently immature, without a work ethic, and in need of ridiculous amounts of coaching and guidance before I would trust them alone with a child, let alone being a teacher. The few good staff I have are considering leaving as they are constantly asked to do more with less - they are getting burnt out from the lack of support. (not to mention utter lack of parity with a public school teacher's salary, benefits, and work schedule!) I understand the need for educated people as lead teachers, but the requirements for teacher's assistants are too much for the current field to bear. I think this is particularly timely given the very recent news of three more quality centers closing their doors - in addition to all the others we'd already lost. Frankly, as a Director, I am also drowning in paperwork. I have seen it increase threefold in the decade</p> | <p>not limited to the development of recruitment materials, granting variances for CBCCPPs to hire staff who need more education to meet qualifications, additional legislative funding to support educational programs for staff within this profession (e.g. High School Technical Center's curriculum for Early Childhood Education students), and the continued funding available to Vermont Association for the Education of Young Children to offer grants to staff within CBCCPPs to obtain college degrees that support compliance with qualification requirements without burdening staff with additional educational costs.</p> | |

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| | <p>I've been in the field. I would urge every single lawmaker, stakeholder, and anyone in any way associated with child care regulations to remember - every five minutes I have to give to desk work is five less minutes I can give to guiding and supervising teachers. This has a direct impact on the quality of care the children receive. It is untenable. If you care about the quality of care children receive, do absolutely everything you can to make it easier for centers to provide it. – <i>Privately Operated CBCCPP owner/staff</i></p> | | |
| <p>Section 2 – General Provisions</p> | <p>" A CBCCPP located in an approved public school building..." should read: "A CBCCPP located in an approved public school building or an approved independent school building..." – <i>Approved Independent School Administrator</i></p> | <p>The recommended change has been applied to rule 2.3.8.12.2</p> | <p>CBCCPP 2.3.8.12.2</p> <p>Zoning approval for the CBCCPP shall be properly recorded in the municipal office in which the CBCCPP is located and a copy provided to the Division in the initial application. <u>A CBCCPP located in an approved public school or independent school building shall be exempt from providing documentation to the Division in the initial application.</u></p> |

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| <p>2.2.523</p> <p>“Staff” means all persons employed by or substituting at the CBCCPP as a program director, teacher, teacher associate, teacher assistant, trainee, classroom aide, or seasonal staff. <u>If a licensee (such as Head Start) has a contractual relationship with another entity (such as a school supervisory union) to provide an individual to the licensee to work within the licensee's CBCCPP and who will not be employed by the licensee, these individuals may be defined as staff and shall have all CBCCPP regulations pertaining to staff apply. Documentation of this contractual relationship shall be maintained at the CBCCPP.</u></p> | <p>This proposed change, if I'm reading correctly, is great. We utilize public school staff in our PreK program and considering those folks staff (not just auxiliary unless trained, which is often redundant) is helpful and makes sense. – <i>Public School Staff/Administrator</i></p> | <p>Thank you for this feedback.</p> | |

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| <p>2.3.8.2</p> <p>Background Check Requirements at Initial Licensure</p> | <p>Why are individuals who have abused children allowed to request a variance? I struggle to see how we can allow those individuals who have this documented history to care for vulnerable populations. – <i>Public School Staff/Administrator</i></p> | <p>The Child Development Division’s consideration of variances related to prohibited criteria are done within the limitations prescribed by the federal government.</p> <p>When a variance is considered by the Child Development Division for one of the prohibited criteria, the following factors are considered:</p> <ul style="list-style-type: none"> • Length of time since the incident • Whether incident was isolated or demonstrates a pattern of behavior • Evidence for rehabilitation <p>In addition, variances may identify restrictions for the individual's work or involvement in the program. For example, a variance may restrict the individual to serve as a cook or cleaning person within the program which prevents the individual from being left alone with children.</p> | |

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| <p>2.3.8.2.11</p> <p>Only persons prohibited under rule 2.3.8.2.7 of these regulations or 2.3.8.2.6 of these regulations for the following reasons are eligible to request a variance:</p> <ul style="list-style-type: none"> • A conviction of fraud; • A drug related offense committed during the preceding five (5) years; • A conviction of a misdemeanor offense against another person consisting of: <ul style="list-style-type: none"> ○ Violence; ○ Other bodily injury; or • <u>A person found by a court to have abused, neglected, or mistreated a child, elderly or disabled person, or animal; or</u> • Other information known to the Department. <p>These individuals may operate or be employed in a CBCCPP only when the prospective licensee and the person involved, have obtained a written variance from the Commissioner, or designee. The prospective licensee and the</p> | <p>We don't understand why these exemptions would be included. Can you provide some examples of someone who has been found by a court to have abused a child, elderly person, or animal and who would qualify for a variance to be able to work in a child care setting? – <i>Head Start Administrator</i></p> | <p>The Child Development Division's consideration of variances related to prohibited criteria are done within the limitations prescribed by the federal government.</p> <p>A family court judge may make a finding that a parent has abused or neglected one or more of their children. This would meet the prohibited criteria. However, after the finding has been made, the parent may complete counseling or other requirements, may have demonstrated an ability to care for their children once again safely and appropriately, and finished raising their children without further intervention. In this scenario, the individual does not have any criminal convictions and is not on any child abuse registries. This same individual may also have a successful history of employment that involves the care and/or education of children due to the different types of background clearances performed by different types of employment. As such, it is appropriate for the Child</p> | |

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| <p>involved person shall request a variance by submitting evidence of suitability or rehabilitation to the Commissioner, or designee. The burden of proof is on the prospective licensee and the involved person.</p> | | <p>Development Division to consider a variance and whether rehabilitation and the isolated nature of the incident supports this individual with working with children within a CBCCPP.</p> <p>When a variance is considered by the Child Development Division for one of the prohibited criteria, the following factors are considered:</p> <ul style="list-style-type: none"> • Length of time since the incident • Whether incident was isolated or demonstrates a pattern of behavior • Evidence for rehabilitation | |
| <p>2.3.8.7</p> <p>The prospective licensee shall ensure that the water and wastewater system used by the CBCCPP, if required by the Vermont Water Supply Rule and/or Wastewater System and Potable Water Supply Rules, as determined by the Department of Environmental Conservation, obtains required permits.</p> | <p>Weren't we going to exempt public schools from this requirement? Generally, although public schools have EMP, water permits and quality certificates, liability insurance, fire code inspections, etc. it is an onerous process for the director (usually a teacher) to track that information down from the district administrators in order to comply with licensing. It would</p> | <p>These permits are public records. The permits identify the number of children and staff allowed to be present at one time. Collection of this information ensures that the addition of a CBCCPP license within a public school building does not exceed the approval previously granted by the Agency of Natural Resources. This is important to the ongoing health and</p> | |

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| <p>Required permits or documentation of an approved water system shall be submitted with the initial application.</p> | <p>be useful to at least provide an appendix with a checklist of documents that need to be in the program file for licensors, so that teachers don't have to figure out what exactly they need to track down. While these seem like small items, they can be difficult in a large school system. Also, any time there are changes made by others (e.g. a principal modifying the school's handbook, maintenance changing cleaning products), the teacher needs to be aware. Most of the time these other individuals don't even know that they may be impacting the PreK program, which means the teachers have to be hyper-aware of what is going on in the building around them. Again, this gets complicated! – <i>Public School Staff/Administrator</i></p> | <p>sustainability of the drinking water system and the septic system. These permits are governed by state and Federal statutes and/or regulations. The Child Development Division has an obligation to ensure that by granting a CBCCPP license we have not inadvertently approved a school to be in non-compliance with these permits.</p> <p>The CBCCPP Guidance Manual has appendixes that include checklists that support programs with ongoing compliance with regulations. There is also a due date checklist and sample forms on the CDD website.</p> | |
| <p>Section 3 – Administration and Operation</p> | <p>Public school programs should have the expectation that their business office and personnel dept. deal with record keeping expectations. – <i>Teacher/Director in small public school</i></p> | <p>CBCCPP rule 3.4.5.3 applies to all CBCCPPs including PSPPs and allows for the business office and personnel department to oversee record keeping expectations. CBCCPP rules 8.2.1 and 8.2.2 supports this as well and balances the Child</p> | |

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| | | Development Division's need to access and review relevant records. | |
| <p>3.4.4.1</p> <p>The program director shall maintain a complete and up-to-date enrollment file on-site for each child enrolled in the CBCCPP. A complete file shall contain, at minimum, the following information:•A completed child’s admission form signed and dated by the parent that includes the first date the child attended the CBCCPP and the days and hours the child is regularly scheduled to attend the CBCCPP; •The child’s name, current home address and current home telephone number; •The child’s date of birth; •Name, address and all applicable current telephone numbers for parents; •Name, address and all applicable current telephone numbers for at least two (2) other people designated by the parents as emergency contacts; •Names for all persons authorized to pick the child up from the CBCCPP;</p> | <p>Throughout the regulations, there should be consideration of children with disabilities and ELLs. This document should reflect VT's guiding principles for full participation. – <i>Anonymous</i></p> | <p>The recommended change has been applied to rule 3.4.4.1 by adding the requirement to collect the child’s home language.</p> <p>The following CBCCPP Rules consider children with disabilities and ELLS throughout the regulations as suggested. Either by using specific language and/or by using language such as "each child" or "individual.":</p> <ul style="list-style-type: none"> • CBCCPP rules 2.2.8, 2.2.17, 2.2.49, 2.3.11.5, 4.7 include non-discrimination and respect language and children with special needs and disabilities language (see definition in CBCCPP rule 2.2.8 for clarification), • CBCCPP rules 5.11.8.3, 6.1.4.1.2, 6.1.4.1.3, 6.1.4.2.3, 6.1.4.3.3, 6.1.5.1.1, 6.1.5.1.1, 6.1.5.3, 6.2.5.1, 6.2.5.8, 6.2.5.9, 6.2.7.2, and 6.3.4 | <p>CBCCPP rule 3.4.4.1</p> <p>The program director shall maintain a complete and up-to-date enrollment file on-site for each child enrolled in the CBCCPP. A complete file shall contain, at minimum, the following information:•A completed child’s admission form signed and dated by the parent that includes the first date the child attended the CBCCPP and the days and hours the child is regularly scheduled to attend the CBCCPP; •The child’s name, current home address and current home telephone number; •Identification of child's home language; •The child’s date of birth; •Name, address and all applicable current telephone numbers for parents; •Name, address and all applicable current telephone numbers for at least two (2) other people designated by the parents as emergency contacts; •Names for all persons authorized</p> |

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| <p>•Record of an annual physical and health history as required in the rule 5.1.2 of these regulations that includes the name and telephone number of the child’s primary health care and dental care providers (if the child has a dental care provider); A description of any special medical, developmental, emotional or educational needs of the child including allergies, existing illnesses or injuries, previous serious illnesses or injuries and any prescribed medication including those for emergency situations; •Written authorization from the parent for the CBCCPP to be able to obtain emergency medical care and transportation;•Child’s immunization record or Vermont Department of Health approved exemption document as required in the rules in section 5.1.3 of these regulations; •Written permission from parents for the CBCCPP to transport the child, if transportation is provided, as required in the rule 5.10.6.6.1 of the regulations; •Written permission from parents for the</p> | | <p>all support and reflect children with special care needs, disabilities, and/or English language learners</p> <ul style="list-style-type: none"> • Rules in CBCCPP sections 5.9, 5.11.8, 6.1.4.3, and 6.3 are specifically designed to ensure consideration of children with special care needs, disabilities and/or are English language learners. <p>There was an extensive process to develop the proposed rule that included experts including experts in special education and the needs of children with disabilities. Those experts indicated that the rules provide for children with disabilities and English Language Learners.</p> | <p>to pick the child up from the CBCCPP; •Record of an annual physical and health history as required in the rule 5.1.2 of these regulations that includes the name and telephone number of the child’s primary health care and dental care providers (if the child has a dental care provider); A description of any special medical, developmental, emotional or educational needs of the child including allergies, existing illnesses or injuries, previous serious illnesses or injuries and any prescribed medication including those for emergency situations; •Written authorization from the parent for the CBCCPP to be able to obtain emergency medical care and transportation;•Child’s immunization record or Vermont Department of Health approved exemption document as required in the rules in section 5.1.3 of these regulations; •Written permission from parents for the CBCCPP to transport the child, if transportation is provided, as required in the rule 5.10.6.6.1 of the regulations; •Written</p> |

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| <p>child to participate in swimming activities, if swimming activities are a part of the program, as required in the rule 5.10.5.1 of these regulations; •If applicable, a copy of court orders on custody and visitation arrangements as required in the rule 3.6.4 of these regulations; and •If applicable, any obvious injuries discovered and documented on daily health check as required in the rule 5.3.2 of these regulations.</p> | | | <p>permission from parents for the child to participate in swimming activities, if swimming activities are a part of the program, as required in the rule 5.10.5.1 of these regulations; •If applicable, a copy of court orders on custody and visitation arrangements as required in the rule 3.6.4 of these regulations; and •If applicable, any obvious injuries discovered and documented on daily health check as required in the rule 5.3.2 of these regulations.</p> |
| <p>3.4.4.2</p> <p>Each child’s file shall be complete with all required information within the first week that the child begins to attend care. The required annual physical shall be obtained within forty-five (45) days of enrollment as required in rule 5.1.2 of these regulations. <u>School age children visiting a CBCCPP within the public school building, of which they are a student, shall be exempt from needing to have a child's</u></p> | <p>Early Education programs that take place inside of school buildings should be under the same regulations as all other center-based programs. Early Educators in school-based programs have little knowledge of the VT Regulations and don't follow them. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>The revised language in this CBCCPP rule applies to any CBCCPP located in a public school building. This allows for increased collaboration within the school community recognizing the role of school staff responsible for the school age child(ren) who may be visiting a CBCCPP within the school building. In recognition that the school has enrollment information on all students.</p> | |

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| <p><u>file as required in rule 3.4.4.1 of these regulations.</u></p> | | | |
| <p>3.4.5.4</p> <p><u>When the licensee maintains off-site personnel records the licensee or designee shall also maintain a legally notarized affidavit onsite, signed by the licensee or designee, testifying that each personnel file required for staff, auxiliary staff, and partner staff contains all records as required in the rules 3.4.5.1 – 3.4.5.3 of these regulations. The licensee shall permit representatives of the Division to have full access to off-site records to verify documentation.</u></p> | <p>Does this option apply to Head Start? Can Head Start keep all personnel files off-site in a central location? The Associated Parties List is always changing as people come and go. At what point does the Licensee write their affidavit and notarize it? This does not address the potential for delay in allowing the Licensor access to the off-site records. Previously the guidance we received from Licensing was that a Licensor would need access to personnel records within 2 hours of a licensing visit. Are Licensors willing to travel to the off-site location? How exactly would this</p> | <p>This revision applies to all CBCCPPs. You may have more than one notarized statement. For example, you may have one for all current staff. When a new staff member starts, you could notarize a new statement. CBCCPP rule 3.4.7.3 requires staff's BFIS quality and credential accounts to hold relevant qualification and professional development documentation which minimizes the number of times child care licensing staff would need to review a paper file. When a review of the full paper file is required, child care licensing staff are willing to</p> | |

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| | <p>work? Is having the affidavit notarized really necessary? It seems like a step that could be eliminated without sacrificing the quality of the program. – <i>Head Start Administrator</i></p> <p>-----</p> <p>Mandating a notarized affidavit seems extremely excessive when we are still required to have full access to the files. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>travel to the location where the files are stored off-site.</p> <p>-----</p> <p>The notarized statement is in place of having the paper files on-site. The Child Development Division created this notarized option to balance the assurance that all required documentation has been collected and multi-site licensees' requests to keep files in a central location. This CBCCPP rule revision now allows this to apply to all licensees but does not require all licensees to use this option.</p> | |
| <p>3.7.2.2</p> <p>The licensee shall ensure that evacuation drills are conducted at least once a month, and children and staff are evacuated in under three (3) minutes. <u>Licensees of a CBCCPP located within a public school building may count a lockdown drill performed while the CBCCPP is in operation in</u></p> | <p>Could this regulation reflect independent schools as well as public schools? We find ourselves running two drills in our 0-6 programs on months we do lockdown drills for the elementary classes. – <i>Independent school serving children 6 weeks through 8th grade</i></p> | <p>The recommended change has been applied to rule 3.7.2.2.</p> | <p>CBCCPP rule 3.7.2.2</p> <p>The licensee shall ensure that evacuation drills are conducted at least once a month, and children and staff are evacuated in under three (3) minutes. <u>Licensees of a CBCCPP located within a public or independent school building may count a lockdown drill performed while the CBCCPP is</u></p> |

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| <p><u>place of a monthly evacuation drill with the CBCCPP children and staff and at least three (3) of the monthly drills conducted within 365 days shall be evacuation drills.</u></p> | | | <p><u>in operation in place of a monthly evacuation drill with the CBCCPP children and staff and at least three (3) of the monthly drills conducted within 365 days shall be evacuation drills.</u></p> |
| <p>5.9 Children with Special Health Care Needs, and Disabilities</p> | <p>Throughout the regulations, there should be consideration of children with disabilities and ELLs. This document should reflect VT's guiding principles for full participation. – <i>Anonymous</i></p> | <p>The recommended change has been applied to rule 5.9 by adding the language about English Language Learners.</p> <p>The following CBCCPP Rules consider children with disabilities and ELLS throughout the regulations as suggested. Either by using specific language and/or by using language such as "each child" or "individual.":</p> <ul style="list-style-type: none"> • CBCCPP rules 2.2.8, 2.2.17, 2.2.49, 2.3.11.5, 4.7 include non-discrimination and respect language and children with special needs and disabilities language (see definition in CBCCPP rule 2.2.8 for clarification), • CBCCPP rules 5.11.8.3, 6.1.4.1.2, 6.1.4.1.3, | <p>CBCCPP rule 5.9</p> <p>Children with Special Health Care Needs, Disabilities, and/or English Language Learners</p> |

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| | | <p>6.1.4.2.3, 6.1.4.3.3, 6.1.5.1.1, 6.1.5.1.1, 6.1.5.3, 6.2.5.1, 6.2.5.8, 6.2.5.9, 6.2.7.2, and 6.3.4 all support and reflect children with special care needs, disabilities, and/or English language learners</p> <ul style="list-style-type: none"> Rules in CBCCPP sections 5.9, 5.11.8, 6.1.4.3, and 6.3 are specifically designed to ensure consideration of children with special care needs, disabilities and/or are English language learners. <p>There was an extensive process to develop the proposed rule that included experts including experts in special education and the needs of children with disabilities. Those experts indicated that the rules provide for children with disabilities and English Language Learners.</p> | |
| <p>5.9.2</p> <p>Staff shall plan for the full and successful inclusion of children</p> | <p>Throughout the regulations, there should be consideration of children with disabilities and ELLs. This document should</p> | <p>The recommended change has been applied to rule 5.9.2 by adding the language about English Language Learners.</p> | <p>CBCCPP rule 5.9.2</p> <p>Staff shall plan for the full and successful inclusion of children</p> |

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| <p>with special health care needs and disabilities. An individual child’s plan shall be developed with the child’s parents and staff. The plan shall address any health or other particular needs of the child.</p> | <p>reflect VT's guiding principles for full participation. – <i>Anonymous</i></p> | <p>The following CBCCPP Rules consider children with disabilities and ELLS throughout the regulations as suggested. Either by using specific language and/or by using language such as "each child" or "individual.":</p> <ul style="list-style-type: none"> • CBCCPP rules 2.2.8, 2.2.17, 2.2.49, 2.3.11.5, 4.7 include non-discrimination and respect language and children with special needs and disabilities language (see definition in CBCCPP rule 2.2.8 for clarification), • CBCCPP rules 5.11.8.3, 6.1.4.1.2, 6.1.4.1.3, 6.1.4.2.3, 6.1.4.3.3, 6.1.5.1.1, 6.1.5.1.1, 6.1.5.3, 6.2.5.1, 6.2.5.8, 6.2.5.9, 6.2.7.2, and 6.3.4 all support and reflect children with special care needs, disabilities, and/or English language learners • Rules in CBCCPP sections 5.9, 5.11.8, 6.1.4.3, and 6.3 are specifically designed to | <p>with special health care needs, disabilities, and/or English language learners. An individual child’s plan shall be developed with the child’s parents and staff. The plan shall address any health or other particular needs of the child.</p> |

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| | | <p>ensure consideration of children with special care needs, disabilities and/or are English language learners.</p> <p>There was an extensive process to develop the proposed rule that included experts including experts in special education and the needs of children with disabilities. Those experts indicated that the rules provide for children with disabilities and English Language Learners.</p> | |
| <p>5.9.3</p> <p>Adaptations and accommodations shall be made in activities, adult-child interactions, teaching strategies and materials when needed to support the particular needs and positive development of children with special health care needs and disabilities.</p> | <p>Throughout the regulations, there should be consideration of children with disabilities and ELLs. This document should reflect VT's guiding principles for full participation. – <i>Anonymous</i></p> | <p>The recommended change has been applied to rule 5.9.3 by adding the language about English Language Learners.</p> <p>The following CBCCPP Rules consider children with disabilities and ELLS throughout the regulations as suggested. Either by using specific language and/or by using language such as "each child" or "individual.":</p> | <p>CBCCPP rule 5.9.3</p> <p>Adaptations and accommodations shall be made in activities, adult-child interactions, teaching strategies and materials when needed to support the particular needs and positive development of children with special health care needs, disabilities, and/or English language learners.</p> |

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| | | <ul style="list-style-type: none"> • CBCCPP rules 2.2.8, 2.2.17, 2.2.49, 2.3.11.5, 4.7 include non-discrimination and respect language and children with special needs and disabilities language (see definition in CBCCPP rule 2.2.8 for clarification), • CBCCPP rules 5.11.8.3, 6.1.4.1.2, 6.1.4.1.3, 6.1.4.2.3, 6.1.4.3.3, 6.1.5.1.1, 6.1.5.1.1, 6.1.5.3, 6.2.5.1, 6.2.5.8, 6.2.5.9, 6.2.7.2, and 6.3.4 all support and reflect children with special care needs, disabilities, and/or English language learners • Rules in CBCCPP sections 5.9, 5.11.8, 6.1.4.3, and 6.3 are specifically designed to ensure consideration of children with special care needs, disabilities and/or are English language learners. <p>There was an extensive process to develop the proposed rule that</p> | |

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| | | included experts including experts in special education and the needs of children with disabilities. Those experts indicated that the rules provide for children with disabilities and English Language Learners. | |
| <p>5.10.1.13.2</p> <p>The program director shall ensure that a list of the following phone numbers is posted or located near the phone along with 911 and the directions to the CBCCPP:</p> <ul style="list-style-type: none"> •Police;•Fire;•Ambulance/Rescue Squad; •Poison Center (1-800-222-1222); •Child Development Division; and •Child Abuse Hotline 800 number. <p>Child specific information:</p> <ul style="list-style-type: none"> •Parental contacts; •Emergency contacts; and •Doctor contact information. | <p>Throughout the regulations, there should be consideration of children with disabilities and ELLs. This document should reflect VT's guiding principles for full participation. – <i>Anonymous</i></p> | <p>The recommended change has been applied to rule 5.10.1.13.2 by adding Interpreter Services number required.</p> <p>The following CBCCPP Rules consider children with disabilities and ELLS throughout the regulations as suggested. Either by using specific language and/or by using language such as "each child" or "individual.":</p> <ul style="list-style-type: none"> • CBCCPP rules 2.2.8, 2.2.17, 2.2.49, 2.3.11.5, 4.7 include non-discrimination and respect language and children with special needs and disabilities language (see definition in CBCCPP rule 2.2.8 for clarification), • CBCCPP rules 5.11.8.3, 6.1.4.1.2, 6.1.4.1.3, | <p>CBCCPP rule 5.10.1.13.2</p> <p>The program director shall ensure that a list of the following phone numbers is posted or located near the phone along with 911 and the directions to the CBCCPP:</p> <ul style="list-style-type: none"> •Police;•Fire;•Ambulance/Rescue Squad; •Poison Center (1-800-222-1222); •Child Development Division; •Interpreter Service (when needed for enrolled children); and •Child Abuse Hotline 800 number. <p>Child specific information:</p> <ul style="list-style-type: none"> •Parental contacts;•Emergency contacts; and •Doctor contact information. |

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| | | <p>6.1.4.2.3, 6.1.4.3.3, 6.1.5.1.1, 6.1.5.1.1, 6.1.5.3, 6.2.5.1, 6.2.5.8, 6.2.5.9, 6.2.7.2, and 6.3.4 all support and reflect children with special care needs, disabilities, and/or English language learners</p> <ul style="list-style-type: none"> Rules in CBCCPP sections 5.9, 5.11.8, 6.1.4.3, and 6.3 are specifically designed to ensure consideration of children with special care needs, disabilities and/or are English language learners. <p>There was an extensive process to develop the proposed rule that included experts including experts in special education and the needs of children with disabilities. Those experts indicated that the rules provide for children with disabilities and English Language Learners.</p> | |
| <p>5.10.2.3.2</p> <p><u>The CBCCPP shall ensure that perishable food provided by</u></p> | <p>The CBCCPP shall ensure that perishable food provided by home is stored in insulated lunch boxes for no more than four (4) hours</p> | <p>The recommended change has been applied to rule 5.10.2.3.2 by removing the 4-hour requirement.</p> | <p>CBCCPP rule 5.10.2.3.2.</p> <p><u>The CBCCPP shall ensure that perishable food provided by home</u></p> |

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| <p><u>home is stored in insulated lunch boxes for no more than four (4) hours with at least two (2) ice packs. The CBCCPP shall ensure that perishable food provided by home is stored in a refrigerator as specified in the rule 5.10.2.3.1 of these regulations when the perishable food is stored at the CBCCPP for longer than four (4) hours, not stored in an insulated lunch box, and/or not stored with at least two (2) ice packs.</u></p> | <p>with at least two (2) ice packs. The CBCCPP shall ensure that perishable food provided by home is stored in a refrigerator as specified in the rule 5.10.2.3.1 of these regulations when the perishable food is stored at the CBCCPP for longer than four (4) hours, not stored in an insulated lunch box, and/or not stored with at least two (2) ice packs.</p> <p>Regarding this: The time be extended to (5) five hours. Please note evidence below from: What a Food-Safety Pro Wishes You Knew About Packing Your Lunch by AYN-MONIQUE KLAHRE PUBLISHED: AUG 31, 2018 “Perishable items that you’d normally keep refrigerated shouldn’t be held at room temperature for more than two hours, otherwise you’re at a risk for foodborne illness,” says Dr. Sims. So, the good news is that when you add a cool pack to your child’s insulated lunch box, perishable foods will stay safe to eat for an extra three to four hours. Whether your “source” is a hard-sided ice pack (the coolest,</p> | | <p><u>is stored in insulated lunch boxes for no more than four (4) hours with at least two (2) ice packs. The CBCCPP shall ensure that perishable food provided by home is stored in a refrigerator as specified in the rule 5.10.2.3.1 of these regulations when the perishable food is stored at the CBCCPP for longer than four (4) hours, not stored in an insulated lunch box, and/or not stored with at least two (2) ice packs.</u></p> |

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| | <p>but also the heaviest) a frozen gel pack, or just a frozen juice box, adding a cooling source to your child’s lunch every day you pack perishables is a must. “While they’re not meant for all day, using an insulated lunch bag with a chill pack will keep food safe well into lunchtime,” says Dr. Sims. Plus, most schools maintain an inside temperature in the 70s, so you don’t risk the accelerated heating time like you might at, say, sports camp.” Perishable food is safe within an insulated lunchbox for two hours. Adding two ice packs extended the safety time by an extra three to four hours for a total of (5) five to (6) six hours until lunch time. The only way to keep food colder in an insulated lunch boxes inside a refrigerator is the actually open up the lunch box so the food is exposed to the cooler temperature. This isn’t really very practical.... – <i>Privately Operated CBCCPP owner/staff</i></p> <p>-----</p> <p>Thank you for adding this. Our center is not able to have a</p> | <p>-----</p> <p>Thank you for this feedback.</p> | |

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| | <p>separate fridge for lunchboxes and this is great. – <i>Privately Operated CBCCPP owner/staff</i></p> | | |
| <p>5.11.6.8</p> <p><u>Open containers of ready-to-feed or concentrated formula shall be covered, refrigerated, and discarded after forty-eight (48) hours if not used. Freshly mixed powder or liquid concentrate shall be covered, refrigerated, and discarded after twenty-four (24) hours if not used. Unused portions of formula or breast milk that was were offered to the infant shall be discarded after each feeding or after one (1) hour without refrigeration. Open containers of ready to feed or concentrated formula shall be covered, refrigerated, and discarded after forty eight (48) hours if not used. Unused expressed breast milk shall be discarded after forty eight (48) hours if refrigerated, after two (2) weeks if frozen.</u></p> | <p>Having to discard unused formula is a financial hardship for families. Formula is expensive and many families don't qualify for financial assistance. – <i>Privately Operated CBCCPP owner/staff</i></p> <p>-----</p> <p>Love the breast milk changes too. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>On pages 85-86 of the CBCCPP Guidance Manual, discarded is defined as sending the breast milk or formula home with the child.</p> <p>-----</p> <p>Thank you for this feedback.</p> | |
| <p>5.11.6.9</p> | <p>This is a much better option for families who use breastmilk. Having to dump breastmilk is a</p> | <p>Thank you for this feedback.</p> | |

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| <p><u>Unused portions of breast milk that were offered to the infant shall not be served again and shall be labeled as expired, refrigerated, and returned to the parent after each feeding. Freshly expressed breast milk which has not been fed to the infant may be stored at room temperature for no more than four (4) hours. After which it shall be refrigerated or fed to the infant. Unused, stored breast milk shall be returned to the parent after ninety-six (96) hours if refrigerated and after six (6) months if frozen.</u></p> | <p>hardship for families who have a low supply of milk or receive donor milk. – <i>Privately Operated CBCCPP owner/staff</i></p> <p>-----</p> <p>Although we have not personally surveyed all families who breastfeed, we wonder the ultimate purpose or use for this regulation. If a parent would like to know how much their child drank and would like their milk back, I believe they have the right to do so with written permission, but to mandate this would increase the need for more fridge space, possibility of contamination, and possibility of spreading illness. We have been instructed not to overall work with bodily fluids-breast milk should be included. If the regulation was to move forward, I think an additional provision should be added to exclude families who give written permission. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>-----</p> <p>Since the CBCCPP regulations were adopted in 2016, Child Development Division staff received considerable amount of feedback from both CBCCPPs, parents and other entities (e.g. Vermont Department of Health) requesting the wording be changed to this. The Child Development Division collaborated with lactation consultants from the UVM Medical Center Hospital of Vermont in developing the language with this proposed revision.</p> | |
| 6.2.1.8 | Please add the following teachers to the list of "auxiliary staff" who | The recommended change has been applied to rule 6.2.1.8 by | CBCCPP rule 6.2.1.8 |

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| <p>Auxiliary Staff, of the CBCCPP who do not meet qualifications as defined in the rules in section 7.3 of these regulations, shall not be left alone with children and shall not count in staff/child ratios. <u>Auxiliary Staff of the CBCCPP, who hold at least a current Vermont Agency of Education license with one of the following endorsements, may be left alone with children and may be counted in staff/child ratio for no more than one (1) hour per day to provide education or supervision within the scope of their license:</u></p> <ul style="list-style-type: none"> • <u>Art;</u> • <u>Associate School Nurse;</u> • <u>Early Childhood Special Education;</u> • <u>Educational Speech Language Pathology;</u> • <u>Music;</u> • <u>Physical Education;</u> • <u>Principal;</u> • <u>School Counselor;</u> • <u>School Librarian;</u> • <u>School Nurse;</u> • <u>School Psychologist;</u> and/or • <u>Social Worker.</u> | <p>may be left alone with children for up to 1 hour: English Language Learner, Teacher of the Blind and Visually Impaired, Teacher of the Deaf and Hard of Hearing. These teachers may be meeting the needs of vulnerable children. – <i>Public School Staff/Administrator</i></p> <p>-----</p> <p>If auxiliary staff with a current AOE license with one of the listed endorsements can be counted in student/teacher ratios for up to one hour per day, I think the same should be true for partner staff if they are employed by a local school district. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>adding these titles to the list of auxiliary staff in the rule.</p> <p>-----</p> <p>These Rules do not allow partner staff to be left alone with children because Partner staff are not under the employment of the CBCCPP. As such, the CBCCPP has limited knowledge about the partner staff member's skills and abilities and has no authority over the services being provided to the child. In addition, if this would be allowed, the partner staff member would also have to submit to the fingerprint portion of the background clearance performed by the Child Development Division per Federal statute and regulations.</p> <p>Please also see the proposed revision to CBCCPP rule 2.2.523 “Staff” means all persons</p> | <p>Auxiliary Staff, of the CBCCPP who do not meet qualifications as defined in the rules in section 7.3 of these regulations, shall not be left alone with children and shall not count in staff/child ratios. <u>Auxiliary Staff of the CBCCPP, who hold at least a current Vermont Agency of Education license with one of the following endorsements, may be left alone with children and may be counted in staff/child ratio for no more than one (1) hour per day to provide education or supervision within the scope of their license:</u></p> <ul style="list-style-type: none"> • <u>Art;</u> • <u>Associate School Nurse;</u> • <u>Early Childhood Special Education;</u> • <u>Educational Speech Language Pathology;</u> • <u>English Language Learner;</u> • <u>Music;</u> • <u>Physical Education;</u> • <u>Principal;</u> • <u>School Counselor;</u> • <u>School Librarian;</u> • <u>School Nurse;</u> • <u>School Psychologist;</u> <u>and/or</u> |

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| | <p>-----</p> <p>Allowing auxiliary staff to with an educator license to count in ratios makes sense. Otherwise, it seems like we're talking about redundant training to have them qualify as not auxiliary. Great change. – <i>Public School Staff/Administrator</i></p> | <p>employed by or substituting at the CBCCPP as a program director, teacher, teacher associate, teacher assistant, trainee, classroom aide, or seasonal staff. <u>If a licensee (such as Head Start) has a contractual relationship with another entity (such as a school supervisory union) to provide an individual to the licensee to work within the licensee's CBCCPP and who will not be employed by the licensee, these individuals may be defined as staff and shall have all CBCCPP regulations pertaining to staff apply. Documentation of this contractual relationship shall be maintained at the CBCCPP.</u></p> <p>-----</p> <p>Thank you for this feedback.</p> | <ul style="list-style-type: none"> • <u>Social Worker</u> • <u>Teacher of the Deaf and Hard of Hearing; and/or</u> • <u>Teacher of the Visually Impaired.</u> |
| 6.2.4.6 | Thanks for the "consecutive" change! This will have a hugely beneficial impact on all programs. | Thank you for this feedback. | |

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| <p>When a substitute fills a staff position for thirty (30) or more <u>consecutive</u> days within a 365 day period, the substitute shall be fully qualified for the position he/she fills and shall no longer be considered a substitute but is considered a full staff person subject to all requirements for staff in these regulations.</p> | <p>– <i>Public School Staff/Administrator</i></p> <p>-----</p> <p>This will be a huge help to centers that really prefer to use experienced substitute staff who know the center's requirements and who are familiar to the children and their families. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>-----</p> <p>Thank you for this feedback.</p> | |
| <p>6.2.7.4.2</p> <p>Restricting a child’s movements or actions through use of <u>physical force, binding, tying, or use of any other mechanical restraint, or using medication without written parental permission, without following the medicine's label, and/or without following medical prescription;</u></p> | <p>"Restricting a child’s movements or actions": It is well known and documented that child care programs are working hard to address child behavior struggles that are growing in number, frequency, intensity, and severity. In the past, common sense prevailed. Young children (2-5) are accustomed to being held on hip and moved to a different location if they are posing safety risks for peers and verbal methods of support or redirection have been unsuccessful. Recently licensors have disallowed even typical developmentally normal holding of children that are placing themselves or others at</p> | <p>The Child Development Division has cited violations when children have been restrained through binding (e.g. placed in a highchair and belted in place) as a form of punishment. Violations have also been cited when staff have picked children up by the wrists or arms and/or left bruises, escalated a child's behavior due to roughly grabbing a child and roughly placing a child in a seat. When these violations have been cited, CBCCPP staff often tell child care licensing staff that they do not know what else to do and at times say they believe it is wrong.</p> | |

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| | <p>risk. Centers are told to remove all of the other children rather than place a challenging child on hip to escort out of an area. Centers are struggling with this, and children with behavior challenges are being given excess control to damage and control their environment, when peers are removed, and they are then allowed to damage their child care environment. The wrong message is being given to the child that is disrupting the care environment. It is also highly disruptive to peers and can result in peers being moved during rest time, meal time, etc. The CDD should host a critical conversation with providers about actual child behavior patterns in the year 2020. These have changed a great deal in recent years as result of the opiate problem and other societal problems. We need to equip centers and teachers to successfully manage challenging behavior. This may mean changing ratios that are more suitable to the typical child of today. A high level conversation needs to occur that addresses</p> | <p>It has been a common practice for child care licensing staff to require corrective action that includes professional development for staff and/or CBCCPP administration to learn more about positive methods of guiding children's behaviors. Typically after staff have completed and applied their learning from these professional development opportunities, the child care licensing staff have observed the increase use of visual aids, improved transition planning, improved sensory options within the classroom, improved skills within the child, and improved awareness of staff to recognize a child's cues that he/she is beginning to devolve and better match the staff's response to support the child. As a result, CBCCPP staff report not needing to use restraining techniques and/or a calmer classroom after applying their learning.</p> <p>Other professional development CBCCPP rules support CBCCPP staff with taking professional</p> | |

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| | <p>these issues without stigmatizing centers. ECFMH Consultation needs to be increased AND reimbursed as a critical service. Licensors need to work with centers to develop common sense plans that allow some degree of developmentally appropriate holding to remove an aggressive child from an environment. Safe practices are available as is training. The current procedures and insensitive pattern of violating centers for a hip-sit removal of a child from a room to a safer space, is demoralizing to centers and offers no realistic alternatives. – <i>Provider of ECFMH; Program Manager; and ECFMH Consultation to child care programs</i></p> | <p>development that helps educate on how to set up effective environments and support children's growth and learning.</p> | |
| <p>6.3.3</p> <p>Activities shall be adapted for children with disabilities to reach the goals described in the child’s IEP, CIS One Plan, or the equivalent.</p> | <p>Throughout the regulations, there should be consideration of children with disabilities and ELLs. This document should reflect VT's guiding principles for full participation. – <i>Anonymous</i></p> | <p>The recommended change has been applied to rule 5.10.1.13.2 by adding the language about children who are English Language Learners.</p> <p>The following CBCCPP Rules consider children with disabilities and ELLS throughout the regulations as suggested. Either</p> | <p>CBCCPP rule 6.3.3</p> <p>Activities shall be adapted for children with disabilities and/or for children who are English <u>L</u>anguage <u>L</u>earners to reach the goals described in the child’s IEP, CIS One Plan, or the equivalent.</p> |

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| | | <p>by using specific language and/or by using language such as "each child" or "individual.":</p> <ul style="list-style-type: none"> • CBCCPP rules 2.2.8, 2.2.17, 2.2.49, 2.3.11.5, 4.7 include non-discrimination and respect language and children with special needs and disabilities language (see definition in CBCCPP rule 2.2.8 for clarification), • CBCCPP rules 5.11.8.3, 6.1.4.1.2, 6.1.4.1.3, 6.1.4.2.3, 6.1.4.3.3, 6.1.5.1.1, 6.1.5.1.1, 6.1.5.3, 6.2.5.1, 6.2.5.8, 6.2.5.9, 6.2.7.2, and 6.3.4 all support and reflect children with special care needs, disabilities, and/or English language learners • Rules in CBCCPP sections 5.9, 5.11.8, 6.1.4.3, and 6.3 are specifically designed to ensure consideration of children with special care needs, disabilities and/or are English language learners. | |

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| | | <p>There was an extensive process to develop the proposed rule that included experts including experts in special education and the needs of children with disabilities. Those experts indicated that the rules provide for children with disabilities and English Language Learners.</p> | |
| <p>7.1.2.1</p> <p><u>The licensee shall ensure that at least one (1) staff who has successfully completed and is currently certified in pediatric first aid and in infant and child CPR is on the premises at all times children are present.</u></p> | <p>All teachers and staff members should be CPR and First Aid trained. In an emergency, there isn't time to find the one person who is trained. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>When a new CBCCPP becomes licensed, staff are hired as the program increases capacity. Or a small CBCCPP may experience a change in staff. As a result, it is important that this rule exists. This does not change that within 3 months of hire, staff are required to complete training, be certified, and remain certified thereafter.</p> | |
| <p>7.1.2.2</p> <p><u>Staff who are counted in the staff/child ratios and auxiliary staff left alone with children and/or counted in staff/child ratio as specified in the rule 6.2.1.8 of these regulations shall obtain training in pediatric first aid and in infant and child CPR within</u></p> | <p>Some of my school districts struggle to make sure they are complying with professional development regulations. Can you make an appendix with a checklist of trainings and who is required to have them (e.g. all staff, one staff member, etc.)? 7.1.2.2: I know this is to remain in compliance with federal</p> | <p>The CBCCPP Guidance Manual has appendixes that include checklists that support programs with ongoing compliance with regulations. There is also a due date checklist and sample forms on the CDD website.</p> | |

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| <p>three (3) six (6) months of beginning work in the CBCCPP and remain currently certified.</p> | <p>regulations, but this training is not available frequently enough. All programs are going to struggle to meet this requirement. – <i>Public School Staff/Administrator</i></p> <p>-----</p> <p>Three months is not enough time for the rural areas to find a class for new hires. We struggle to find one within the six month window. I understand that this is not an issue for the Burlington area, but southern VT doesn't have the luxury of CPR and First Aid classes monthly. We see them posted about every 5 months. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>-----</p> <p>This requirement is a Federal statute and regulation. Vermont has been required by the Federal Office of Child Care to come into compliance with this requirement. Northern Lights at CCV Resource Advisors are available to assist program's with finding these types of professional development opportunities (https://northernlightsccv.org/about-us/contact-us/).</p> | |
| <p>7.2 Background Checks and Appropriate Clearances</p> | <p>Change the background checks and clear the background and stop using false information against people. – <i>Anonymous</i></p> <p>-----</p> | <p>The Child Development Division provides training and supervision to staff responsible for completing background clearances to ensure correct information is identified for the individual of the clearance. A secondary review process exists when the subject of the background clearance contests the accuracy of the finding.</p> <p>-----</p> | |

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| | <p>You to change the background checks and so people can get a job. And clear all background checks. – <i>Anonymous</i></p> <p>-----</p> <p>Duplication of data collection responsibilities should be eliminated for public preschool programs. All state agencies should use the same business office and personnel data. It wastes time and money to request that teacher/directors sort through and send each organization duplicate info. Their time should be focused on working with children and fostering their learning. – <i>Teacher/Director in small public school</i></p> | <p>The Child Development Division provides training and supervision to staff responsible for completing background clearances to ensure correct information is identified for the individual of the clearance. A secondary review process exists when the subject of the background clearance contests the accuracy of the finding.</p> <p>-----</p> <p>Staff from the Department for Children and Families have collaborated with staff from the Agency of Education to minimize areas of duplication and to explore further steps needed to continue reducing duplication. Both staff are also working with the Agency of Digital Services to support database development that may be able further reduce duplication as well.</p> | |
| <p>7.3.2.6 Substitute</p> <p>A substitute is at least eighteen (18) years of age, is able to</p> | <p>Please allow school districts to utilize subs that are hired at the K-6 grade levels without having to do the 9 hour orientation (unless</p> | <p>The orientation requirement in CBCCPP rule 7.1.3 comes from a Federal statute and regulation. The online Better Kid Care</p> | |

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| <p>comprehend basic written format, and is a high school graduate or has completed a GED.</p> | <p>they are a long term sub). Dual fingerprinting, although cumbersome, is appropriate for subs but other requirements are scaring subs away. We don't want to have to close PreK on days we don't have enough coverage to meet staff ratios and we are getting close to having to do that. – <i>Public School Staff/Administrator</i></p> | <p>Orientation that is estimated to take 9 hours to complete is one of two options. CBCCPPs may create their own orientation which may be significantly fewer hours. For guidance and access to a training template, please visit the Child Development Division's website: https://dcf.vermont.gov/cdd/professional-development/requirements.</p> | |
| <p>7.4.1</p> <p>The program director shall ensure within six (6) months of starting work in the CBCCPP, staff shall have an Individual Professional Development Plan (IPDP). This shall be documented in the individual's BFIS Quality and Credential Account or in the staff file on site. IPDPs shall be updated at least once every 365 days. <u>Substitutes filling a staff position for less than thirty (30) consecutive days within a 365 day period shall be exempt.</u></p> | <p>The B.F.I.S. system has been far too unreliable, backlogged, and cumbersome for any regulations pertaining to it to be reasonable. The system must be fixed, and made far more accessible, before programs should be held accountable for its contents. I question whether they should be at all, since it is a duplication of paper files required to be present at the center. Centers are going down at an alarming rate. I know each of these little things only take 5 minutes - but when you are trying to meet the standards of 5 or more entities, those 5 minutes add up to full time jobs. Centers do not have the money for additional staff to do this. Any</p> | <p>The Child Development Division is working with the Vermont legislature for funding to support the development of a new and improved data system.</p> <p>CBCCPP program directors have access to the BFIS quality and credential accounts for their staff. Additional paper files are not required.</p> <p>Having documentation in BFIS supports a variety of needs. For example, staff who transition to a new place of employment from one regulated child care program to another has their BFIS quality and credential account move with them. This has increased the ease</p> | |

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| | <p>area in which regulations can be pulled back to permit centers to function more smoothly that do not impact the health and safety of children should be strongly considered, and implemented. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>of program directors during the hiring process, has allowed child care licensing staff to document the highest position level for which a staff member meets qualifications within all 3 license types (CBCCPP, Afterschool Child Care Programs, and Family Child Care Homes), and is supporting Vermont's ability to make data informed decisions about funding and other supports to this profession.</p> | |
| <p>7.4.3 All professional development activities shall meet all criteria as defined by NLCDC <u>Northern Lights at CCV</u> and shall be verified and documented in the individual's BFIS Quality and Credential Account. Professional development hours may be applied toward meeting the individual's IPDP.</p> | <p>Professional development is a financial hardship for early educators who need to pay for it themselves. More options should count as professional development. Lawyers are allowed to read books on their field for continuing education. There are not enough professional development opportunities offered each year and educators who have been in the field for 15+ years are forced to repeat training they have taken before to fulfill the</p> | <p>The Child Development Division will continue to work with Northern Lights at CCV to expand the offerings of professional development.</p> <p>In the last several years, Northern Lights at CCV has reviewed and approved numerous on-line professional development that has significantly increased the breadth and depth of options for experienced CBCCPP staff. Please visit their website to learn more about these options:</p> | |

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| | requirements. – <i>Privately Operated CBCCPP owner/staff</i> | https://northernlightscv.org/training/online-training/ . | |
| <p>7.4.5</p> <p>Staff who hold a current Vermont Agency of Education teaching license with an endorsement <u>as required in sections 7.3.1 and/or 7.3.2 of these regulations</u> in Early Childhood Education, Early Childhood Special Education, or Elementary Education shall use their current teaching license as documented verification of completing professional development requirements in the rule 7.4.3 of these regulations. This current <u>Vermont Agency of Education</u> teaching license shall be verified and documented in the individual’s BFIS Quality and Credential Account.</p> | YES, PLEASE! – <i>Public School Staff/Administrator</i> | Thank you for this feedback. | |
| <p>7.5.3</p> <p>Staff shall receive a written annual performance review from his/her supervisor. Performance recommendations shall be incorporated into IPDPs.</p> | We really appreciate the exemptions for subs in 7.4.1 and 7.4.4. We would like to request that subs are also exempt from 7.5.3 (annual performance reviews). The nature of sub work is inconsistent, and evaluations | The recommended change has been applied to rule 7.5.3. Rule 3.4.5.1 has been modified to align with this change. | <p>CBCCPP rule 7.5.3</p> <p>Staff shall receive a written annual performance review from his/her supervisor. Performance recommendations shall be incorporated into IPDPs.</p> |

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| | <p>are not really necessary because unsatisfactory subs are not invited to return. – <i>Head Start Administrator</i></p> | | <p><u>Substitutes filling a staff position for less than thirty (30) consecutive days within a 365 day period shall be exempt.</u></p> <p>CBCCPP rule 3.4.5.1</p> <p>A licensee shall maintain a complete and up-to-date personnel file for staff working at the CBCCPP. A complete file shall contain, at minimum, the following information: •Name, date of birth, home address and telephone number; •Copies of current first aid and CPR certification; •Signed statement verifying understanding of legal requirement to report suspected child abuse and neglect; •Documentation of a current Records Check Authorization form; •Documentation of having read and having ready access to a current copy of applicable child care licensing regulations; •Administration of Medication training certification (if applicable); •Signed statement verifying current job title and</p> |

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| | | | supervisor’s name; •Application for employment including references or reference checks;•Employment start date;•Documentation of completed Orientation Training;•Employment end date and reason for leaving, if applicable; •IPDP <u>Substitutes filling a staff position for less than thirty (30) consecutive days within a 365 day period shall be exempt.</u> and •Written annual performance reviews <u>Substitutes filling a staff position for less than thirty (30) consecutive days within a 365 day period shall be exempt.</u> |
| 7.6 Use of a Business Manager | The entire section on Business Managers should be struck for public schools. Business Managers submit documentation of training to the AOE and are closely supervised by the Superintendent and School Board. – <i>Advocate</i> | Please see the following proposed CBCCPP rules 8.2.7 – 8.2.9. These proposed changes eliminate the additional program director qualification requirements including the option of having a business manager. | |
| Section 8 – Exceptions for Specially Designated Programs | The changes to the program director qualifications should be very helpful within the context of a public school structure. As I read this, the program director can be the teacher in the classroom without additional course work. | Thank you for this feedback. | |

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| | <p>The principal will probably never be the program director, since they do not spend 60% of their time in the program, assuming the program is the PreK classroom, but I appreciate the effort to include them as oversight. – <i>Public School Staff/Administrator</i></p> | | |
| <p>8.1.1</p> <p>The CBCCPP is exempt from the rule 3.4.4.1 of these regulations, however the licensee shall maintain a complete and up-to-date enrollment file on-site at the CBCCPP. A complete file shall contain, at minimum, the following information: •A completed child’s admission form signed and dated by the parent that includes the first date the child attended the CBCCPP; •The child’s name, current home address and current home telephone number; •The child’s date of birth; •Name, address and all applicable current telephone numbers for at least one (1) other person designated by the parents as an emergency contact; •Names for all persons authorized to pick</p> | <p>Throughout the regulations, there should be consideration of children with disabilities and ELLs. This document should reflect VT's guiding principles for full participation. – <i>Anonymous</i></p> | <p>The recommended change has been applied to rule 8.1.1 by adding the requirement to collect the child’s home language</p> <p>The following CBCCPP Rules consider children with disabilities and ELLS throughout the regulations as suggested. Either by using specific language and/or by using language such as "each child" or "individual.":</p> <ul style="list-style-type: none"> • CBCCPP rules 2.2.8, 2.2.17, 2.2.49, 2.3.11.5, 4.7 include non-discrimination and respect language and children with special needs and disabilities language (see definition in CBCCPP rule 2.2.8 for clarification), | <p>CBCCPP rule 8.1.1</p> <p>The CBCCPP is exempt from the rule 3.4.4.1 of these regulations, however the licensee shall maintain a complete and up-to-date enrollment file on-site at the CBCCPP. A complete file shall contain, at minimum, the following information: •A completed child’s admission form signed and dated by the parent that includes the first date the child attended the CBCCPP; •The child’s name, current home address and current home telephone number; •Identification of child's home language; •The child’s date of birth; •Name, address and all applicable current telephone numbers for at least one (1) other person designated by the parents as an emergency contact;</p> |

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| <p>the child up from the CBCCPP; •A health history provided by the parent that includes the name and telephone number of the child’s primary health care and dental care providers (if the child has a dental care provider). A description of any special medical, developmental, emotional or educational needs of the child including allergies, existing illnesses or injuries, previous serious illnesses or injuries and any prescribed medication including those for emergency situations;•Written authorization from the parent for the CBCCPP to be able to obtain emergency medical care and transportation; •Written permission from parents for the CBCCPP to transport the child, if transportation is provided, as required in the rule 5.10.6.6.1 of the regulations; •Written permission from parents for the child to participate in swimming activities, if swimming activities are a part of the program, as required in the rule 5.10.5.1 of these regulations; •If applicable, a copy of court orders on custody</p> | | <ul style="list-style-type: none"> • CBCCPP rules 5.11.8.3, 6.1.4.1.2, 6.1.4.1.3, 6.1.4.2.3, 6.1.4.3.3, 6.1.5.1.1, 6.1.5.1.1, 6.1.5.3, 6.2.5.1, 6.2.5.8, 6.2.5.9, 6.2.7.2, and 6.3.4 all support and reflect children with special care needs, disabilities, and/or English language learners • Rules in CBCCPP sections 5.9, 5.11.8, 6.1.4.3, and 6.3 are specifically designed to ensure consideration of children with special care needs, disabilities and/or are English language learners. <p>There was an extensive process to develop the proposed rule that included experts including experts in special education and the needs of children with disabilities. Those experts indicated that the rules provide for children with disabilities and English Language Learners.</p> | <p>•Names for all persons authorized to pick the child up from the CBCCPP; •A health history provided by the parent that includes the name and telephone number of the child’s primary health care and dental care providers (if the child has a dental care provider). A description of any special medical, developmental, emotional or educational needs of the child including allergies, existing illnesses or injuries, previous serious illnesses or injuries and any prescribed medication including those for emergency situations;•Written authorization from the parent for the CBCCPP to be able to obtain emergency medical care and transportation; •Written permission from parents for the CBCCPP to transport the child, if transportation is provided, as required in the rule 5.10.6.6.1 of the regulations; •Written permission from parents for the child to participate in swimming activities, if swimming activities are a part of the program, as required in the rule 5.10.5.1 of these regulations; •If applicable, a</p> |

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| <p>and visitation arrangements as required in the rule 3.6.4 of these regulations; and •If applicable, any obvious injuries discovered and documented on daily health check as required in the rule 5.3.2 of these regulations.</p> | | | <p>copy of court orders on custody and visitation arrangements as required in the rule 3.6.4 of these regulations; and •If applicable, any obvious injuries discovered and documented on daily health check as required in the rule 5.3.2 of these regulations.</p> |
| <p>8.2.1</p> <p><u>The PSPP is exempt from the rule 3.4.5.1 of these regulations, however the licensee shall maintain a complete and up-to-date list of staff in the PSPP's BFIS Account and staff's BFIS Quality and Credential Account shall contain, at minimum, the following information:</u></p> <ul style="list-style-type: none"> • <u>Name, date of birth, home address and telephone number;</u> • <u>Copies of current first aid and CPR certification;</u> • <u>Signed statement verifying understanding of legal requirement to report suspected child abuse and neglect;</u> • <u>Documentation of a current Records Check</u> | <p>Again, B.F.I.S. requirements are already too unwieldy, time consuming and redundant. To add more would be entirely counter-productive. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>This proposed CBCCPP rule revision is to modify an existing rule in a manner that minimizes duplication and pressures on a PSPP in honor of a recommendation proposed by a group of PSPP stakeholders that meet from 9/2018 until 4/2019.</p> | |

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| <p><u>Authorization form;</u></p> <ul style="list-style-type: none"> • <u>Documentation of having read and having ready access to a current copy of applicable child care licensing regulations;</u> • <u>Administration of Medication training certification (if applicable);</u> • <u>Employment start date; and</u> • <u>Documentation of completed Orientation Training.</u> | | | |
| <p>8.2.2</p> <p><u>The PSPP is exempt from rules 3.4.5.2 and 3.4.5.3 of these regulations, however the licensee shall maintain a complete and up-to-date list in the PSPP's BFIS Account of auxiliary and partner staff that shall contain, at minimum, the following information:</u></p> <ul style="list-style-type: none"> • <u>Name, date of birth, home address and telephone number;</u> • <u>Signed statement verifying understanding of legal requirement to</u> | <p>Again, B.F.I.S. requirements are already too unwieldy, time consuming and redundant. To add more would be entirely counter-productive. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>This proposed CBCCPP rule revision is to modify an existing rule in a manner that minimizes duplication and pressures on a PSPP in honor of a recommendation proposed by a group of PSPP stakeholders that meet from 9/2018 until 4/2019.</p> | |

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| <p><u>report suspected child abuse or neglect; and</u></p> <ul style="list-style-type: none"> • <u>Documentation of a current Records Check Authorization form.</u> | | | |
| <p>8.2.8</p> <p><u>The PSPP is exempt from the rule 7.3.1.4 of these regulations; however, the program director of a CBCCPP licensed to serve sixty (60) or more children shall be qualified as a teacher or hold at least a current Vermont Agency of Education license with a Principal, Career Technical Center Director, Director of Curriculum, Director of Special Education, or Superintendent endorsement.</u></p> | <p>Does this countermand the requirement that a Center Director hold a Director credential? If it does, I believe this to be a positive result. I find it more appropriate that they be required to meet teacher requirements, in terms of the health and safety of children. A program manager can assist with the other arenas of knowledge. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>This proposed CBCCPP rule only applies to Public School Prekindergarten Programs because of the multi-tiered infrastructure that is the same across all Vermont school districts and supervisory unions.</p> <p>Due to how Vermont School districts and supervisory unions far exceed the program director qualifications required in CBCCPP regulations, the uniform infrastructure, and their financial stability; the Child Development Division supports this exemption for PSPPs.</p> | |
| <p>8.2.9</p> <p><u>The PSPP is exempt from the rule 7.3.1.5 of these regulations which requires the program director of a CBCCPP licensed for thirteen (13) or more children to complete a three (3) college credit course in managing an</u></p> | <p>If a director has a bachelor's in early education or a related field like early childhood special education and a teacher's license having to return to school to complete a three-credit class is a financial hardship and should be unnecessary. – <i>Privately Operated CBCCPP owner/staff</i></p> | <p>This proposed CBCCPP rule only applies to Public School Prekindergarten Programs because of the multi-tiered infrastructure that is the same across all Vermont school districts and supervisory unions.</p> | |

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| <u>early care and education program that includes budgeting and financial management or to employ a business manager.</u> | | Due to how Vermont School districts and supervisory unions far exceed the program director qualifications required in CBCCPP regulations, the uniform infrastructure, and their financial stability; the Child Development Division supports this exemption for PSPPs. | |