

# Licensing Professional Development

## Regulation Theories of Monitoring and Innovations in Licensing

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NATIONAL CENTER ON  
Early Childhood Quality Assurance



# Licensing Measurement & Monitoring Systems: Elements and Dichotomies

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# Licensing Measurement and Monitoring Systems

Regulatory science  
applied to human  
services regulatory  
administration

Richard Fiene, PhD  
RESEARCH INSTITUTE  
FOR KEY INDICATORS



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# Program Quality Continuum Dichotomies

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



# Licensing Measurement Elements

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



# Monitoring Systems Dichotomies

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



# For Additional Information:

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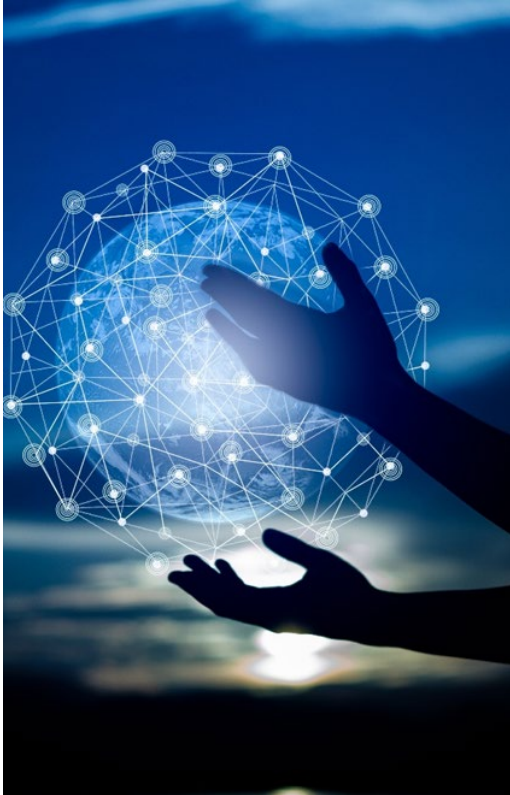
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# Monitoring/Observation Visits in Tennessee

# Presentation Points

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

# Industry Transformation



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



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## Child Care Vision/Goals

*Improve Quality*

*Increase Access*

*Strengthen Business Efficiency*





**QRIS Redesign**

# QRIS Redesign

## Big Ideas for Recommendations

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

# Tool Development

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



# Scoring

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



# Quality Levels

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

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

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

# Critical Items

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

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



## Scoring Example (met)

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

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

## Scoring Example (not met)

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

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

## Scoring Example (NA)

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

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

# On-site Inspection

# Example



# Aligning Staffing with Vision

# Licensing Division- Two Units

## Field Operations

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

## Pre-Licensure Unit

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



# Licensing Field Operations Support

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



# On-line Corrections

## **Example**

# Pre-Licensure Support Unit

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

# Establishment Grant

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



# Warm Hand-Off from Provisional Period to Continuous License

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



**Resources, Tools,  
Supports**

# Quality Supports-All Supports Available Statewide

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



# Additional Quality Supports

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



# Additional Quality Supports

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

# Resources

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



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