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**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE
ARKANSAS BETTER CHANCE PROGRAM**

1.00 REGULATORY AUTHORITY

- 1.01 These rules are enacted pursuant to the authority of the State Board of Education's authority under Ark. Code Ann. §§ 6-11-105 and 6-45-101 et seq. as amended.
- 1.02 The Division of Child Care and Early Childhood Education, Department of Human Services, shall coordinate and administer the Arkansas Better Chance Program, providing all appropriate technical assistance and program monitoring necessary to fulfill the requirements of Ark. Code Ann. §§6-45-101 et seq., 20-78-206 and 6-11-105. The Division will annually provide the State Board of Education a list of grants which are recommended for funding for the next program year.
- 1.03 The State Board of Education will approve all rules developed pursuant to Act 212 of 1991 and Act 49 of 2004 as amended and will approve all programs funded under the Arkansas Better Chance Program.

2.00 PURPOSE

- 2.01 It is the purpose of these rules to set the general guidelines for the operation of early childhood programs funded under the Arkansas Better Chance Program and the Arkansas Better Chance for School Success Program.

3.00 DEFINITIONS/ACRONYMS

- 3.01 ABC: Arkansas Better Chance/Arkansas Better Chance for School Success
- 3.02 ADE: Arkansas Department of Education
- 3.03 ADHS: Arkansas Department of Human Services
- 3.04 Core Quality Components
The five key areas of ABC:
1. Low student to teacher ratio/well qualified/compensated staff
 2. Professional development
 3. Developmental Screening and Child Assessment
 4. Meaningful parent and community engagement activities
 5. Proven curricula and learning processes which serve as the base of ABC funding levels.
- 3.05 DCCECE: Division of Child Care and Early Childhood Education
- 3.06 IDEA: Individuals with Disabilities Education Act
- 3.07 In-kind services: Support services provided at either no cost or without monetary exchange

- 3.08 HIPPY: Home Instruction for Parents of Preschool Youngsters
- 3.09 LEA: Local Education Agency
- 3.10 PAT: Parents as Teachers
- 3.11 Single Site Classroom: One ABC classroom at a geographic location
- 3.12 Multi-classroom Site: Multiple ABC classrooms which are located on the same premises (This does not refer to a program which has multiple classrooms in various geographic locations.)
- 3.13 Shall: Mandatory standard
- 3.14 Should: Standard is recommended but not mandatory

4.00 STUDENT ELIGIBILITY

- 4.01 The ABC Program is intended to serve educationally deprived children, ages birth-5 years, excluding the required kindergarten program. The Arkansas Better Chance for School Success Program is intended to serve children ages 3 and 4 years from families with gross income not exceeding 200% of the Federal Poverty Level (FPL).
- 4.02 Eligible students for the ABC program shall have at least one of the following characteristics: low income family (up to 200% of the Federal Poverty Level (FPL)), parents without a high school diploma or GED, low birth weight (below 5 pounds, 9 ounces), a teen parent at child’s birth, a family with a history of substance abuse/addiction, be income eligible for Title I programs, be eligible for services under IDEA, a family with a history of abuse or neglect or be a victim of abuse or neglect, demonstrable developmental delays as identified through an appropriate screening, Limited English Proficient.
- 4.03 Eligible students for the ABC for School Success program shall be ages three and four years and shall be members of a family with a gross family income not exceeding 200% of the Federal Poverty Level (FPL), if there is a program available in the school district where the child resides and if there is available space for the child to attend the program.
- 4/04 The ADE and DCCECE may develop a fee schedule and establish eligibility based on family income for children who are not eligible under Section 4.03, but priority enrollment shall be provided to children eligible under Section 4.03.

5.00 APPLICANT ELIGIBILITY

- 5.01 Any licensed provider which meets the criteria herein and provides a local-to-state matching ratio of forty (40) to sixty (60) may qualify for consideration and funding. This local-to-state match may be waived by the Division of Child Care and Early Childhood Education within the Department of Human Services if the school is in a district that has been designated by the Department of Education as being in academic distress and

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the division determines that the school is unable to provide the local-to-state match requirement. This determination may be made only after the division has assisted the school in identifying potential funding sources to provide local-to-state match requirements.

5.02 Applicant priority for Arkansas Better Chance for School Success funding shall be based on criteria stated in Act 49 of 2004:

- Schools that have 75% or more students scoring below proficiency level on the primary benchmark exams (math and literacy) in the preceding two (2) school years; and
- Schools designated by ADE as being in school improvement status; or
- Schools located in a school district in academic distress.

5.03 Local 40% match may include funding or appropriate in-kind services. Federal funding sources, including the cost of EPSDT screening, may be used as local match.

5.04 Arkansas Better Chance Funding (60%) for the core components of the program may include salaries and fringe for staff giving direct services to ABC children, professional development, child assessment, developmental screening, meaningful parent and community engagement activities, proven curricula and learning processes, and transportation, and administration.

5.05 A priority school shall be required to work with the DCCECE, ADE and their local community to establish, promote, and assist in the development of a program to serve all eligible children ages three and four years in the identified priority school area.

6.00 FUNDING

6.01 The Arkansas Better Chance Program is intended to supplement existing funding sources rather than to supplant existing sources.

6.02 All applications shall include an appropriate budget which details all costs associated with the program and demonstrates both the cost effectiveness of the program and the use of federal, state, local and/or private funds in conjunction with ABC grant monies.

6.03 Allowable costs include salaries and fringe benefits, instructional materials, instructional equipment, staff development, developmental screenings, meaningful parent and community engagement activities, and stipends for staff working toward a degree or credential.

ABC and ABC 6.04 Funding, not to exceed 2% of the total ABC funding pool, shall be available from the monies for the additional support services required of the Division of Child Care Early Childhood Education, in administering, monitoring, and evaluating the program.

6.05 Funding recommendations will be based on the following criteria:

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 - A. The school has seventy-five percent (75%) or more students scoring below proficiency on the primary benchmark exams or other exams designated by the department in the preceding two (2) school years, economic status of a service area (free and reduced lunch), availability of services in a community/area, and reader's review of the proposal to determine if the program can provide a developmentally appropriate pre-school program.
 - B. The school has been designated by ADE as being in school improvement status or is located in a district in academic distress.

7.00 REPORTING

- 7.01 Each ABC program shall submit to the Division of Child Care and Early Childhood Education annual financial expenditure and program reports as specified by the Division.
- 7.02 An annual full final disclosure audit of the ABC Program is required and must be submitted for review to the DCCECE. LEA's/ESC may submit the summary completed by Legislative audit. The audit shall be submitted within 120 days of the program's fiscal year completion.
- 7.03 Programs shall submit additional reports as required, including annual data forms and quarterly reports on participating children.
- 7.04 Failure of timely submission of required reports will result in non-release of funds and will jeopardize future funding.

8.00 APPLICATION/RENEWAL APPLICATION

- 8.01 The request for proposal and renewal application will specify all application procedures for an ABC program.
- 8.02 If all ABC monies are not allocated or expended during any program year, the DCCECE may initiate an additional Request for Proposal to fully obligate all available funds.

9.00 MINIMUM STANDARDS/CLASSROOM PROGRAMS

- 9.01 All ABC classroom programs shall satisfy the requirements specified in "The Child Care Licensing Act," Ark. Code Ann. 20-78-201 through 221 and Supplements and rules and regulations enacted pursuant to these sections.
- 9.02 All ABC classrooms shall maintain a license in good standing as referenced in Section 9.01.
- 9.03 The Division of Child Care and Early Childhood Education, the Department of Human Services, is directly responsible for the inspection and evaluation of programs as referenced in Section 9.01.

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9.04 All ABC classrooms shall meet the criteria for becoming an "approved" Early childhood program under the Arkansas Child Care Approval System rules and regulations, Ark. Code Ann. 6-45-103 and 106 (Supp. 1993). An overall average of 5.5 with a minimum of 4.5 in each sub-scale is required for the Environmental Scale or scales that are applicable to each program.

9.05 ABC programs which fail to meet the standards as set forth in these rules and regulations may be denied renewal funding.

9.06 All ABC programs shall provide a minimum of 178 instructional days per year and 7.5 hours per day with a minimum of seven hours with the children.

10.00 STAFF/PUPIL RATIO/CLASSROOM PROGRAMS

10.01 The group size in a classroom shall not exceed:

- 8 children ages birth-18 months
- 14 children ages 18 months-3 years
- 20 children ages 3-5 years

10.02 The adult-to-child ratio in the classroom shall not exceed:

- 1:4 (birth to 18 months)
- 1:7 (18 months-3 years)
- 1:10 (3 years-5 years)

10.03 Full staffing is required at all times for infant and toddlers. A minimum of 50% of the staff will remain in the classroom during rest time for 3-5 years old.

11.00 STAFF QUALIFICATIONS/CLASSROOM PROGRAMS

11.01 Minimum Qualifications/Classroom/Lead Teacher: The lead teacher shall hold a Bachelor's or Master's degree in early childhood education, elementary education, special education or in Family and Consumer Science with an emphasis in child development and shall hold a P-4 teacher license. Teachers must be able to demonstrate competency in the areas of developmentally appropriate programming, curriculum development and daily classroom management.

11.02 Minimum Qualifications/Classroom Teacher of second classroom (multiple classrooms sites). The teacher shall hold an Associate Arts degree in early childhood education. Teachers must be able to demonstrate competency in the areas of developmentally appropriate programming, curriculum development and daily classroom management. Teachers employed prior to 7/1/02 and holding a CDA, who are required to have an AA, may submit a plan to attain the AA (by July 1, 2005) to be approved by the DCCECE.

11.03 Minimum Qualifications/Paraprofessional Aide: The paraprofessional aide shall hold a minimum of one of the following:

- * Associate of Arts or Sciences degree in early childhood development

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* Child Development Associate credential and any additional requirements of ADE

11.04 All teachers as defined in section 11.01 shall meet the new early childhood licensure requirements for the P-4 licensure within 2 years of adoption by the ADE. P-4_licensure is mandated by January 1, 2004. Teachers who hold a K-6 licensure are exempt from P-4 licensure requirements.

11.05 If programs hire staff not initially qualified under sections 11.01 and 11.02, deficiency removal plans shall be instituted which include time frames within which deficiencies will be removed and a plan to monitor the employee's progress. Teachers must have a minimum of a college degree but may work toward completion of the early childhood P-4 licensure under an additional licensure plan. These plans must be approved by the DCCECE.

11.06 ABC staff should reflect the ethnic diversity of the children participating in the ABC program.

11.07 Lead teachers/teachers shall be required to participate in thirty (30) hours of staff development annually on topics pertinent to early childhood education. Persons who are obtaining an early childhood degree may count college course hours toward the required hours of staff development.

11.08 Paraprofessional aides shall be required to participate in twenty (20) hours of staff development annually on topics pertinent to early childhood education.

11.09 Teachers/teacher's aides/paraprofessionals shall be required to receive training in the following topic areas:

Arkansas Early Childhood and Infant/Toddler Education Framework
Pre-K Ella (Early Literacy Learning in Arkansas)
Math/Science for Young Children
Social/Emotional Benchmarks for Young Children

11.10 Staff members directly involved in fiscal reporting shall participate in an annual mandatory Fiscal Report Training. Staff members involved in programmatic reporting shall participate in an annual Management Information System Training. Staff members involved in Child Assessment shall participate in mandatory Child Assessment Training. Mandatory training shall be provided by the DCCECE.

11.11 The director and all staff in the program working directly with children shall register with the Arkansas Early Childhood Professional Development System.

12.00 STAFFING PATTERNS/CLASSROOM PROGRAMS

12.01 Single classroom sites shall have a teacher qualified under section 11.01 and a paraprofessional aide qualified under section 11.03.

12.02 In ABC sites which are funded for multi-classroom sites, the following staffing patterns are acceptable:

- A. Two classrooms
 - * Lead teacher qualified under section 11.01.
 - * Classroom teacher qualified under section 11.02.
 - * Two (2) paraprofessional aides qualified under section 11.03.

- B. Three classrooms
 - * Lead teacher qualified under section 11.01.
 - * Two (2) teachers qualified under section 11.02.
 - * Three (3) paraprofessional aides qualified under section 11.03.

- C. Four classrooms
 - * Two (2) teachers qualified under section 11.01.
 - * Two (2) teachers qualified under section 11.02.
 - * Four (4) paraprofessional aides qualified under section 11.03.

Lead teachers in this staffing configuration are responsible for curriculum and program planning and oversight of paraprofessional aides

13.00 PROGRAM STANDARDS

- 13.01 All early childhood programs funded by ABC monies shall be developmentally appropriate and individualized to meet the needs of each student enrolled. Guidelines published by the National Association for the Education of Young Children (NAEYC) and the Arkansas Early Childhood Education Framework will be used to determine developmental appropriateness. (Bredenkamp, Sue, Editor, Developmentally Appropriate Practice in Early Childhood Programs Serving Children from Birth Through Age 8).
- 13.02 Each program shall be equipped with toys, books and play apparatus to take care of the needs of the total group and to provide each child with a variety of activities through the day. A variety of this equipment shall be accessible from low shelves to the children of all ages and shall be arranged in learning centers.
- 13.03 The program shall be individualized to meet the needs of each student enrolled. Each curriculum model and the actual classroom practice will be assessed using the Early Childhood Environment Rating Scale or the Infant/Toddler Environment Rating Scale (Clifford/Harms) to ensure the model is developmentally appropriate.
- 13.04 The program shall have a written over-all curriculum plan which is arranged in thematic units and includes goals and objectives related to the following:
- * Cultural diversity
 - * Social/Emotional development
 - * Creative/Aesthetic learning
 - * Cognitive/Intellectual learning
 - * Physical development
 - * Language
- 13.05 The curriculum shall be supported by developmentally appropriate materials that encourage hands-on manipulation of real objects (manipulative). Approved curriculum models are:
- * The Arkansas Early Childhood Framework (Infant & Toddler and Three & Four Year Old)

- * Bank Street
- * Core Knowledge
- * Creative Curriculum
- * High Reach
- * High Scope
- * Montessori
- * Other DCCECE approved curriculum in which learning is achieved through the use of appropriate material and learning centers with a variety of materials, books, blocks, games, and science materials. Art, music and movement are incorporated into the instructional day
- * Home Instruction for Parents of Preschool Youngsters (HIPPY)
- * Parents As Teachers (PAT)

13.06 Children shall participate in a daily schedule that reflects a balance among the following types of activities:

- * Indoor/Outdoor
- * Quiet/Active
- * Individual/Small Group/Large Group
- * Gross Motor/Fine Motor
- * Child Initiated/Teacher Initiated

13.07 Routine and transition times throughout the day, such as preparing for mealtime, shall be used as opportunities for incidental learning. Transition times shall be planned to avoid frequent disruption of children's activities and long waits between activities.

13.08 Programs shall implement and maintain individual child portfolios. Portfolios shall contain the following:

- A. Documentation of eligibility for ABC
- B. Application form which includes basic child information
- C. Emergency information, including non-parental emergency contact and medical information
- D. Parental authorization for medical care & daily pick-up
- E. Field trip authorization
- F. Immunization/health record
- G. Record of health/developmental assessment
- H. Samples of children's work, teacher & parent observations

13.09 Discipline shall reflect positive guidance, be consistent and individualized for each child. It shall be appropriate to the child's level of understanding and directed toward teaching the child acceptable behavior and self-control. Corporal punishment is an unacceptable method of discipline for children in ABC funded programs and shall be used.

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13.10 The arrangement of indoor and outdoor equipment, materials and interest areas for each group shall provide for:

- A. Accessibility to equipment and materials so that children may select and return them easily
- B. An orderly, uncluttered atmosphere
- C. Visual and/or auditory supervision of children in all areas
- D. Separation of active and quiet play areas

E. Traffic patterns that avoid disruption of activities

13.11 Developmentally appropriate equipment and materials of sufficient quantity to accommodate a sustained learning environment shall be provided in the following interest areas/learning centers:

- A. Blocks
- B. Dramatic Play
- C. Manipulative
- D. Stories/Language Development
- E. Music
- F. Art
- G. Discovery/Science/Sensory
- H. Sand/Water Play

13.12 The outdoor play area shall be used for extension of the learning activities that occur in the classroom.

13.13 The outdoor play area shall be developmentally appropriate and meet the Consumer Product Safety Commission standards for outdoor play areas. The outdoor play area shall provide the following:

- A. A variety of surfaces
- B. An arrangement designed for appropriate flow of activities
- C. Climbing and other active play items and structures
- D. Open areas for running and games
- E. Opportunities for dramatic play
- F. Adequate storage for equipment and materials
- G. Partial shade
- H. Quiet, private spaces
- I. A separate outdoor area equipped for infants and toddlers (if applicable)

13.14 Provision should be made through program design and networking efforts to ease the transition of children moving from one program or age grouping to another or to public school kindergartens.

13.15 Children qualified as eligible for ABC services under Section 4.02 may not be required to pay for meals/snacks. Grantees are required to provide free meals/snacks for all ABC eligible children. If non-ABC eligible children are mixed in a classroom with ABC eligible children, they may be required to bear the cost of service.

13.16 Children qualified as eligible for ABC services under Section 4.02 shall not pay any fees during ABC program hours. This will include enrollment fees, field trip fees, etc.

14.00 CHILD ASSESSMENT/DEVELOPMENTAL/HEALTH SCREENING

14.01 DCCECE within the Department of Human Services shall be responsible for assessment of students enrolled in the Arkansas Better Chance for School Success Program. Assessment shall begin upon enrollment in the program and continue each year until each child completes the fourth grade, so long as the child is enrolled

in a public school in the state.

14.02 DCCECE and the Department of Education shall work cooperatively to ensure that the assessments are conducted as required by Act 49 of 2004.

14.03 Children in the Arkansas Better Chance for School Success Program shall be assessed annually to provide an indication of each child's progress towards school readiness.

14.04 The assessment shall address a child's strengths, progress, and needs and shall serve as a central part of an effective early childhood program. The same selected assessment shall be used for all children enrolled in an ABC Program.

14.05 A comprehensive longitudinal study shall be implemented to evaluate the Arkansas Better Chance Program to insure that the program goals are achieved. The study will be designed to use sound research-based evidence to determine whether the programs meet the expected standards. This research shall include children entering the program at ages three (3) and four (4) years and follow the children through completion of the fourth grade benchmark exams. Research results will be provided annually to the Governor and the Senate Interim Committee on Education and the House Interim Committee on Education.

14.06 Children shall receive a comprehensive health and developmental screen to determine their individual needs.

14.07 Developmental screening must include at least the following areas:

- * vocabulary
- * visual-motor integration
- * language and speech development
- * fine and gross motor skills
- * social skills
- * developmental milestones

The purpose of screening is to identify developmental delays and/or educational deficiencies. Appropriate referrals shall be made if children require additional assessment.

14.08 The following developmental screenings are suggested:

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| * Battelle | * Early Screening Inventory |
| * Brigance | * IDEA (Individual Development Educational Assessment) |
| * Denver II | * LAP (Learning Accomplishment Profile) |
| * Dial-R | * NCLD (National Center for Learning Disabilities) Screening Instrument for 3-5 Year Olds |
| * Dial III | |
| * EPSF (Early Prevention of School Failure) | |
| * Early Screening Assessment Profile | |

14.09 A comprehensive health screening for ABC children shall include the following components:

- A. Basic screening
 1. Growth and nutrition

- 2. Development assessment
- 3. Unclothed physical
 - a. Neurological exam
 - b. Cardiac status
- 4. Vision
- 5. Hearing
- 6. Teeth
- 7. Lab tests (Appropriate for age & population group)
 - a. Hematological
 - b. Urinalysis

B. Immunization status

Personnel certified to provide the health screen may include the Arkansas Department of Health and certified school health personnel. Children who access private health care may produce documentation from that provider that these services are routinely being provided and that the child does not need further screening. A waiver from this requirement may be granted under Ark. Code Ann. 6-19-702 (Repl. 1993).

14.10 Children shall be age appropriately immunized to attend an ABC program. A waiver from this requirement may be granted under Ark. Code Ann. 6-18-702 (Repl. 1993).

15.0 PARENT/COMMUNITY INVOLVEMENT

15.01 Each program shall have a plan for parent involvement which includes opportunities for parental input into program operation and design. Parent involvement plans shall include a mechanism for parental advice and review of programmatic plans, parent conferences and a method to involve the parent in the child's educational experience.

15.02 The program shall have an "open door" policy for parents which encourages visiting and participation in classroom activities.

15.03 The program shall have a parent handbook.

15.04 Each program shall have a plan for community/agency involvement which includes a description of how cooperation with other service providers who are concerned with the education, welfare, health and safety needs of young children will be established and maintained. Programs should consider providing opportunities for community representatives to participate in the educational activities of the classroom.

16.00 TRANSPORTATION

16.01 Any child who is less than 6 years old and weighs less than 60 pounds shall be restrained in a child passenger safety seat. Any child who is at least 6 years or weighs at least 60 pounds must be restrained by a safety belt. (Ark. Code Ann. 27-34-104). Conventional school busses are exempt from this requirement except for the transportation of infants/toddler.

16.02 Infants and toddlers shall not be transported on school buses that are not equipped to accommodate required child safety seats.

16.03 If ABC children are transported on public school buses, the program shall have a plan for the following:

- * Escorts to and from the bus pick-up area
- * A visual identification method for buses and children to ensure children get on the correct bus
- * A plan for "partnering" each child with an adult or older child on the bus
- * A thematic unit on bus safety to be presented to the children in the ABC preschool classroom at the beginning of each program year

17.00 ALTERNATE PROGRAM MODELS

17.01 Alternate programs may include, but not be limited to, Head Start/Home Based, Parents as Teachers (PAT), and HIPPOY. These programs will comply, where applicable, to the regulations herein.

17.02 All ABC funded alternate program models will be developmentally appropriate, meet applicable health and safety standards, provide developmental and health screenings and ensure immunization of the child served.

18.00 HIPPOY REGULATIONS

18.01 HIPPOY programs shall meet program criteria as outlined in the contractual agreement signed by each site with HIPPOY USA.

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in 18.02 Each HIPPOY program serving at least 160 families must have one (1) full-time professional coordinator. Minimum qualifications for coordinator include a bachelor's degree in education, social work, sociology, psychology, or related field. Those coordinators without a related degree must obtain at least 12 college course hours year. The HIPPOY Coordinator shall meet additional job requirements as described in the HIPPOY USA Coordinator job description.

prior 18.03 HIPPOY Home Based Educators who work 20-24 hours per week may not serve more than 15 families; Home Based Educators who work 25-30 hours may not serve more than 25 families and Home Based Educators working 40 hours per week may not serve more than 27 families. Minimum requirements for home educators include a high school diploma/GED and a current CDA certificate. Home visitors employed to 7/1/02 have 2 years to attain the CDA_credential.

18.04 HIPPOY programs may serve children 3 and 4 years of age.

18.05 The Arkansas HIPPOY Training and Technical Assistance Office will monitor and assist HIPPOY programs throughout the state. Annual program site reviews and assessments will be forwarded to the Division for consideration of program compliance and funding renewal. The Arkansas HIPPOY T & TA Office will assist the Division with determining program compliance at the local level.

18.06 HIPPOY programs shall meet requirements as set forth in the following sections: Section 4.0; Section 5.0; Section 6.0; Section 7.0; Section 14.0; Section 15.0 and Section 16.0.

18.07 Group meetings should reflect the educational programming standards as set forth in section 13.0 and guidelines set forth in the HIPPOY model.

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18.08 Any enhancements designed to complement the HIPPY curriculum must be approved by the Arkansas HIPPY T & TA Office prior to implementation with families.

19.00 PARENTS AS TEACHERS REGULATIONS

19.01 PAT Programs shall meet program criteria as outlined in the Parents As Teachers Program Implementation and Planning Guide.

19.02 All new PAT Coordinators must attend the PAT Institute Training and obtain either a Parent Educator Certificate or an Administrator's Certificate.

19.03 Each program must have a certified Parent Educators. The Parent Educator may also serve as Coordinator.

19.04 PAT Parent Educators working on a part-time basis (20 hours per week) should serve 30 and not more than 40 children and their families.

19.05 PAT Programs shall operate on a twelve month, year-round basis. Families must be offered twelve personal visits and six parent group meetings.

19.06 PAT Programs may serve children from the prenatal period to five years of age with proper certification.

19.07 PAT Programs must coordinate services with HIPPY Programs where both exist in the same community to avoid duplication of services.

19.08 PAT Programs shall meet requirements as set forth in the following sections: Section 4.0; Section 5.0; Section 6.0; Section 7.0; Section 14.0; Section 15.0 and Section 16.0