
**To: Legislative Committee on Administrative
Rulemaking (LCAR); Secretary of State**
From: Department for Children and Families
**Re: 23P002 — STEP Ahead Recognition System
(STARS) Rules**
Date: April 12, 2023

The Department for Children (DCF) filed the proposed STEP Ahead Recognition System (STARS) rules with the Secretary of State on February 1, 2023. Public hearings were held on March 9, 2023 and March 14 2023. DCF accepted public comments through March 22, 2023. DCF received 18 comments.

In response to one of the comments, DCF has changed the language in proposed rule sections VII(a), (b), (c)(i - ii) and IX(b - e), (c) by inserting “or designee” following each occurrence of “Commissioner” or “Secretary.” In addition, DCF has replaced the word “regulation” with “rule” in sections VII(b) and IX(a). These changes are indicated with gray shading in the annotated text of the final proposed rule.

Summary of Comments and DCF's Response

Comments were submitted by current and former CDD staff, childhood education professionals, and anonymous members of the public.

Copies of written comments are attached. Below is a summary of each comment and DCF's response.

Comment: The commenter suggests that under the heading "Quality Factor Payments to STARS Participating Programs," the first sentence should be changed to "When a program achieves an increased level, the DCF may pay on behalf of an eligible child a higher capped rate for CCFAP."

Response: DCF will maintain the language proposed in the STARS rules to provide flexibility should rules governing the Child Care Financial Assistance Program (CCFAP) and tiered reimbursement change.

Comment: The commenter suggests considering a STARS requirement for networking with peers and cites that networking effectiveness is supported by research.

- Response:** While networking is not addressed in the current or proposed STARS rules, a program may choose to include networking with peers as part of its Continuous Quality Improvement (CQI) plan.
- Comment:** Long overdue re-organization of this program! Job well done and good luck in the public hearing process.
- Response:** DCF appreciates the support.
- Comment:** The commenter expresses that the challenges faced by family child care providers make meeting new STARS requirements a substantial burden.
- Response:** DCF recognizes the significant challenges faced by programs in the field. As referenced in the proposed rules, the recent STARS revision is an effort to reduce programs' administrative burden to participate, promote positive child outcomes, and reduce unintentional bias. Concurrent with the revision of STARS, CDD has developed a system of aligned program supports. The System for Program Access to Resources for Quality Supports (SPARQS) will guide programs through the transition to the revised STARS and provide ongoing services including training, resources, and coaching for any participating STARS programs.
- Comment:** The commenter suggests that a CQI plan update is not sufficient to maintain a STARS level for 3 years and suggests on-site observation (consultation or scored assessment) should be required.
- Response:** DCF made changes to STARS non-renewal year requirements in response to stakeholder feedback recommending minimizing administrative burden for programs to participate in STARS. Assessments will be required of STARS programs, per the STARS Guidance Manual, and are linked to a program's CQI cycle rather than the STARS renewal cycle. Programs may choose to implement additional assessments and consultations as part of their CQI plan.
- Comment:** The commenter requests the rationale for removing the requirement for on-site visits.
- Response:** Details regarding on-site visits are included in the STARS Guidance Manual. On-site visits are required for STARS programs for assessment purposes. Programs may also choose to include on-site consultations and assessments as part of their CQI plan, and via supports provided in SPARQS. On-site visits are also a requirement of licensure.
- Comment:** The commenter requests that STARS administrative rule language reflect requests by people in the field to use the term "early childhood education" in place of "child care" to support "self-determination".
- Response:** DCF chose to use language in the proposed STARS Rules that relates to the entire system, and includes all the programs involved in Vermont QRIS. The system includes programs not limited to providing early childhood services (e.g., afterschool programs). DCF recognizes the field's preference for the term "early childhood education" and uses it where appropriate.

- Comment:** The commenter suggests that language be added to allow flexibility for the DCF Commissioner and AOE Secretary to assign a designee to carry out their respective responsibilities.
- Response:** DCF has added language in proposed rule to provide flexibility for designees to act on the behalf of the DCF Commissioner and AOE Secretary.
- Comment:** The commenter suggests adding four additional Rules to section IV. STARS Framework to ensure STARS sets guidelines for frequency, reporting, and analysis of emerging research and includes a process for collecting public input to reduce the risk of unintentional bias.
- Response:** DCF appreciates this commenter’s insightful consideration for ensuring STARS is current and engaging of all audiences. A review process is in place as part of the STARS Advisory Committee. This process was used in the recent STARS revision and involves research, review, and feedback from the public, stakeholders, and federal experts.
- Comment:** The commenter requests information on initial and ongoing STARS CQI training for directors and staff.
- Response:** DCF recognizes that ongoing training and support is vital to program quality. As referenced in the proposed STARS Rules, CDD has developed a system of support to guide programs through the revised STARS transition and to provide ongoing services. The System for Program Access to Resources for Quality Supports (SPARQS) will provide training, resources, and coaching for participating STARS programs.
- Comment:** The commenter requests information regarding the process for transitioning to the revised STARS; types of technical support that will be available to programs; and whether current STARS levels will be transferable.
- Response:** DCF recognizes that ongoing training and support is vital to program quality. As referenced in the proposed STARS Rules, CDD has developed a system of support to guide programs through the revised STARS transition and to provide ongoing services. The System for Program Access to Resources for Quality Supports (SPARQS) will provide training, resources, and coaching for participating STARS programs. The first year of the STARS revision (July 2023 – June 2024) will be a “hold harmless” year in which programs due to renew their certificates will apply and will maintain their current STARS level. Programs not due to renew may use this year to prepare their STARS CQI plan to meet the revised standards. After June 2024, programs must meet the required standards for their desired STARS level.
- Comment:** The commenter questions whether "payment rates" refer to CCFAP payments or independent incentive payments.
- Response:** “Payment rates” in the proposed STARS Rules refers to both CCFAP payments and independent incentive payments.

Comment: The commenter noted that CCFAP subsidy rate incentives linked to STARS level ended with the launch of the Child Development Division Information System (CDDIS) and inquired if they will be reinstated.

Response: CCFAP rate changes are not addressed in the proposed STARS Rules. CCFAP subsidy rates (tiered reimbursement) coincided with the launch of CDDIS. Tiered reimbursement has not ended, but the CCFAP rates have changed. It is DCF's understanding that the Vermont legislature plans to consider changes to the CCFAP subsidy model that may affect tiered reimbursement, and the proposed STARS Rules accommodate both current and potential models.

Comment: The commenter inquired about incentives for STARS programs beyond the CCFAP subsidy incentives (tiered reimbursement) and recognition.

Response: CCFAP rate changes are not addressed in the proposed STARS rules. Current program incentives include STARS one-time bonuses; access to supports through the System for Program Access to Resources for Quality Supports (SPARQS); designation as a universal pre-kindergarten program; and designation as a Specialized Child Care program. DCF continues to explore new incentive opportunities for STARS programs.

Comment: The commenter highlights a category change made in the shift from the Building Bright Futures Information System (BFIS) to CDDIS regarding provisional licensure status noting that this change may complicate correct calculation of subsidy payments and wonders whether a program that has gone from full to provisional status will maintain its STARS rating.

Response: Licensing status and subsidy rates are not addressed in the proposed STARS rules. DCF will work to identify a solution within the subsidy payment system.

Comment: The commenter suggests that failure to meet licensing regulations should affect STARS level and seeks information about:

1. whether STARS pays bonuses to programs; and
2. whether a pattern of regulatory violations or serious violations will affect a program's STARS level.

Response: STARS programs receive a one-time bonus for achieving a STARS level for the first time.

Licensing violations are not addressed in the proposed STARS rules. A pattern of regulatory violations does not prevent a program from maintaining its STARS level. However, licensing status does determine a program's eligibility to participate in STARS. A program must be in good regulatory standing.

Comment: The commenter questions if a program can maintain STARS level 3, 4 or 5 if they have serious violations or a continued pattern of serious violations.

Response: Licensing violations are not addressed in the proposed STARS rules. Violations do not prevent a program from maintaining its STARS level. However, licensing status does determine a program’s eligibility to participate in STARS. Programs with provisional licensure are not eligible to participate in STARS and are listed in BFIS as “Not Rated.” They are currently eligible to receive a CCFAP subsidy and CDD is considering a revised subsidy rate specific to provisionally licensed programs. If the program’s license is reinstated, the program returns to STARS Level 1 and must reapply for a higher STARS level. The program is not eligible for a one-time bonus for achieving a previously earned STARS level. A program must be in good regulatory standing to participate in STARS.

Comment: The commenter asks:

1. If a 4 STARS program’s license becomes provisional, what happens to the program’s STARS rating, STARS payment, and CCFAP payment?
2. How will the public know if a program's license changes that the program may no longer be providing the same level of high-quality services?
3. If a program receives a serious violation but doesn't go into provisional status, how is their STARS level effected?

Response: Programs with provisional licensure are not eligible to participate in STARS and are listed in BFIS as “Not Rated.” They are currently eligible to receive a CCFAP subsidy. DCF is considering a revised subsidy rate specific to provisionally licensed programs. If the program’s license is reinstated, the program returns to STARS Level 1 and must reapply for a higher STARS level. The program is not eligible for a one-time bonus for achieving a previously earned STARS level.

The public may access BFIS to review a program’s license status.

Violations do not prevent a program from maintaining its STARS level. However, licensing status does determine a program’s eligibility to participate in STARS. A program must be in good regulatory standing in STARS.

STARS Rules Comments via Anonymous Online Survey

Completion date & time	Please submit your comments and questions about the proposed STARS administrative rule changes below:
1/26/23 16:54:27	<p>Under the heading "Quality Factor Payments to STARS Participating Programs," the first sentence should be changed to say, "When a program achieves an increased level, the DCF may pay on behalf of an eligible child a higher capped rate for CCFAP."</p> <p>Nya Pike submitted this comment on behalf of Emily Hazard at CDD.</p>
2/6/23 11:30:25	<p>STARS should definitely be about assessments and the proposed changes definitely lead to that. It does seem simplified to have the three arenas. The one thing that seems to be missing is networking with peers. Research has shown that this is also a good way to build quality in programs along with training implementation.</p>
2/9/23 10:04:57	<p>Lo ng overdue re-organization of this program! Job well done and good luck in the public hearing process.</p>
2/9/23 21:02:32	<p>Family child care providers are going to be frustrated and overwhelmed by these changes. We are a unique group who doesn't like change, get anxious with being observed, and quite frankly we just don't have time for this...we are hanging on by a thread as it is!</p>
2/21/23 14:47:53	<p>I'm glad to see that the STARS subsidy rate incentives are retained, however we are not receiving them now, ever since they activated the CDDIS system. Telling us to raise rates is not the same thing! Are they going to be resumed?</p>
3/15/23 13:07:20	<p>It is my understanding that the proposed rules will no longer have financial incentives relative to CCFAP. Other than wanting to be recognized by having gone above and beyond our already high state regulations - what other incentives are available?</p>
3/21/23 11:41:37	<p>I would make comment on program self-assessment tools, programs that are currently using program self-assessment tools such as Strengthening Families or Head Start have strong systems in place with required timelines and should be allowed to keep to those and provide the results as part of their STARS requirements as they have been making progress for years. I comment further on streamlined applications. Under the "old" STARS, Head Start and NAEYC accredited programs could complete a streamlined application and add their reports and achieve 5STARS, since they had already been monitored onsite in a more rigorous way. I do not see that anywhere in the new STARS. It is an important piece since these two types of programs are already so heavily monitored with portfolios, reports, and intensive multi-day onsite reviews and including almost 2000 regulations or criterion that are reviewed. The systems are already very robust in monitoring, requirements, and a focus on quality, teaching, families, and systems.</p>
3/22/23 12:53:45	<p>CDD Vermont has quality licensing regulations, and the lack of quality to meet these regulations should affect the STARS level if STARS is to represent quality across programs involved.</p> <p>Do the proposed rules pay bonuses to programs that participated in STARS?</p> <p>Does a pattern of regulatory violations or serious violations affect the program's STARS level?</p>
3/22/23 13:59:42	<p>What will the process be for transitioning from the old system to this? What technical support will be available to programs? Will the program's current STARS level transfer or count toward anything?</p>
3/22/23 15:24:19	<p>Something to consider, not necessarily within these rules but wanted to highlight the following: Historically when a program was moved to a "Provisional" status by the licensing unit (rare but happens due to child health & safety concerns and significantly being out of compliance with licensing regulations) their STARS status was moved to "not rated". In CCDIS my understanding is that this category no longer exists when calculating subsidy reimbursement rates. A provisional license means that the program/provider still is licensed to operate/provide child care with a targeted corrective action plan and the program/provider remains in this status until they have come into significant compliance with regulations. With CDDIS not have a "not rated" category I am wondering how subsidy will be calculated if the program does not have an active STARS rating & my understanding is that a program going into provisional status makes them ineligible for a STARS rating. Thanks for considering what may be a complicating factor.</p>
3/22/23 15:40:11	<p>Can you have 3,4, or 5 STARS and have serious violations or a continued pattern of serious violations?</p>
3/22/23 16:56:26	<p>If a program is at 4 STARS and their child care license becomes provisional, what does that mean for their STARS rating, STARS payment and CCFAP payment? How will the public know if a program's license changes that the program may no longer be providing the same level of high-quality services? If a program receives a serious violation but doesn't go into provisional status, how is their STARS level effected?</p>

From: [Giovanni Tabor](#)
To: [AHS - DCF CDD Stars](#)
Subject: STARS Rules Public Comment
Date: Tuesday, March 21, 2023 9:36:32 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Department for Children and Families, Child Development Division;

I am writing to submit a public comment to the proposed administrative rules for the STep Ahead Recognition System (STARS). I am thrilled to see the positive direction that the new rules for the STep Ahead Recognition System are taking. Flexibility is key for the STARS system in Vermont's childcare industry, as it allows for adaptation to new research and ultimately leads to positive outcomes for children. I have three suggestions which I believe should further the Department's goal of modernizing the STARS content areas and criteria, as well as eliminating unintentional bias.

The proposed rules remove the current content areas and criteria in its entirety, and replaces it with section IV. STARS Framework paragraph (e), "CDD shall monitor evidence-based research and federal program standards and gather input from Vermont early childhood and afterschool programs to update content areas and criteria." This adds great flexibility for the Department; however, this line does not ensure the STARS system will stay current with emerging research, and leaving the process for collecting public input undefined puts the system at risk of unintentional bias. To ensure that the STARS system continues to best serve the needs of Vermont's children, the STARS rules must define a frequency in which evidence-based research and federal program standards will be reviewed, a committee to collect and report on research, and a mechanism for the public to be involved in the decision-making process. To obtain an unbiased analysis of research, a committee and public involvement is crucial, as all individuals inherently possess biases that can influence their interpretation of data.

I propose adding four additional rules to the end of section IV. STARS Framework paragraph (e) to include the following text.

1. Every four (4) calendar years, CDD shall appoint a committee consisting of at least three (3) members with expertise in childcare and related fields, including one (1) from the regulated provider community. The committee shall be responsible for monitoring evidence-based research and federal program standards related to childcare and proposing changes to STARS content areas and criteria as necessary.
2. The committee shall hold a public hearing outlining the evidence and research collected by the committee and shall provide a mechanism for the public to submit comments.
3. The committee shall create a report which contains an outline of all evidence, research, and public comments collected by the committee; and a draft of proposed changes to STARS content areas and criteria if deemed necessary. The committee shall make the report available to the public and submit the report to the CDD.
4. The CDD shall evaluate the proposed changes based on their consistency with evidence-based research and federal program standards related to childcare and afterschool programs,

clarity and specificity of content areas and criteria, feasibility of implementation by regulated providers, and alignment with other relevant laws and regulations. The CDD may approve, or disapprove the proposed changes to update STARS content areas and criteria. If the CDD disapproves, the CDD shall provide written justification for its decision and collaborate in good faith with the committee to revise the proposed changes.

I am grateful for the opportunity to submit my suggestions for the proposed administrative rules for the STARS system. I firmly believe that with the addition of these four proposed rules, the STARS system will be better equipped to stay current with emerging research, eliminate unintentional bias, and ultimately better serve the needs of Vermont's children. As a community, let us continue to prioritize the education and well-being of our youngest members by actively engaging in the development of systems that ensure high-quality childcare and education for all.

Thank you for your consideration,

Giovanni Tabor

From: [Sheila Duranleau](#)
To: [AHS - DCF CDD Stars](#)
Cc: [Sheila Duranleau](#)
Subject: Fw: Public Hearing and Comments for STep Ahead Recognition System (STARS) Rule Changes
Date: Monday, March 6, 2023 2:43:33 PM

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Hello,

I have reviewed the proposed rules and have one comment for consideration. There are several tasks/decisions that are the responsibility of the DCF Commissioner. I suggest you add language to allow for the flexibility of a designee. I can think of 2 ways to do this but suggest the first one below. Family Services uses this approach as well.

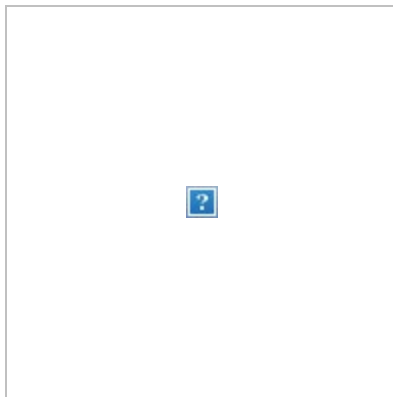
1. Add a definition for the DCF Commissioner to the Terms and Definitions section and include language that says the "DCF Commissioner or designee".
2. Add the language "or designee" to each place you have a responsibility/decision made by the DCF Commissioner.

Thanks, Sheila

----- Forwarded Message -----

From: VT DCF Child Development Division <ahs.dcfcdstars@vermont.gov>
To: Sheila <sheiladuranleau@yahoo.com>
Sent: Monday, February 6, 2023, 10:39:54 AM EST
Subject: Public Hearing and Comments for STep Ahead Recognition System (STARS) Rule Changes

[View this email in your browser](#)



Public Hearing and Comments for STep Ahead Recognition System (STARS) Rule Changes

3/14 6:30 PM
Good evening! We'll be starting in about 5 minutes to make sure we have everyone linked in.

Melanie French (Guest) was invited to the meeting.

Dillenbeck, Ann (she/her) was invited to the meeting.

Dillenbeck, Ann (she/her) 3/14 6:44 PM
What is the rationale for removing the requirement for on site visits?

MF Melanie French (Guest) 3/14 6:47 PM
I love the goals of the revision and hope this is successful so that our quality is based on our relationships, rather than our "stuff." Will training for directors and staff for building new STARS quality plans and retaining the quality ongoing, be built into the initial process and ongoing?

Giovanni Tabor (Guest) left the chat.

Dillenbeck, Ann (she/her) 3/14 6:57 PM
I do not think a brief update to a CQI plan is sufficient to maintain a STARS level for 3 years. I think an on-site observation should be required. The on-site visit could be a consultation or scored assessment.

Do "payment rates" refer to CCFAP payments or independent incentive payments?

LD Lisa Duncan (Guest) 3/14 7:02 PM
Thank you

Sally (Guest) left the chat.

KT Kim Toland 3/14 7:03 PM
Thank you

Kim Toland left the chat.

Lisa Duncan (Guest) left the chat.

Moreau, Heidi and Pike, Nya are out of office or have a status message.

Type a new message