

Early Childhood Council Waiver Request Application

Early Childhood Council Name: Early Childhood Council of Larimer County	Date: June 18, 2018
Primary Contact (Name and Position): Beverly Wood Thurber, Executive Director	Phone: 970-377-3388 ext 205
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1. Please cite the rule or regulation (Including rule/regulation number, and specific language of the rule/regulation creating the barrier) for Waiver Request:

Currently, there is a severe shortage in qualified applicants for open Early Childhood Teacher (ECT) positions. In order to address this current workforce crisis, we are asking that Child Care Centers and Preschools which meet specific criteria (described in section 8 below) be allowed to hire people into the Early Childhood Teacher (ECT) position who are not yet fully qualified, with a grace period of up to 12 months for that ECT to complete all qualifications. We are asking specifically for the 12 month grace period to apply to the italicized sections of the regulation written below:

7.7.02.44 A.1: An early childhood teacher, assigned responsibility for a single group of children and working under the supervision of a director, must be at least eighteen years of age and *must meet at least one of the following qualifications:*

- a) *A Bachelor's degree from a regionally accredited college or university with a major area of study in one of the following areas:*
 - 1) *Early childhood education;*
 - 2) *Elementary education;*
 - 3) *Special education;*
 - 4) *Family and child development;*
 - 5) *Child psychology.*
- b) *A Bachelor's degree from a regionally accredited college or university with a major area of study in any area other than those listed at Section 7.702.54, A, 1, and additional two (2) three-semester hour early childhood education college courses with one course being either introduction to early childhood education or guidance strategies.*
- c) *Current early childhood professional Credential Level III Version 3.0 as determined by the Colorado Department of Education.*
- d) *A 2-year college degree, sixty (60) semester hours, in early childhood education from a regionally accredited college or university, which must include at least two (2) three-semester hour courses, one of which must be either introduction to early childhood education or guidance strategies; and at least six (6) months (910 hours) of satisfactory experience.*

- e) *Completion of twelve (12) semester hours from a regionally accredited college or university, at either a two year, four year or graduate level, in each of the following subject or content areas in early childhood education and one of the three (3) semester hour courses must be either introduction to early childhood education or guidance strategies, plus nine (9) months (1,395 hours) of verified experience in the care and supervision of four (4) or more children less than six (6) years of age who are not related to the individual.*
- f) *Completion of a vocational or occupational education sequence in child growth and development plus twelve (12) months (1,820 hours) of verified experience in the care and supervision of four (4) or more children less than six (6) years of age who are not related to the individual.*
- g) *Current certification as a Child Development Associate (CDA) or other Department-approved credential.*
- h) *Completion of a course of training approved by the Department that includes training and work experience with children in a child growth and development program plus twelve (12) months (1,820 hours) of verified experience in the care and supervision of four (4) or more children less than six (6) years of age who are not related to the individual.*
- i) *Twenty-four (24) months (3,640 hours) of verified experience in the care and supervision of four (4) or more children less than six (6) years of age who are not related to the individual. Satisfactory experience includes being a licensee of a Colorado family child care home; a teacher's aide or teacher in a child care center, preschool, or elementary school, plus either:*
 - 1) *A current Colorado Level I credential; or,*
 - 2) *Two (2) three-semester hour early childhood education college courses from a regionally accredited college or university, at either a two year, four year or graduate level, in each of the following subject or content areas with one course being either introduction to early childhood education or guidance strategies.*

2. Please list any statute or legislation associated with the rule/regulation cited above:
(Please note: state statutes cannot be waived.)

Title 26. Human Services Code, Article 1. Child Care Centers, Part 1. Child Care Licensing
 C.R.S. 26-6-106: Standards for facilities and agencies - rules

(2) Standards prescribed by such rules are restricted to:

- (b) The character, suitability, and qualification of the applicant for a license and of other persons directly responsible for the care and welfare of children served, including whether an affiliate of the licensee has ever been the subject of a negative licensing action;
- (d) The number of individuals or staff required to insure adequate supervision and care of children served

3. Reason for Request (IN DETAIL - Describe the barrier this Waiver addresses in implementing an early childhood project)

We do not have an adequate pipeline of qualified Early Childhood Teacher (ECT) applicants to fill open positions in licensed child care center and preschool programs. ECCLC conducted

staffing surveys of child care centers and preschools in 2012, 2014, and 2016, and the survey results have shown a steadily worsening workforce crisis. As part of the survey we asked about length of time to fill ECT positions, number of vacant positions, and whether the program had filled positions with unqualified candidates. We also asked about how staffing had affected classrooms and availability of care. Highlights of the 2016 survey, which represented 84% of all licensed child care center & preschool programs in Larimer County:

- 65% of directors reported difficulty filling ECT positions
- 66.7% of directors reported it took between 4 and 12 weeks to fill positions, and 21.4% reported it took more than 13 weeks
- Directors reported 160 vacant ECT positions in the previous 12 months, with 35 positions still being open at the time of the survey
- Directors reported that 42 of the ECTs they hired in the prior 12 months were not yet fully qualified
- Due to difficulty hiring ECTs, in the previous 12 months, directors reported:
 - Classrooms that were closed: 1 toddler and 2 preschool
 - Vacant classrooms that were unable to open: 5 toddler and 5 preschool
 - Classrooms with increased staff/child ratios: 12 toddler and 15 preschool*NOTE: we have not included the statistics for infant classrooms, since this waiver will not apply to Infant/Nursery Supervisor positions.*
- Directors reported the following impact due to difficulty with hiring:
 - 75% said they spent more time managing staffing patterns
 - 74% spent more time filling in the classroom
 - 73% said staff needed increased support, but 69% said they had less time available to provide that support
 - 68% said they spent more time with recruiting/interviewing/training new staff
 - 64% said this decreased the time they had available for program planning and for staying informed

Our local Larimer County data aligns with the state-wide findings of *Colorado's Early Childhood Workforce Survey 2017*. Approximately 70% of directors statewide reported difficulty finding teachers to fill vacant positions and position vacancies took an average of 2.5 months to fill.

4. Please explain how waiving this rule/regulation is the only available method to implement the early childhood project:

Although we are working locally on other strategies to begin to increase the pipeline of qualified candidates, including creating a cohort of ECE students with Front Range Community College and developing an Apprenticeship Program in collaboration with our two larger school districts, these are all long term solutions and do not address our immediate crisis.

When a staff person leaves and qualified staff cannot be hired in a timely manner to fill these vacant positions, child care centers are often facing the difficult choice of hiring unqualified applicants, closing classrooms, or increasing staff/child ratios beyond what is desirable for quality. According to the *Colorado Early Childhood Workforce Survey 2017*, 49% of directors indicated that they often have to fill vacant positions with unqualified teachers. According to the *Metropolitan Area Regional Findings of the Colorado Early Childhood Workforce Survey 2017*, a third of the directors noted that their teachers were constrained in their abilities to offer individualized care and instruction to children due to gaps in staffing. Allowing a grace period for high quality programs to fill vacant positions with candidates who are still in the process of completing qualifications will allow these directors to hire the best candidates

while ensuring the new ECT receives the support s/he needs to thrive, with protocols in place to ensure children's safety and well-being.

5. How will Waiver Approval positively impact children, families, and/or your community?

Children, families and the community will all benefit from this waiver.

- The lack of adequate staffing in the classroom is negatively impacting children through higher staff/child ratios and through an increase in the number of transitions children are experiencing as programs move children and teachers throughout the day to maintain ratios. By increasing staffing, children will receive more individualized attention and experience more stability of care. This, in turn, positively impacts attachment, which is associated with a wide range of child outcomes (Hamre, B. K., & Pianta, R. C. (2001). Early teacher-child relationships and the trajectory of children's school outcomes through eighth grade. *Child Development*, 72, 625-638).
- This waiver will positively impact teachers by decreasing several of the job frustrations identified in the *Metropolitan Area Regional Findings of the Colorado Early Childhood Workforce Survey 2017*, including staff turnover (33%), high ratios (25%), and instability in classroom assignments (19%). Unfilled positions have a negative impact on teachers, increasing overtime work and other stressors which contribute to burnout. Increasing teacher job satisfaction ultimately impacts the quality and stability of care for children.
- Lack of staffing is impacting families as the availability of care in our community is decreasing (as demonstrated by empty child care center classrooms and buildings). By increasing staffing, we will begin to see classrooms and programs opening to meet the overwhelming demand for care in our community.
- The lack of staffing ultimately impacts the economic health of our community, as families cannot find the child care they need to be able to work. Increasing staffing is a fundamental underlying cause of this shortage. By increasing staffing, we will ultimately support the broader workforce and employers in Larimer County.

6. Please describe stakeholder outreach. Who are all the affected parties of this Waiver Request? (You may attach letters from affected parties)

All licensed child care centers and preschools are impacted by the lack of qualified ECT teachers, but eligibility to participate in this waiver is limited to programs in Larimer County rated at a Colorado Shines Level of 3 or higher who are in good standing with Child Care Licensing. As of March 2018, 63 programs met this criteria.

Child care centers have been an integral part of developing this waiver application. The data from ECCLC's 2012, 2014 and 2016 Larimer County surveys of child care centers and preschools has demonstrated the need. At ECCLC's December 2017 Director's Group, ECCLC staff led a brainstorming session with child care center/preschool directors to identify any regulatory barriers that were contributing to their staffing challenges. In December 2017, we also formed a waiver task force with representation from five local child care centers and ECCLC staff. This task force has met monthly to review the information gathered, the regulations, determine protocols to ensure quality and safety, discuss how we will evaluate the effectiveness, and develop this waiver request. These programs, who are all rated at a Colorado Shines Level 3, 4 or 5 level, created the protocols that you see reflected in this request. This waiver request was also reviewed and approved by the ECCLC Board of Directors,

which includes early childhood representatives from both Colorado State University and Front Range Community College. Letters of support from the five programs are attached.

7. Do you have any evidence to demonstrate that compliance with the specific rule creates a substantial undue burden? (If so, please attach)

The results from both ECCLC's 2016 Larimer County Workforce Survey and *The Colorado Early Childhood Workforce Survey 2017* has compelling evidence that filling all vacant ECT positions with fully qualified candidates, in a timely manner, is not possible given the lack of qualified candidates. Trying to be in compliance with the regulation 7.7.02.44 A.1 results in understaffed classrooms, more burden on directors, reduced access to child care for families, and more transitions for children. The data demonstrating this is enumerated in question 3 above.

- **If this rule/regulation is waived, how will you meet its intended purpose? (Ex: diversity of stakeholders, health and safety of children in care, etc.)**

We have carefully considered the safeguards that need to be in place to meet the intended purpose of the regulation. In order to utilize this waiver, the program must have a current Colorado Shines Level 3, 4 or 5 rating **and** be in good standing with Colorado Child Care Licensing. **The program shall sign a program agreement which commits to the following provisions to ensure children's safety and well-being. ECCLC shall send this agreement to the Office of Early Childhood for review. In addition to the above criteria, OEC may consider any adverse actions when reviewing the application and providing feedback to ECCLC.**

- **A program shall have no more than two staff members employed as P-ECTs at any one time.**
- The Provisional Early Childhood Teacher (P-ECT) must have completed all preservice and annual mandatory trainings
- The P-ECT must meet one of the following minimum qualifications upon hiring: Assistant ECT, Level 1 Credential or a Bachelor's degree in an unrelated field.
- **The program must email the Provisional ECT Application to CDHS upon employment of a P-ECT, so that CDHS has a record of this waived position. CDHS will issue a P-ECT letter and email it to the P-ECT and the program within 3 working days. This is for acknowledgement purposes, not for approval.**
- The program, in collaboration with the P-ECT, shall create a professional development plan with detailed, attainable steps that show the path to becoming fully ECT qualified within the 12 month waiver period. This plan must be reviewed at least once per month in the supervisory meetings detailed below to ensure that the P-ECT is on track to completion, and updated as steps are completed. The director/assistant director shall keep the plan on file (with a copy given to the employee). The plan shall be signed by both the director/assistant director and the P-ECT, and shall be available for licensing to review. The template for this plan is attached.
- **If the P-ECT is working with toddlers, the P-ECT must have or complete next available EQIT course (or ECE 111).**
- For the first eight weeks, the P-ECT shall have another staff person (minimum of **Assistant Teacher qualified**) present during all times that would otherwise require a fully qualified ECT.
- For the first eight weeks, the P-ECT will be observed for a minimum of 30 minutes per week by the Director or Assistant Director. These observations must occur at varying times of the day. **At least one of these observations shall be 30 uninterrupted minutes**

in length. After eight weeks, these observations must occur no less frequently than once per month.

- For the first eight weeks, the P-ECT will meet with his/her supervisor for a minimum of 30 minutes/week to reflect, debrief and receive support. After eight weeks, these meetings must occur no less frequently than once per month.
- All observations and supervisory meetings shall be documented on the attached form and this documentation shall be available for licensing to review. **Copies of the observation notes shall be provided to the P-ECT.**
- The P-ECT must complete all requirements to be fully qualified under 7.7.02.44 A.1 within 12 months of being hired into that position.

We have developed a packet of materials to provide to any program that wants to take advantage of this waiver. The attached documentation includes:

- A documentation tracking form to ensure that each required step is being followed
- A professional development plan (modeled after the PDIS plan, but modified to add specificity for this purpose)
- A checklist to track dates/times of observations and supervisory meetings to be used by the director/assistant director working with the P-ECT
- An observation form to be used with the P-ECT. This form was developed with input from our Waiver taskforce and Quality Support Coaches, and aligned to the Competencies for Early Childhood Educators & Administrators"

8. On what date would you like the Waiver to START?

Immediately

9. On what date would you like the Waiver to END?

We are requesting a minimum of a three year time frame for this waiver, so that we can evaluate its impact.

10. Is there a fiscal impact to implementing this Waiver? (Please describe any anticipated financial impact)

The fiscal impact will be on the child care programs. Because college classes and additional training may be a condition of employment, the Department of Labor requires the employer to cover both the cost of the education/training and pay the employee's time to attend trainings/classes. The child care centers that have been engaged in this dialogue understand this fiscal impact, and are willing to absorb the cost to get high quality, qualified ECTs.

11. How will you evaluate the effectiveness of this rule/regulation waiver if approved?

An effective waiver will result in an increased number of qualified ECTs through successful completion of the waiver, as well as reduced child care program staff vacancies.

As part of the agreement to participate in this waiver, programs must agree to share data with ECCLC to support an evaluation of the waiver's effectiveness, including:

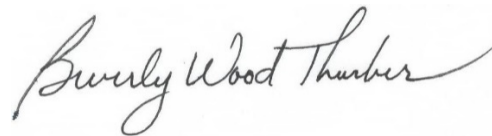
- # of participants and demographics of participants
- # successfully completing ECT qualifications within waiver period, and licensing option pursued
 - If not completed, reasons why
- On an annual basis, track how many P-ECTs are still employed in early childhood.

ECCLC will also collect quantitative and qualitative data from both the employer and employee through a post-participation survey. Questions will include, but not be limited to: costs incurred by employer for training of P-ECT, length of time until hiring, impact on staff vacancy, feedback on the waiver process/forms..

12. Additional Comments:

SIGNED:

Beverly Wood Thurber



ECC Coordinator Name

ECC Coordinator Signature

Miriam B Harris

See original application for signature

ECC Membership Chair Name

ECC Membership Chair Signature



Early Childhood Council Waiver Request

Recommendation from ECLC Waiver Review Subcommittee

Early Childhood Council Name: Early Childhood Council of Larimer County	Waiver #: 18-01
CDHS Staff: Erin Frederiksen, Teresa Ribble, Carin Rosa, Kathi Wagoner	Date: 08/13/18
Recommendation to ECLC: Approve the waiver request	

1. Summarize Waiver discussion:

The waiver #18-01 was requested for approval to create a Provisional- Early Childhood Teacher (P-ECT) qualification. This waiver was requested in order to address the current workforce crisis and allow educators to reach the full ECT qualification more quickly. The Early Childhood Council of Larimer County (ECCLC) is asking for Child Care Centers and Preschools which meet specific conditions to be allowed to hire people into an Early Childhood Teacher (ECT) position who have certain education or experiences but have not yet met all of the ECT qualifications and allows them a period of up to 12 months to complete all ECT requirements. During this time, the center would provide additional supports, such as enhanced coaching and reflective supervision.

The Waiver Review Subcommittee met on August 13, 2018 at 12:00pm. Representatives from Early Childhood Council of Larimer County and Colorado Department of Human Services (CDHS) were present. Discussion took place among CDHS and ECCLC about specific concerns CDHS had around requirements for the P-ECT and shared recommendations for approval of waiver.

2. Recommendation from ECLC Waiver Review Subcommittee:

ECLC Waiver Review Subcommittee recommends approval of the waiver request with the following conditions:

- Programs will sign a program agreement which will be submitted to CDHS for review in advance of hiring a P-ECT. Any adverse action within the last 12 months will be reviewed and considered by CDHS when providing feedback regarding placing P-ECTs in that program.
- The P-ECT application form is submitted to CDHS for notification (not approval) by each educator/center. P-ECT Applications are then documented on site and available for licensing specialist.
- The second person working in the classroom with a P-ECT will be a qualified assistant teacher or ECT.
- The program, in collaboration with the P-ECT, shall create a professional development



plan with detailed, attainable steps that show the path to becoming fully ECT qualified within the 12 month waiver period. If the P-ECT is working with toddlers, the P-ECT must have or complete the next available EQIT class (or ECE 111).

- For the first eight weeks, the P-ECT will be observed for a minimum of 30 minutes per week by the Director or Assistant Director. These observations must occur at varying times of the day. At least one of these observations shall be 30 uninterrupted minutes in length. After eight weeks, these observations must occur no less frequently than once per month.
- The reflective supervision and observations can be provided to the P-ECT by the Director or Assistant Director of the facility and must include written notes.
- A program shall have no more than two staff members employed as P-ECTs at any one time.

ECCLC shall provide a status update of the Provisional- Early Childhood Teacher Program after 6 months and 12 months.

The Waiver Review Subcommittee recommends approval of the waiver for 18 months, at which point ECCLC should provide an additional update on the waiver and the ECLC can determine whether it should be extended.

TO BE COMPLETED AT NEXT FULL ECLC MEETING

Date of ECLC Meeting: August 23, 2018
ECLC Waiver Decision and Conditions: Waiver #18-01 requested by the Early Childhood Council of Larimer County was approved unanimously for 18 months with status updates at 6 months and 12 months.