

1 (a) The Secretary of the Department of Health and Human
2 Resources shall propose rules for legislative approval in
3 accordance with the provisions of article three, chapter
4 twenty-nine-a of this code to implement a quality rating and
5 improvement system. The quality rating and improvement system
6 shall be applicable to licensed child care centers and facilities
7 and registered family child care homes. If other types of child
8 care settings, such as school-age child care programs, become
9 licensed after the implementation of a statewide quality rating and
10 improvement system, the secretary may develop quality criteria and
11 incentives that will allow the other types of child care settings
12 to participate in the quality rating and improvement system. The
13 rules shall include, but are not limited to, the following:

14 (1) A four-star rating system for registered family child care
15 homes and a four-star rating system for all licensed programs,
16 including family child care facilities and child care centers, to
17 easily communicate to consumers four progressively higher levels of
18 quality child care. One star ~~indicating~~ indicates meeting the
19 minimum acceptable standard and four stars ~~indicating~~ indicate
20 meeting or exceeding the highest standard. The system shall
21 reflect the cumulative attainment of the standards at each level
22 and all lesser levels. ~~Provided, That any~~ A program accredited by
23 the National Association for the Education of Young Children or the

1 National Association for Family Child Care, as applicable, shall
2 automatically be awarded four-star status;

3 (2) A requirement that the secretary establish and maintain
4 program standards for registered family child care homes and
5 program standards for all licensed programs, including family child
6 care facilities and child care centers. ~~that are~~ Each set of
7 standards shall be divided into four levels of attributes that
8 progressively improve the quality of child care beginning with
9 basic state registration and licensing requirements at level one
10 through achievement of a national accreditation by the appropriate
11 organization at level four. Participation beyond the first level
12 is voluntary. The program standards shall be categorized using the
13 West Virginia State Training and Registry System Core Knowledge
14 Areas or its equivalent;

15 (3) Accountability measures that provide for a fair, valid,
16 accurate and reliable assessment of compliance with quality
17 standards, including, but not limited to:

18 (A) Evaluations conducted by trained evaluators with
19 appropriate early childhood education and training on the selected
20 assessment tool and with a demonstrated inter-rater reliability of
21 eighty-five percent or higher. The evaluations shall include an
22 on-site inspection conducted at least annually to determine whether
23 programs are rated correctly and continue to meet the appropriate

1 standards. The evaluations and observations shall be conducted on
2 at least a statistically valid percentage of center classrooms,
3 with a minimum of one class per age group;

4 (B) The use of valid and reliable observation and assessment
5 tools, such as environmental rating scales for early childhood,
6 infant and toddler, school-age care and family child care as
7 appropriate for the particular setting and age group;

8 (C) An annual self-assessment using the proper observation and
9 assessment tool for programs rated at two stars; and

10 (D) Model program improvement planning ~~shall be~~ designed to
11 help programs improve their evaluation results and level of program
12 quality.

13 (b) The rules required pursuant to this section shall include
14 policies relating to the review, reduction, suspension or
15 disqualification of child care programs from the quality rating and
16 improvement system.

17 (c) The rules shall provide for implementation of the
18 statewide quality rating system effective July 1, 2011, subject to
19 section four of this article.

NOTE: The purpose of this bill is to remove the requirement that program standards for registered family child care homes and all licensed programs be included as part of the rule to implement the quality rating and improvement system and require, instead, that the secretary establish and maintain these standards.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.