

**199.8943 Quality-based graduated early care and education program rating system  
-- Administrative regulations. (Effective until January 1, 2023)**

- (1) As used in this section:
  - (a) "Federally funded time-limited employee" has the same meaning as in KRS 18A.005;
  - (b) "Primary school program" has the same meaning as in KRS 158.031(1); and
  - (c) "Public-funded" means a program which receives local, state, or federal funding.
- (2) The Early Childhood Advisory Council shall, in consultation with early care and education providers, the Cabinet for Health and Family Services, and others, including but not limited to child-care resource and referral agencies and family resource centers, Head Start agencies, and the Kentucky Department of Education, develop a quality-based graduated early care and education program rating system for public-funded licensed child-care and certified family child-care homes, public-funded preschool, and Head Start, based on but not limited to:
  - (a) Classroom and instructional quality;
  - (b) Administrative and leadership practices;
  - (c) Staff qualifications and professional development; and
  - (d) Family and community engagement.
- (3)
  - (a) The Cabinet for Health and Family Services shall, in consultation with the Early Childhood Advisory Council, promulgate administrative regulations in accordance with KRS Chapter 13A to implement the quality-based graduated early childhood rating system for public-funded child-care and certified family child-care homes developed under subsection (2) of this section.
  - (b) The Kentucky Department of Education shall, in consultation with the Early Childhood Advisory Council, promulgate administrative regulations in accordance with KRS Chapter 13A to implement the quality-based graduated early childhood rating system, developed under subsection (2) of this section, for public-funded preschool.
  - (c) The administrative regulations promulgated in accordance with paragraphs (a) and (b) of this subsection shall include:
    1. Agency time frames of reviews for rating;
    2. An appellate process under KRS Chapter 13B; and
    3. The ability of providers to request reevaluation for rating.
- (4) The quality-based early childhood rating system shall not be used for enforcement of compliance or in any punitive manner.
- (5) The Early Childhood Advisory Council, in consultation with the Kentucky Center for Education and Workforce Statistics, the Kentucky Department of Education, and the Cabinet for Health and Family Services, shall report by October 1 of each year to the Interim Joint Committee on Education and the Child Welfare Oversight and Advisory Committee established in KRS 6.943 on the implementation of the

quality-based graduated early childhood rating system. The report shall include the following quantitative performance measures as data becomes available:

- (a) Program participation in the rating system;
  - (b) Ratings of programs by program type;
  - (c) Changes in student school-readiness measures;
  - (d) Longitudinal student cohort performance data tracked through student completion of the primary school program; and
  - (e) Long-term viability recommendations for sustainability at the end of the Race to the Top-Early Learning Challenge grant.
- (6) By November 1, 2017, the Early Childhood Advisory Council and the Cabinet for Health and Family Services shall report to the Interim Joint Committee on Education and the Interim Joint Committee on Health and Welfare on recommendations and plans for sustaining program quality after the depletion of federal Race to the Top-Early Learning Challenge grant funds.
- (7) Any federally funded time-limited employee personnel positions created as a result of the federal Race to the Top-Early Learning Challenge grant shall be eliminated upon depletion of the grant funds.

**Effective:** July 14, 2018

**History:** Amended 2018 Ky. Acts ch. 112, sec. 3, effective July 14, 2018; and ch. 159, sec. 52, effective July 14, 2018. -- Amended 2015 Ky. Acts ch. 16, sec. 1, effective June 24, 2015. -- Amended 2013 Ky. Acts ch. 57, sec. 4, effective June 25, 2013. -- Amended 2005 Ky. Acts ch. 99, sec. 195, effective June 20, 2005. -- Created 2000 Ky. Acts ch. 308, sec. 15, effective July 14, 2000.

**Legislative Research Commission Note (7/14/2018).** This statute was amended by 2018 Ky. Acts chs. 112 and 159, which do not appear to be in conflict and have been codified together.