



MEMORANDUM OF UNDERSTANDING

FIRST 5 ALAMEDA COUNTY,
R&R AGENCY*,
AND
LAS POSITAS COLLEGE
CHILD DEVELOPMENT CENTER

The California Children and Families First Act of 1998 (Proposition 10) created a program in the state for the purposes of promoting, supporting, and improving the early development of children from the prenatal stage to five years of age. The intent of this act is to enable counties to create and implement an integrated, comprehensive and collaborative system of information and services to enhance optimal early childhood development.

First 5 Alameda County (F5AC) approved a Strategic Plan to support a countywide continuous prevention and early intervention system that promotes optimal health and development, narrows disparities, and improves the lives of children 0 to 5 and their families. A key result area of the Strategic Plan is that **children are prepared for school through quality early experiences** (2013-2017 Strategic Plan Result 2, page 4). To achieve this result, F5AC will work closely with community partners to promote access to quality early care and education in family child care and center-based settings by providing coaching, consultation, funding, and incentives for site based quality improvement, prioritizing services to programs that enroll children with high need; supporting access to professional development opportunities for the child care workforce that increase adoption of best and promising practices, and developing and implementing an integrated regional child care quality rating and improvement system (2013-2017 Strategic Plan Strategy 3, page 11).

I. BACKGROUND AND PROGRAM DESCRIPTION

Alameda County is one of sixteen counties participating in the California Race to the Top-Early Learning Challenge grant (RTT-ELC), a federally funded award to develop a Quality Improvement and Rating System (QRIS). The main goal of the QRIS is to improve the quality of child care so that more children with high needs are attending quality programs. QRIS participants receive an initial tier rating and a 2 year post-technical assistance rating based on the California Department of Education (CDE) Quality Continuum Framework Matrix (Matrix). The RTT Quality Improvement and Professional Development Pathways (Pathways) lists potential activities sites may choose to participate in to improve scores/quality in each element of the Matrix.

QRIS participants receive individualized support to improve quality depending on program needs. Participation in QRIS includes a variety of supports including:

*QRIS reserves the right to assign a F5AC or R&R Coach, to be determined at a later date.

- Environmental Ratings Scales (ERS) and Classroom Assessment Scoring System (CLASS) assessment scores
- A highly trained QRIS Coach to work collaboratively with early childhood educators to improve program quality
- Linkages to specialized consultation (e.g. early childhood, business/fiscal) and other professional development resources (e.g. Help Me Grow, CARES Plus, community and online trainings)
- Financial incentives to support the program's quality improvement efforts

II. PERFORMANCE REQUIREMENTS

To achieve the goals of the QRIS, **Las Positas College Child Development Center** is committed to doing the following:

QRIS RATING, PORTFOLIO, CONSULTATION AND SUPPORT

- A. Notify all parents and staff of participation in QRIS.
- B. FCC Owner/Center Administrator participation in one 3-hour Orientation to review portfolio instructions, assessment expectations, and other program requirements. Administrator may bring additional staff.
- C. *Centers*: Onsite Orientation for all staff to review participant requirements and QRIS process (QRIS staff is available to assist if necessary). Please complete attached sign-in sheet for orientation and provide to QRIS Administrator.
- D. If not familiar with the ERS and/or CLASS, all classroom staff and site administrators complete a free online training that provides an overview of each tool prior to the scheduled assessment dates.
- E. Preparation for on-site rater review (including gathering or relevant documents) as instructed in the Portfolio (with the support of a QRIS Rater) at the beginning of services and again at the conclusion of services.
- F. Allow F5AC funded ERS and CLASS assessors to observe and score program/randomly-selected classrooms. Allow results of ERS and CLASS assessments to be shared with the assigned QRIS technical assistance staff.
- G. In collaboration with the QRIS Rater/Coach, use the initial QRIS rating and Roadmap to identify and select goals and Pathway activities to maintain (for programs receiving a 5) or increase tier rating.
- H. Collaborative development of a QRIS Quality Improvement Plan (QIP) based on goals and activities selected from the QRIS Roadmap. Upon completion of the QIP development, the QRIS reserves the right to determine frequency of QRIS Coach/Consultant visits dependent upon available technical assistance resources and participant's own resources and level of need.
- I. Participate in a maximum of weekly 2 hour on-site consultation services for up to 24 months. Frequency of meetings will be determined by QRIS staff** based on program's individual level of need and available technical assistance resources. Site is responsible for maintaining mandated teacher:child ratios while staff meet with QRIS staff.

** QRIS staff includes staff from First 5 Alameda County, the 3 local Resource and Referral (R&R) agencies (4C's, Bananas, Child Care Links), the Low Income Investment Fund (LIIF) and Jewish Family and Children's Services of the East Bay (JFCS)

- J. Allow the QRIS Coach to conduct a health and safety assessment to evaluate progress toward the identified health and safety challenges, identified in the QIP and ERS Action Plan, prior to submitting an application for any QRIS incentives, such as the quality improvement grant.
- K. Make every effort to maintain (for programs that receive an initial rating of 5) or *increase* tier rating through participation in Pathways activities which include generalist coaching, additional training, classes, specialized consultation, technical assistance, and/or independent completion of goals and strategies as identified in the QIP.
- L. Complete 75% of initial QIP goals prior to applying for the second QRIS Grant.
- M. After two years, receive a tier rating which includes new ERS and CLASS assessments and updating Portfolio.
- N. Evaluate effectiveness of the consultation. This may include, but not be limited to: allowing an independent evaluator to conduct an on-site assessment at the beginning and at the end of consultation services, participate in a focus group and/or interview, and completing a brief, staff-completed questionnaire about consultation services.
- O. QRIS participant will notify QRIS Coach/consultant within 36 hours if the child care site receives a Substantiated Complaint or Type A deficiency with Community Care Licensing Division during the time period of acceptance to the QRIS program and the end of the two-year project term.
- P. If QRIS participant does not complete or chooses not to participate in any one of the above listed activities, including activities recommended by QRIS staff, QRIS services may be terminated immediately, which will result in the participant losing QRIS site status and site will be ineligible to apply for any/further grant funding.

CENTER DIRECTOR/ADMINISTRATOR RESPONSIBILITIES

- A. Share and discuss all information presented in the QRIS Orientation with staff (QRIS staff may assist if needed). This includes but is not limited to:
 - a. QRIS purpose, process, timeline and potential quality improvement activities and incentives
 - b. What to expect during the assessments
 - c. The potential for regular coaching/consultation meetings to support quality improvement efforts
- B. Provide all staff that is unfamiliar with the ERS and/or CLASS assessment tools with the information (e.g. website link and code) and time to complete online training prior to the scheduled dates of assessments.
- C. Gather and file all needed documents including but not limited to teacher education qualifications and professional development hours, health and developmental screening tracking forms and results, and child observation documentation.

- D. Discuss your site's Rating, Road Map and QIP with all staff.
- E. Make scheduling and staffing arrangements for classroom teachers to meet with QRIS staff for coaching/consultation meetings on a regular basis. Complete the following chart to indicate days and times that each classroom team is available to meet.

INSURANCE AND REPORTING

- A. Additional Insured Endorsement shall name First 5 Alameda County, the individual members thereof, and all First 5 officers, agents, employees, contractors, and volunteers, and Alameda County, its Board of Supervisors, officers, agents and employees as Additional Insureds with respect to services being provided. Additional insured endorsement shall be equivalent to ISO form CG 20 09 10 93.
- B. Maintain a minimum of \$300,000.00 in general liability insurance, with First 5 Alameda County and Alameda County listed as additional insured, for the full two years of the project term. The insurance must be purchased without installments on an annual basis. Any request for exception to this provision of insurance purchased without installments must be submitted in writing and approved by First 5 Alameda County. Proof of insurance with the appropriate levels of coverage must be submitted to First 5, attention Sonia Gonzalez-Garcia. Failure to maintain the required insurance during the project term may affect current and future participation in the QRIS program, as determined by First 5.
- C. For the duration of the two-year project term, complete and return annual reports in a form specified by First 5 Alameda County, and by the deadline determined by QRIS staff. Programs also agree to allow pre-arranged site visits from any QRIS staff.
- D. Provide First 5 Alameda County/R&R agency with race/ethnicity information for the child care site staff and children enrolled at the child care site as well as educational level of staff. Names will NOT be attached to this information. Additional information may be requested as a part of California's QRIS application.

SERVICE DELIVERY

- A. For the duration of the two-year project term, continue to operate a child care program at the address listed on the program's approved QRIS application.

III. LIMITATION ON LIABILITY; INDEMNIFICATION

Both **First 5 Alameda County, R&R Agency and Las Positas College Child Development Center** agree to indemnify, to save and hold harmless the other party and their respective individual members, officers, agents, employees, contractors, and volunteers, from any and all liability in addition to any and all losses, claims, actions, lawsuits, damages, judgments of any kind whatsoever arising out of the negligent acts, omissions or intentional misconduct of **First 5 Alameda County, R&R Agency or Las Positas College Child Development Center** respective employees, agents, subcontractors or volunteers in performance of services or in the course of performing services rendered pursuant to this Agreement.

IV. GENERAL TERMS

Period of Operation and Termination

This agreement will take effect upon signing of both parties to the agreement and shall remain in effect until terminated. Each party shall have the right to terminate the agreement upon 30 days prior written notice to the other party.

Alteration of Terms

It is mutually agreed that this agreement may be modified or amended upon the written consent of the parties hereto.

Governing Laws and Regulations

It is agreed that, if any of the provisions of this MOU are affected by changes in Federal or State laws or regulations, this MOU may be renegotiated and amended accordingly, subject to the provisions outline in the preceding two (2) paragraphs.

Failure to Participate

If First 5 Alameda County and/or R&R agency staff determine that the child care program is failing to uphold its commitment to and participation in the QRIS process (e.g. missing scheduled meetings, failing to make progress toward identified health and safety challenges, or choosing not to participate in recommended activities to address identified areas for improvement), First 5 Alameda County and/or the R&R agency will provide a written warning that the program is in jeopardy of losing QRIS services. If the child care program continues to fail to comply with the QRIS process, First 5 Alameda County, in partnership with the R&R agency may, at staff's discretion, discontinue QRIS services. Lack of compliance will also be taken into consideration for future selection and funding decisions.

Health and Safety Hazards

If QRIS staff observes serious hazards or behavior that jeopardizes the health and safety of children at the site, First 5 Alameda County will be responsible for determining the steps to be followed including but not limited to:

1. First 5 Alameda County, in partnership with the R&R agency and associated contractors, may determine that the situation warrants a report to a regulatory agency. If a report is made, First 5 Alameda County, R&R agency and/or associated contractors will inform the QRIS site **unless the investigating agency has determined and notified First 5 Alameda County, R&R agency and/or associated contractors in writing that it would impede the investigation of the incident or situation.**
2. First 5 Alameda County, in partnership with the R&R agency and associated contractors, reserves the right to determine if they will continue working with an agency that has been reported, based on its professional judgment and the feasibility of making needed changes within the site and/or program staff.
3. First 5 Alameda County, in partnership with the R&R agency and associated contractors, reserves the right to withdraw its staff and/or QRIS Coaches at any time. Eligibility for any First 5 Alameda County funding and/or grants program may be discontinued, modified, or withheld at the discretion of First 5 Alameda County pursuant to a change in law or a material adverse change in the Center/Provider's condition, including failure to comply with licensure requirements, investigation by any entity with authority over the program, or in the case of any citation for child abuse or neglect without follow-up clearance by the appropriate regulatory agency.

In Good Standing with Community Care Licensing (CCL)

"If a site license is changed to anything other than 'In Good Standing,' the QRIS rating and services to the site are suspended¹ (rating suspended and program no longer receiving RTT-ELC site-level Quality Improvement resources, including financial incentives, technical assistance, coaching, and on-site training. All participating sites' licenses must be current and **"IN GOOD STANDING,"**² which means a licensed child care center or family child care home that currently does not have³ any of the following:

- 1) a non-compliance conference;
- 2) an administrative action taken or in the process of being taken (includes denied application, denied exemption, temporary suspension order, expedited revocation action, revocation action, or exclusion action that is being initiated, in process, or already taken); and
- 3) a probationary license." (California RTT-ELC QRIS Implementation Guide, pgs. 6-7).

Mandated Ratios

QRIS staff** will conduct observations and activities related only to the functions of the QRIS process. QRIS staff** cannot and will not replace regular program staff, nor be "counted" for the mandated adult-child ratios in the program.

Consent to Share

QRIS staff** may share information, within legal limits and First 5 Alameda County's Confidentiality policy, about your site and the services provided. This process will enhance the quality and relevance of the services you receive and ensure that we are not duplicating services.

V. TERMS OF AGREEMENT

The term of the QRIS consultation process is two years from the date of this fully executed MOU. Provisions of this agreement will be subject to modification only by the written consent of the undersigned parties.

VI. FILING REPORTS WITH CHILD PROTECTIVE SERVICES (CPS) / CHILD CARE LICENSING (CCL)

If **Las Positas College Child Development Center** has knowledge of or observes a child who they suspect has been the victim of child abuse or neglect within the course of First 5 Alameda County funded work, it is expected that they will file a report of the situation to CPS. In accordance with CPS guidelines, the report should be filed by phone within 24 hours of the incident, and in writing within 36 hours of the incident. If the abuse or neglect occurs in a licensed child care facility, it is expected that **Las Positas College Child Development Center** will also file a report immediately to CCL.

Reporting suspected child abuse or neglect to First 5 Alameda County, the R&R agency, or other persons is not a substitute for making a report to CPS or CCL. Reporting duties are individual and cannot be delegated to another person.

If First 5 Alameda County staff or any funded contractors become aware of suspected child abuse or neglect while providing consultation and/or project support, and a report is not filed

¹ Reinstatement protocols are determined at the local level.

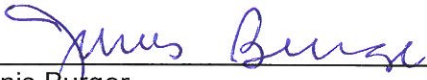
² Reference-Health and Safety Code sections 1596.773 and 1596.886.

³ Consortia may choose locally to impose a time period of up to 12 months in the past

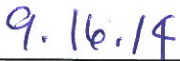
within the legal timeframe by program, First 5 Alameda County staff and/or contractor will file a report by phone and in writing within 24 hours.

Failing to report abuse or neglect to the appropriate agencies is not consistent with the mandates of First 5 Alameda County to improve health and development of children age 0-5. Failure to report may result in termination of services or funding.

First 5 Alameda County



Janis Burger
Chief Executive Officer



Date

R&R Agency


Authorized Signature
Executive Director

Date

**Las Positas College
Child Development Center**



Authorized Signature



Date

ATTACHMENT A:



QRIS ORIENTATION FOR CENTER STAFF
SIGN IN SHEET

CENTER NAME: Las Positas College Child Development Center

DATE OF ORIENTATION: Friday, October 24, 2014, 1-3 pm OR
Monday, October 20, 2014, 1-3 pm

STAFF NAME (PRINT NAME)	STAFF SIGNATURE
CORINNA CALICA	
VIRGINIA TSUBAMOTO	
JODI MASCARD	
MARGIE COSTELLO-CHEVIZ	
KEISHA MOORE	
KITMAN HO	
CLAUDIA RUFINO	
NERMIN DECOU	
ALEXANDRA OLIVA	
NICOLE CATIPON	
JOSE SANCHEZ	

**ATTACHMENT B:
CENTER CLASSROOM AVAILABILITY**

Please complete the following information for every classroom the provides care to children birth to 5 at your center. Please write the time(s) that each classroom teaching team is available to meet together for 2 hour weekly coaching/consultation meetings.

CLASSROOM NAME	AGE GROUP	NUMBER OF TEACHING STAFF	MON	TUE	WED	THU	FRI
TODDLER #1	18-30 MONTHS	5	1-3 PM	X	X	X	1-3 PM
PRESCHOOL #1	3-5 YEARS	5	1-3 PM	X	X	X	1-3 PM