

Request for Keystone STAR Designation and Attestation

MPI#:

Instructions: By completing and signing this form, the facility representative is attesting that this facility is ready for a STAR Designation and that all evidence to meet Performance Standards have been submitted.

Facility Information

This facility holds a Pennsylvania Department of Human Services Certificate of Compliance:

Yes No

This facility holds a Pennsylvania Department of Education Private Academic School License:

Yes No

This facility holds a current accreditation from a recognized accrediting body: Yes No
If yes, please indicate the type of accreditation: _____

Name of Facility: _____

Address: _____

City: _____ Zip Code: _____ County: _____

Facility Phone Number: _____

Contact Person: _____ Title: _____

Email: _____

Facility Type (if applicable, check one below):

Center Family Child Care Home Group Child Care Home School Age Only Site

Legal Entity Information

Legal Entity Name: _____

Address: _____

City: _____ Zip Code: _____ County: _____

Request for STAR Designation

This facility is requesting a STAR Designation. The facility representatives believe that this facility meets the criteria for the following STAR Designation and we have our documentation prepared to demonstrate fulfillment. Check the STAR that this facility is requesting.

STAR 2 STAR 3 or 4 Alternative Pathway Designation

Attestation for Department Human Services Regulated Provider

Instructions: In order to receive your STAR Designation Certificate, please complete the following attestation. The person who signs this document is the individual legally authorized to represent the child care provider. By completing and signing this form, you attest that you agree with and understand the terms of the STAR Designation. **To confirm agreement, place initials next to each statement.** If you do not initial all statements, the ELRC agent of the Department of Human Services, cannot designate a STAR to your child care provider.

_____ I agree to abide by the Keystone STARS Performance Standards for the current STAR Designation and I understand the status of my Program's STAR Designation may be reviewed, reduced, suspended, or removed if I am not meeting the Keystone STARS Performance Standards and/or other conditions listed in the attached STAR Status Review, Reduction, Suspension and Removal Process.

_____ I understand that the ELRC reserves the right to review my Program's STARS status and share information with the DHS Regional Certification Office.

_____ I understand that my Program's STAR Designation may be suspended or removed if DHS initiates an Injunction or Emergency Removal, or issues a Provisional Certificate of Compliance.

_____ I agree that, as applicable if the DHS Regional Certification Office initiates an action to revoke or refuse to renew my Program's DHS Certificate of Compliance, that my STAR Designation will be suspended or removed. I understand that the STAR Designation will be suspended whether or not my Program appeals the DHS Regional Certification Office's action.

_____ I agree that, if my Program's STAR Designation is suspended or removed, my Program may not advertise as a STARS child care provider, I will not receive grant/award funds, and my Program's STAR Designation will be removed from DHS's COMPASS website. The STAR Designation may be reinstated upon my Program's correction of the noncompliance with DHS regulations or upon meeting the Keystone STARS Performance Standards.

_____ I understand that false statements made herein are subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

_____ I will provide assurance that I will participate in evaluation activities, if selected to participate.

_____ I will provide researchers with access, consistent with the requirements of all applicable Federal, state, and local privacy laws, to data so that they can analyze the State's quality improvement efforts and answer key policy and practice questions.

_____ I agree to cooperate with the ELRC, Keystone STARS Evaluators, and other DHS agents in providing access to examine the child care provider, records, and documents that pertain to the

STAR Designation. I further consent to review and release information for the STAR Designation to DHS and its agents.

_____ I understand that DHS has contracted with several established entities to be their agents in administering and implementing the Keystone STARS program. The information I provide to DHS and its agents as a participant in the Keystone STARS program is shared among these agents for research and evaluation purposes, monitoring compliance, and development of the Keystone STARS program. My Program information is entered into a database that is accessible only to DHS and its agents. I affirm that I will cooperate with DHS and its agents.

_____ I attest that all classrooms where children are enrolled meet DHS regulations at all times, regardless of affiliation with other organizations, such as PA Department of Education and Head Start.

Signature of the Individual Legally Authorized to Represent the Child Care Provider

Date

Print Name

Title

Keystone STARS Status Review, Reduction, Suspension, & Removal Process

By signing this agreement the GRANTEE (and affiliated Sub Grantees) understands and accepts the provisions of the Keystone STARS Status Review, Reduction, Suspension, & Removal Process as outlined below. The intent of this process is to provide a consistent mechanism for addressing noncompliance issues in early learning programs participating in Keystone STARS. However, the Department of Human Services (DHS), the Office of Child Development and Early Learning (OCDEL) and/or the ELRC reserve the right to take action for other types of program non-compliance not specifically listed henceforth. **A change in a program’s STAR level designation status will impact quality subsidy add-on rates (for DHS regulated programs) and/or Keystone STARS Grants and Awards for programs that are eligible for these funding opportunities.** The Resource and Restrictions chart at the end of this section details the impacts to a program’s access to various Keystone STARS resources as a result of the process. The GRANTEE/Sub Grantee will be informed by the ELRC in writing of any action taken to a program’s STAR level designation.

STARS Status Review

The intent of the STARS Status Review is to provide a maximum of 30 days for the ELRC to make a determination regarding the appropriate action to take upon a program’s Keystone STARS designation status. The ELRC will verify area(s) of a program’s noncompliance and will work with DHS Certification (Bureau or Regional Office for DHS Regulated programs) or other program governing bodies (such as the federal Office of Head Start) as needed to help the program correct the noncompliance.

The ELRC may also conduct a STARS Status Review in response to complaints from parents and/or other community stakeholders.

The ELRC will work with the program in the development of a STARS action plan (not to exceed 90 days) if any of the following conditions are verified during the STARS Status Review:

- The program is not meeting STARS Performance Standards, but **can** meet STARS Performance Standards within a 90-day timeframe.
- For DHS Regulated programs, the program has area(s) of noncompliance with DHS Regulations that **do not** lead to a Provisional Certificate of Compliance (i.e. areas of noncompliance on a Licensing Inspection Summary).
- A STAR 4–Accreditation program loses its accreditation status, but **can** meet STARS Performance Standards within a 90-day timeframe.

After the program meets the requirements of the STARS action plan, the ELRC reissues a STAR Certificate with the original expiration date.

If the program does *not* meet the requirements of the STARS action plan, the ELRC proceeds with one of the following:

- STAR Reduction – The program agrees to a reduced STAR level for which the program meets all STARS Performance Standards.
- STAR Suspension – The program refuses a STAR Reduction but does not meet the STARS Performance Standards for its current STAR designation.

STAR Reduction

The ELRC will complete a STAR Reduction if any of the following conditions are verified during the STARS Status Review:

- The program is not meeting STARS Performance Standards and the area(s) of noncompliance **cannot** be corrected within a 90-day timeframe.
- A STAR 4–Accredited program loses its accreditation status.

A program will receive a STAR Reduction to the appropriate STAR level in which the program meets all of the standards. If the GRANTEE/Sub Grantee refuses a STAR Reduction, the program will receive a STAR Suspension

STAR Suspension

The STAR Suspension will occur as a result of any of the following conditions or for other types of program non-compliance not specifically listed henceforth:

For DHS regulated programs in Keystone STARS

- DHS Certification initiates an Injunction, Negative Sanction or issues a Provisional Certificate of Compliance for areas of regulatory noncompliance.

SPECIAL NOTE:

- A Provisional Certificate of Compliance, issued for a period not to exceed six months, when there is a change in the physical location by a currently designated STAR 3 or STAR 4 program are not considered due to “regulatory noncompliance”.

- These programs may maintain their existing STAR level designation at their new location. This includes programs at an emergency, temporary physical location on a short-term basis (up to 60 days) returning to their permanent facility.
- After six months, programs must demonstrate receipt of a Certificate of Compliance. In the event that they are not fully compliant, an individual review of their STAR status will be conducted.
- The program consistently has multiple incidents of noncompliance with DHS Regulations.
- The program fails to implement, complete, and/or maintain a STARS action plan.
- The program is under investigation by DHS Certification for egregious circumstances. Issues falling under this condition will be handled on a case-by-case basis with OCDEL's oversight.
- DHS Subsidy Bureau takes action related to the program's subsidy agreements.

For Non-DHS regulated programs in Keystone STARS

- Not following Child Protective Services Laws (CPSL)
- Deficiencies found in the Head Start Key Indicator-Compliance (HSKI-C) Protocol
- The discovery of state/federal performance/ integrity issues, disparities, and/or improprieties of the educational institution which includes, but not limited to, the School District, the Local Educational Agency (LEA), and/or the educator(s) of such institutions.

For all programs including DHS Regulated Programs in Keystone STARS

- The GRANTEE/Sub Grantee cannot be determined a Responsible Contractor as outlined in the commonwealth's Management Directive 215.9 which could include but not limited to the following:
 - Suspension or debarment by the Commonwealth within the past 5 years.
 - Suspension or debarment by the federal government or any other state or governmental entity within the past 5 years.
 - Liabilities owed to the Commonwealth and/or federal government, including tax liabilities.
 - Notifying the ELRC of liens/liabilities is a requirement of receiving Keystone STARS funds. If GRANTEE/Sub Grantee does not inform the ELRC of such liens/liabilities, OCDEL will extend the suspension, past the date a clearance certificate is received by the ELRC from the GRANTEE/Sub Grantee, for the period of time the program did not notify the ELRC of the liability. The extension will affect the quality add on/tiered reimbursement given to DHS regulated programs. Dependent upon the availability of grant/award funds, the GRANTEE/Sub Grantee could be eligible for grants/awards upon reinstatement back into STARS.
 - Unsatisfactory or deficient performance in past or current Commonwealth contracts or agreements as determined by the Commonwealth in its sole discretion.
 - Capacity and ability to perform within the established time schedule and in accordance with the plans and specifications of the contract.
 - False, misleading, or incomplete information submitted to the Commonwealth.
 - Default on a Commonwealth contract or agreement as determined by the Commonwealth in its sole discretion.

- The commission of any state or federal offense or criminal charges.
- Pending investigation by a federal or state agency or under investigation by a federal or state agency within the past 5 years.
- Facility health and safety related issues.
- General business integrity.
- The GRANTEE/Sub Grantee is under investigation for egregious circumstances by the program's specific governing body/authority. Issues falling under this condition will be handled on a case-by-case basis with OCDEL's oversight.
- The GRANTEE/Sub Grantee fails to submit to the ELRC, OCDEL or other requesting state/federal agency an approvable final expense report and/or corresponding original receipts/documentations validating compliance with state and federal requirements for the use of state and federal funds. Failure to account for or appropriately use all funds received through Keystone STARS financial grants and awards may also result in a referral to the commonwealth's Office of Inspector General.

During this phase, the program must work with the ELRC on the development, implementation and completion of a STARS Suspension Action Plan.

The STAR Suspension Action Plan, will not exceed 90 days, to correct the area(s) of noncompliance. For DHS regulated programs, where the case of noncompliance is with DHS Regulations, the ELRC consults as needed with DHS Certification regarding the corrective action plan submitted by the program. The program's DHS Certification corrective action plan, including applicable timeframes, may substitute for the STAR Suspension action plan. After the timeframe of the STAR Suspension action plan has ended, one of the following will occur:

- STAR Reinstatement - If the program meets the requirements of the STAR Suspension action plan, the ELRC reinstates the program's STAR by issuing a STAR Certificate with the original expiration date, if applicable. If the original expiration date expired while the program was suspended, the ELRC will move the program to active, No STAR Level and re-designate the program to the appropriate STAR Level.
- STAR Removal - If the program fails to implement, complete, and/or maintain a STAR Suspension action plan, the ELRC will remove the program from Keystone STARS based on the STAR Removal procedures.

STAR Removal

The ELRC will complete a STAR Removal if any of the following conditions occur:

- The program closes.
- For DHS regulated programs, DHS Certification initiates an Emergency Removal or action to Refuse to Renew or Revoke the program's Certificate of Compliance.
- The program fails to submit a "Request for Designation Renewal" to renew its current STAR designation.
- The program does not meet the requirements of the STAR Suspension action plan.

Notifications and Appeals

The ELRC will inform the program in writing of any action taken to the program's STAR level designation. If the program disputes the action outlined in the notification letter, it has 10 days from the mailing date of the letter to respond with a letter of disagreement to the ELRC.

Appeals will be handled in accordance to 1 Pa. Code (§ 35.9., § 35.10., § 35.20., § 35.35., § 35.111., and § 35.112.).

The program may appeal the ELRC's final decision to OCDEL by submitting in writing a letter to:

Office of Child Development and Early Learning
 Pennsylvania Departments of Education and Human Services
 333 Market Street, 6th Floor
 Harrisburg, PA 17126

Attention: Bureau of Early Learning Services

If further action is necessary, the appeal will move to the Commonwealth's Bureau of Hearings and Appeals.

Resources and Restrictions

During STARS Status Review, Suspension, & Removal the following restrictions and resources apply. A check mark (☑) indicates the resource is available to the program:

Resources/Restrictions	Under Review	Suspension	Removal
For Programs eligible for STARS Financial Awards	Eligibility resumes upon satisfactory completion of STARS Status Review		
Program posts STAR Certificate and advertises as a STARS program	☑		
For DHS Regulated programs eligible for tiered subsidy reimbursement (STAR 2 – STAR 4)	☑		
Program's STAR listed on COMPASS	☑		
Program access to STARS Representative for help with Performance Standards	☑	☑	
Program access to STARS Technical Assistance	☑	☑	
Program's Staff Prioritized for Vouchers/tuition assistance	☑	☑	
Program access to other special opportunities such as Mind in the Making, Early Childhood Mental Health Consultation, etc.	☑	☑	
Program eligible to attend professional development opportunities	☑	☑	☑