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New Jersey
Council for
Young Children

NEW JERSEY COUNCIL FOR YOUNG CHILDREN END-OF-YEAR-REPORT

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Introduction

The New Jersey Council for Young Children received a grant from the Administration for Children and Families to implement a three year plan to improve the state's coordination and quality of programs and services for infants, toddlers, and young children from birth to age eight. New Jersey is receiving \$1.7 million for the work of the Council. The Governor-designated Council is authorized by the Improving Head Start for School Readiness Act of 2007, and held its first meeting in February of 2010.

The 25-member Council is in the Department of Education, and represents all state agencies with oversight of programs for families and children from birth to age eight, including the Departments of Education, Human Services, Health and Senior Services, Labor and Workforce and Children and Families. Head Start agencies and organizations, advocacy groups, child care organizations, school districts, universities and foundations are also represented.

With the federal funds, the Council will:

- Develop a coordinated system of early childhood programs and services statewide with a data information sharing system that meets the early care and education needs of infants, young children and their families throughout the state, from birth through age eight.
- Identify and improve services for infants, young children and families by coordinating outreach efforts across state agencies, school districts and community and faith-based organizations, including, but not limited to, underserved populations.
- Develop a coherent set of early learning and development and program standards that address all areas of development for ages birth through eight that lead to positive outcomes for infants, young children and their families.
- Strengthen the preparation and ongoing professional development of all early education and care professionals to optimize their positive impact on the development and learning of young children, ages birth through eight.
- Identify and plan a system of comprehensive, aligned program quality improvement processes for early care and education from birth through age eight, including a tiered Quality Rating Improvement System.
- Provide information to help the public recognize the value of early care and education for the well-being of infants and children ages birth through eight and for the state as a whole.

Members are appointed for three-year terms (except for some first appointments), and vacancies are filled by gubernatorial appointment. There are currently three vacant slots with appointments under review. The Council is chaired by Dr. Ellen Wolock, Administrator of the New Jersey Department of Education's Division of Early Childhood Education.

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Purpose of Report

The purpose of the New Jersey Council for Young Children's end-of-year report is three fold:

- First, to describe the work of the Council for year one;
- Second, to discuss the Council's role in the Race to the Top Early Challenge funding opportunity; and
- Third, to provide an account of grant expenditures for year one and anticipated expenditures for years two and three.

Committee Reports

Council committee chairs prepared reports that summed up the progress of each committee's efforts around coordinated data systems, infant/toddler learning and program standards, workforce development, a statewide Quality Rating and Improvement System, outreach to under-served and at risk families, and public communication, in accordance with the year-one timeline. These reports are posted on the Council website and were discussed at the public hearing meeting on June 3, 2011, by the public. Written testimony from that hearing has also been posted on the Council's website, along with the year-two timeline (see Appendix A).

Coordinated Information Systems, Development and Use, including Needs Assessment Committee Report

Context:

The development of a well-functioning and interconnected early childhood data system is essential to the delivery of effective services. The New Jersey Council for Young Children views the development of data systems as essential to all other work to build and support a comprehensive early childhood information system. Comprised of stakeholders from across the state, the Council's data committee works to facilitate the development of a comprehensive, statewide data system that reveals opportunities to more effectively provide services to, and more efficiently monitor services for, New Jersey families.

Background:

Current data systems clearly indicate categories of children who are not receiving adequate health care, mental health services, nutritious food, early intervention and/or early learning services. However, gaps in data about children, the workforce, and programs were reported in virtually every one of the functional reviews conducted by the Council over the past year. In addition, challenges including barriers to data sharing and data availability (including timeliness) were reported. There is strong cross-committee agreement that a focus on data challenges is one of the top priorities for the coming years and that it must be addressed as a cross-cutting infrastructure issue. Establishing this infrastructure is critical to getting families services at the earliest point in time.

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The Council has three connected priorities related to a coordinated data system.

Priority 1: Mapping data

The first priority is mapping the data available from relevant state agencies and determining how it can be accessed and used for systemic analyses, strategic planning, service improvement and public accountability. Real and perceived barriers to data sharing and release posed by the Health Insurance Portability Accountability Act (HIPAA) and Family Educational Rights and Privacy Act (FERPA) need to be addressed.

Priority 2: Linking or establishing child identifiers

The second priority is exploring how to secure the assignment of a unique child identifier at birth, or how to otherwise link existing child identifiers.

Priority 3: Matching data sets

The third priority is exploring, as an interim measure, how to design a proper, timely and regular process of matching data sets on vulnerable children and families (and the services that support them) across state agencies and extant data systems. This includes developing a plan to track vulnerable infants and children longitudinally to inform the Council about service needs at critical developmental junctures.

Activities:

In order to effectively meet these priorities, the data committee has developed a Memorandum of Understanding (MOU) with the National Institute for Early Education Research (NIEER) at Rutgers University (see Appendix C). The data work conducted by NIEER will help to address the three priorities described above, as well as additional priorities identified by other committees within the Council. These additional priorities include:

- Collecting and analyzing data on the availability and quality of early childhood educator and provider preparation programs;
- Assessing the quality of infant/toddler care; and
- Assisting in the identification of underserved populations, and the evaluation of recruitment methods.

Specific work tasks for each are described below.

Task 1: Conduct research and develop recommendations for a coordinated statewide early childhood data system.

1. Survey states to identify best examples of early childhood data systems and data sharing.
2. Collect and review information on what data sharing currently takes place in New Jersey.
3. Make recommendations for data sharing, including the use of unique child identifiers.

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Task 2: Assist in data collection and analysis of professional development and early childhood preparation programs in institutions of higher education.

1. Facilitate a statewide meeting on professional development and the preparation of the early childhood workforce (ages 0-8).
 - a. In consultation with the chair of the Council and sub-committee co-chairs, plan the statewide meeting. This will include developing the agenda, goals, and desired outcomes of the meeting as well as identifying who should attend.
 - b. Facilitate the statewide meeting.
 - c. Synthesize key discussion points from the statewide meeting and make recommendations for mapping and assessment tasks.
2. Mapping the professional development opportunities and preparation programs for the early childhood workforce in New Jersey.
 - a. In consultation with the chair of the Council and sub-committee co-chairs, devise a data collection plan.
 - b. Conduct document review and interviews with key personnel (where necessary) to identify what kinds of preparation opportunities leading to a credential are available for assistant teachers, teachers, and leaders in early childhood.
 - c. Conduct document review of available professional opportunities. Survey and interview key personnel (where necessary) to identify what kinds of professional opportunities are available for assistant teachers, teachers, and leaders in early childhood.
 - d. Analyze data and write a report to identify: where preparation and professional development opportunities intersect for the early childhood workforce, effective practices in preparation and professional development, and gaps in both systems.
3. Quality assessment of professional preparation programs and professional development opportunities for early childhood workforce (ages 0-8) in New Jersey.
 - a. In consultation with the chair of the Council and sub-committee co-chairs, devise a data collection plan for assessing the quality of professional preparation programs and professional development opportunities for the early childhood workforce.
 - b. Conduct focus group interviews and surveys with key providers and practitioners about quality of professional development and preparation programs.
 - c. Analyze data and write a report to identify effective practices and quality issues within the current system.
4. Report recommendations to Council.
 - a. Write a report that summarizes the key findings of the above mapping and assessment exercises and identifies effective practices, gaps in the system and makes recommendations for improvement.

Task 3: Assist in analysis of recruitment and outreach systems to target ways to improve engagement of underserved, high-need populations.

1. Conduct a study of the type and efficacy of recruitment and outreach strategies with a focus on underserved populations.

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- a. Develop and conduct a survey to assess the populations served and the outreach strategies that are used by each agency and program. Identify underserved populations.
- b. Evaluate the effectiveness of recruitment and outreach strategies.
- c. Analyze data and write a report that includes recommendations for optimizing recruitment and outreach of underserved populations.

Task 4: Begin to identify the nature and quality of early childhood programs with limited or no information, including infant and toddler programs.

1. Design and conduct a study to examine the quality of infant and toddler care in New Jersey.
 - a. Consult with experts in the field of infant and toddler care and education to design and conduct a study to assess the quality of existing programs in New Jersey.
 - b. Design an ongoing needs assessment of services for infants, toddlers and young children, birth through age eight, which includes the coordinated data system, workforce registry and the Quality Rating Improvement System (QRIS).

The work from this MOU will help the state move toward a functional early childhood information system that allows a broad group of stakeholders (from families to practitioners, program directors, researchers and policymakers) to have regular, easy access to information for real time case management as well as for longitudinal aggregate and subgroup analyses. It will support the state's efforts to seamlessly connect families with the state services for which they are eligible. Second, the evolving New Jersey early childhood information system will be interoperable with the New Jersey Department of Education's K-12 State Longitudinal Data System that is now required under federal law. Third, this evolving system will satisfy the Improving Head Start for School Readiness Act's requirement for a "unified early childhood system." Fourth, children will be better served, and resources better managed, when data-driven decision-making is the basis for the provision of services. Once completed, the research and recommendations produced by NIEER will provide information critical to the Council's goal of establishing a unified statewide data system.

Next Steps:

While NIEER's work is being completed, the data committee has several other key tasks on which to focus. Primarily, the committee will work to map the state regulations from relevant agencies to identify references regarding key indicators for Child Care, Early Intervention, Preschool, Preschool Special Education, Head Start, and Kindergarten through grade three. Once compiled, the committee will identify any regulations that may conflict from agency to agency. These conflicts will help the committee to detect issues that create difficulties for cooperation and collaboration/joint services among agencies. The committee will then be able to make recommendations to the Council for steps to remove these conflicts. The process of implementing a statewide data system can be streamlined if interagency conflicts are resolved upfront.

During year 1 of the Council, the members of the Data Committee were:

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Lakota Kruse, Director, NJ Department of Health and Senior Services
Joseph Ferraina, Superintendent, Long Branch School District
Betty Acosta, CFDS Manager, Pathstone Corporation
Mary Ann Mirko, Executive Director, 4Cs of Passaic County, Inc.
Bruce Baker, Associate Professor, Graduate School of Education, Rutgers
Mary Jane Di Paolo, Program Director, Community Child Care Solutions, Inc.
Karin Garver, Education Specialist, NJ Department of Education
Ellen Wolock, Council Chair, Department of Education

As the Council moves into its second year, the data committee will strive to round out its membership with a more diverse group of state agencies and other stakeholders who can advise on critical issues regarding early childhood information systems. The committee is working to involve representatives from the Department of Human Services, the Department of Children and Families, and several early childhood research organizations in the state of New Jersey.

Coordinated and Targeted Outreach Committee Report

Context:

The Coordinated and Targeted Outreach Committee, in collaboration with the other committees of the New Jersey Council for Young Children seeks to identify and improve services for infants, young children, and families by coordinating outreach efforts across state agencies, school districts and community and faith-based organizations including, but not limited to underserved populations.

Background:

Each State Advisory Council is expected to develop recommendations for increasing overall participation of infants and children in existing federal, state, and local early care and education, with a focus on outreach to under-represented at risk and special populations. In New Jersey, little is known about the ways to optimize access to services, including which families are not being reached, and which methods are most effective. This committee's goal is to better coordinate outreach efforts across state agencies, school districts and community and faith-based organizations and to identify systems that will ensure access. In 2010, the Council identified objectives that need to be met in order to achieve the committee's goals:

1. To identify and evaluate outreach strategies for underserved infants and young children; and
2. To identify outreach services and prioritize efforts to reach underserved infants and young children.

Activities:

Working closely with the Data Committee, which developed a Memorandum of Understanding (see Appendix C) with the Rutgers University, the National Institute for Early Education Research (NIEER), will conduct a study of the type and efficacy of recruitment and outreach strategies with a focus on

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underserved populations. NIEER will develop and conduct a survey to assess the populations served and the outreach strategies that are used by each agency and program. The organization will evaluate the effectiveness of recruitment and outreach strategies, analyze the data and write a report that includes recommendations for optimizing the recruitment and outreach of underserved populations.

In addition to working with the Data Committee, the committee members have begun work on their tasks and are on track to meet their objectives. Through research, the committee used a matrix of family and child characteristics to identify underserved populations among New Jersey's children. For the purposes of this study, the committee defined underserved as follows:

- Families in the following situations: low income, homeless, migrant, immigrant or military.
- Families with children who are dual language learners, who have special needs or who are under protective services.

The committee has reviewed current research to identify best practices for outreach to underserved populations. Further, through a partnership with the Strengthening Families Initiative through Early Care and Education, a list has been compiled of major cultures and languages in New Jersey. Finally, a list of stakeholders in the New Jersey early care and education community has been created and will continue to be updated as the committee continues its work and receives input from the community.

Next Steps:

1. Within the next three months as outlined in the MOU with NIEER, the organization will conduct a study of the type and efficacy of recruitment and outreach strategies with a focus on underserved populations. Interviews will be conducted with key stakeholders responsible for funding or regulating the targeted services and programs for underserved populations to determine strategies and outcomes for outreach to identified populations.
2. Also, within the next three months, as outlined in the MOU with NIEER, the committee will review policies from other states to identify best practices for outreach to underserved populations. Using a synthesis of the collective research, the committee will identify a protocol and collaborate with intermediary agencies for identifying early childhood programs to explore how services are provided to underserved populations. A cross-section of early childhood programs (infant/toddler, early Head Start, Head Start, public and private preschool and registered family child care homes) will be selected and interviewed. Common characteristics and best practices will be identified for providing outreach services to underserved populations.
3. Finally, these activities will culminate in a draft report by the end of this summer to include research and best practices for reaching underserved populations, followed by a final report at the end of October to include survey responses from early childhood providers on current processes and procedures to reach underserved populations in New Jersey. The draft report will also include recommendations for optimizing recruitment and outreach efforts for early childhood services. The final report will be submitted to the Council and the Governor.

Committee Members (*Chair)

Tina Foley*

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Catholic Charities, Diocese of Metuchen

Lisa Von Pier
Department of Children and Families

Ted Gooding
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Brenda O'Shea
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Toni Callas
Department of Children and Families

Workforce Development Committee Report

Context:

The primary goal of the workforce development committee of the New Jersey Council for Young Children is to strengthen the preparation and ongoing professional development of all early care and education professionals working with children ages birth through age eight.

Background:

The workforce in early childhood education is comprised of many differing people and includes those working in instructional roles such as teachers, and teaching assistants, those in leadership roles such as principals, directors and teacher leadership positions, as well as infrastructure personnel such as professional development providers, early intervention personnel and teacher educators. Despite the multiple roles associated with the education of young children, most professional development and preparation programs are targeted toward instructional staff. However, because of the sector-specific

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nature of early childhood work, the personnel who get to access to and participate in professional development and preparation programs vary. For example, a lead teacher in publicly-funded preschool is required to have a Bachelor's degree, while in a child care program serving the same age group; a teacher may only need an Associate's degree.

Even if early childhood personnel do access professional preparation and development, the effects of this training is mediated by the system itself. The system is characterized by a lack of coordination between programs of professional preparation and development. For example, there is a lack of articulation between two- and four-year institutions, an absence of common professional development definitions and a lack of cross-agency policies for professional development. At the same time, little is known or done about the quality of professional preparation and development programs for the early childhood workforce. This lack of coordination and quality control results in early childhood personnel receiving a patchwork of trainings that often may have little to do with their daily work and may not necessarily lead to improvements in practice.

Activities:

The workforce development committee has engaged in a number of actions to begin to develop a coordinated and high-quality system of professional development and preparation for the early childhood workforce in the state of New Jersey. These actions include creating a committee with representatives (please see list below) from key stakeholder groups to ensure that key issues by sector and role in the system are identified and common problems addressed. The committee has also begun work on two important tasks.

Task 1: Mapping of the various professional development and preparation programs

The first of these is a mapping of the various professional development and preparation programs available in the state for instructional, leadership and infrastructure roles. To conduct the mapping work the committee has engaged the help of Marcy Whitebook and her team at the Center for the Study of Child Care Employment at the University of California, Berkeley through a subcontract with the National Institute of Early Education Research (NIEER) (see Appendix C). Marcy and a member of her team, along with the committee chairs led a stakeholder meeting on March 4th (see attached summary) where they learned of key issues in the state that impact the workforce across sector and role, and identified key variables for data collection. The consultants are now involved in interviewing key informants and analyzing documents to develop a report of what professional development and preparation offerings are available, where these training opportunities are located and who provides them as well as who is accessing these professional development and preparation opportunities. A report with recommendations for action is expected by October, 2011.

Task 2: Conduct a quality assessment

A second task, which will take place between September 2011 and February 2012, is to engage in interviewing participants of programs as well as professional development providers (e.g. teacher educators, resource and referral agency personnel), about the quality of training opportunities for the

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workforce. In doing so, the committee seeks to gather information for the first time about how trainings build on one another, the types of trainings that contribute to ongoing improvement, and the effectiveness of particular models of delivery and those charged with training the workforce. This quality assessment will help to identify where we need to improve in the content, and delivery of professional development and preparation programs.

Next Steps:

Once all the aforementioned data have been collected the committee and Marcy and her team will focus on reviewing the current workforce registry in order to assess what improvements are needed to develop a statewide system that is inclusive of all sectors and all roles and that provides the data sets needed to make informed decisions about ECE workforce development.

The quality of education young children receive is directly tied to those who teach and care for them, and these individuals cannot improve without visionary and skilled leadership and effective support personnel. The workforce development committee has embarked on an ambitious set of actions that will lead to a more coordinated and effective system of professional preparation and ongoing training of the early childhood workforce.

Committee Members (*Co-chair)

Ana I. Berdecia *

Thomas Edison

Susan Bruder

New Jersey Department of Education

Terri Buccarelli

Coalition for Infant/Toddler Educators

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Professional Impact New Jersey

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**New Jersey Department of Education
New Jersey Council for Young Children**

**Early Care and Education
Professional Development System Meeting
March 4, 2011
Meeting notes**

Purpose of the meeting:

The workforce development committee of the NJ Council for Young Children has identified two major tasks that are needed to ensure a coordinated system of professional development and preparation for all practitioners and leaders working with young children. The Council will contract with the Center for the Study of Child Care Employment (CSCCE) at the University of California, Berkeley to complete these tasks:

1. Map the current professional development and preparation opportunities for all members of the early childhood workforce (anyone working with children 0-8 years)
2. Assess the quality of these professional development and preparation opportunities with the aim of identifying gaps in the system and taking actions to address them.

The purpose of the 3/4/11 meeting was to gather expertise from those actively involved in New Jersey's ECE workforce professional development and preparation system to inform the mapping and assessment process.

Initial professional preparation and development mapping by roles

Participants selected one of six small groups focused on a specific workforce role:

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1. Assistant teachers;
2. Teachers/lead teachers;
3. Family child care providers;
4. Education coordinators/mentor teachers
5. Directors/Executive Directors/Principals; and
6. Professional development and preparation providers (higher education; community based/infrastructure organizations; includes.

Within each group, participants discussed the following topics:

1. Expectations for each role
2. Available professional development opportunities to meet the expectations
3. Challenges related to expectations and professional development opportunities

Each group generated an extensive list of expectations, professional development activities and challenges. These lists were posted throughout the room for viewing by all meeting participants.

The full group then discussed common themes emerging from the small group discussions:

1. Funding for the different sectors of the field (Head Start, Abbott, private center-based programs, family child care) and the ages of the children served drive the expectations and requirements for the job positions in the field. This leads to a very complicated system, which is difficult to understand and articulate. Most professional development providers do not understand the full range of expectations and requirements.
2. There are many professional development opportunities offered to the field, however, there is great variation in the quality and accessibility of these opportunities. There are no standard evaluation procedures in place.
3. There are no clear, statewide standards for professional development staff, including instructors, trainers, mentors and coaches.
4. There are gaps in the content, across roles, offered by the professional development providers in the state.
5. There are many access issues for practitioners to attend professional development opportunities, including lack of funding, no substitutes, and inconvenient locations. Due to lack of funding, many professional development providers are unable to improve the access of their trainings, including operating in multiple locations, providing scholarships, etc.

Painting the professional development and preparation landscape: What do we need to know about higher education and community professional development providers in the state?

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Meeting participants broke into small groups to generate a list of questions they would like answered about each professional development provider as part of the statewide mapping process. They were also asked to generate a list of key providers to interview.

Participants did not report back from the small groups. The list of questions and providers were given to CSCCE staff to generate the interview template and the list of professional development providers to interview: The broad categories of questions for the interviews included:

1. Information about the organization
2. Participant information
3. Content of the training(s)
4. Format and funding of the training(s)
5. Requirements for instructors
6. Connections to the broader professional development system
7. Evaluation and data
8. Challenges/successes/improvements needed

Building workforce data systems to answer key policy questions: What's happening around the country? What are New Jersey's key policy questions about the workforce?

Marcy Whitebook and Fran Kipnis discussed three important workforce data initiatives:

The Early Childhood Data Collaborative (ECDC)

The ECDC is a partnership of seven national organizations that support state policymakers' development and use of data systems to improve early care and education programs and child outcomes. The ECDC advocates that states first formulate their policy questions related to the ECE system and tailor their data systems to answer these policy questions.

The ECDC has developed 10 Fundamentals of an ECE data system that allow stakeholders to better understand the relationships among children, program sites and ECE workforce characteristics over time. In addition to collecting data, coordinated data systems have the capabilities to link select information longitudinally and with other key programs. A governance structure manages data collection and use, and states have transparent privacy protections and security practices and policies. In addition to CSCCE, ECDC member organizations include the Council of Chief State School Officers, the Data Quality Campaign, the National Center for Children in Poverty, the National Conference of State Legislatures, the National Governors Association Center for Best Practices and PreK Now, a campaign for the Pew Center on the States

Aligning State Workforce Data Systems

States are engaging in efforts to develop comprehensive early childhood data systems which link longitudinal child-level information to program and workforce data. In many states, multiple early care and education workforce data systems, developed to capture information about particular sectors of the workforce, must now be aligned and integrated. CSCCE is working on alignment strategies with the three

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major workforce data systems operating in multiple states: NACCRAWare/T-TAM, T.E.A.C.H. Early Childhood®, and state workforce registries. Together, we are developing standard definitions for key early learning workforce variables and standard data collection procedures to ensure that these aligned workforce data systems become the workforce component of a coordinated ECE data system.

The Office of Child Care

In the pre-print for the Child Care and Development Fund state application, States and Territories are asked to provide a self-assessment on current professional development and workforce activities and describe their goals for the upcoming Biennium. As part of these activities, states are asked to assess their status and goals for *Data & Performance Measures on the Child Care Workforce*.

The group then brainstormed the important workforce policy questions for New Jersey.

1. How many people are in the ECE workforce? Total numbers, number by role, by sector, by geographical area of the state.
2. What are the characteristics of the workforce? Demographics (race/ethnicity, age, gender), language capacity, educational attainment, experience.
3. What are their employment characteristics? Sector, age groups, language needs of the children, wages and benefits, work environments, tenure.
4. Are we preparing the workforce to meet the needs of the children they are serving?
5. How does turnover impact program quality?
6. How does the professional development system meet the needs of the workforce in relation to their language capacity and other characteristics?

Comprehensive Birth-8 Program Improvement System Committee Report

Context:

The task of the Comprehensive B-8 Program Improvement System Committee is to assess and improve the quality of early care and education for children from birth to age eight. The committee's stated goal is to identify and plan a system of comprehensive, aligned program quality improvement processes for early care and education from birth to age eight. The committee has two objectives to meet this goal:

- Develop a continuous quality improvement system
- Map and assess the quality of infant/toddler care

Background:

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In assessing the early care and education landscape in New Jersey in order to establish its goals and objectives, the New Jersey Council for Young Children reached several conclusions regarding the quality of child care/early education for children from infancy to age eight:

- **Standards for program quality are not uniform.** While New Jersey has a high-quality, nationally-recognized preschool program for three- and four-year-old children in the most disadvantaged communities of the state, program standards in other aspects of the early care and education system vary greatly. Head Start program standards establish one set of program guidelines; child care center licensing standards set another. Standards for family child care, the primary resource for infant and toddler child care, are yet another set of guidelines.
- **Program standards are not aligned.** In addition to differing program standards for various aspects of the early learning system, standards are not aligned either vertically or horizontally. The existing standards are based on different components; there is a lack of uniformity on the indicators of quality across various program standards. Further, these standards are not aligned in order to ensure appropriate transitions for children from one type of care to another. The fact that these programs are regulated by different state departments contributes to this lack of coordination.
- **There is no system of continuous quality improvement.** New Jersey has not yet joined the growing number of states developing Quality Rating Improvement Systems (QRIS). In many QRIS, NAEYC accreditation is to be the primary quality indicator used to distinguish and reward program quality. Fewer than 10 percent of child care centers meet this standard. However, the committee agreed other quality indicators should be used to reward program quality.
- **Too little is known about the quality of infant/toddler care.** There is little information on the current quality of programs for very young children.

Activities:

The committee began its work by examining recent efforts in New Jersey to develop a QRIS for child care centers in New Jersey. The New Jersey Build Initiative, under the leadership of Advocates for Children of New Jersey (ACNJ), has worked with a cross-sector group of advocates from across the various early learning programs to develop a QRIS scale, piloted it in several communities with foundation funding and advocated for policy and program changes to implement it statewide.

Information about Build's QRIS scale, the pilots and the lessons learned were shared with the committee at its first meeting. The committee, which was expanded to include both public and private agency individuals to ensure that all aspects of early learning were represented, agreed that the work of the Build Initiative provided the foundation to take the next steps on developing a QRIS for New Jersey. Three strategies were then identified as next steps for the committee:

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- Examine the progress and experience in other states in developing and implementing a QRIS to inform efforts in New Jersey;
- Engage a consultant to undertake a crosswalk of the various early learning program standards in New Jersey to ensure consistency in development of a state QRIS, with particular emphasis on consistency with Head Start program standards; and
- Address the various implementation issues and challenges in developing a New Jersey QRIS, specifically the structure of a QRIS (how it is established and where it is housed); technical assistance and program assessment; and incentives/benefits for program to participate.

On the issue of mapping and assessing the quality of infant/toddler care, the committee agreed that further data was necessary. This data request was included in the broader data collection that is being undertaken by a consultant to the Council. As referenced in the data committee report, a consultant will design and conduct a study to examine the quality of infant and toddler care in New Jersey including an ongoing needs assessment of services for infants, toddlers and young children that will be encompassed in the New Jersey QRIS.

The committee is completing its tasks according to the timeline. The following tasks have been completed:

- Potential consultants were identified who could undertake the crosswalk of program standards. A sealed bid requesting proposals was developed and issued. Consultant Anne Mitchell has been hired (see Appendix D, Consultant Agreement).
- Information on the Build Initiative, including the QRIS scale, the results of the pilots and the lessons learned, was discussed with the committee.
- Information on the development of a QRIS in other states and key features of those programs was provided to the committee.
- Three working groups were formed to discuss and make recommendations on implementation issues (e.g., structure, technical assistance/assessment and incentives/benefits). Chairs of these three groups presented their preliminary findings and recommendations to the full committee at its last meeting and are considering recommendations further based upon this input.

Next Steps:

In the next few months the committee intends to:

- Work with the consultant to complete the crosswalk of program standards;
- Continue the work of the three work groups in developing recommendations on the implementation issues; and
- Update the committee on the results of the Build QRIS pilot, now underway in Newark.

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The committee will subsequently review and revise the Build QRIS scale based on the consultant's findings and the groups' recommendations, including the addition of other quality measures beyond NAEYC accreditation. Once the next version of the QRIS is drafted, the committee will vet the draft with stakeholders, including community and Head Start providers, family child care providers and parents. The committee also plans to work with parent groups, such as SPAN and the Head Start Policy Council, to hold at least four parent summits to get more in-depth parent input on the QRIS.

Committee Members:

Suzanne Burnette – NJ Head Start Collaboration Director
NJ Council Member/Committee Co-Chair

Cecelia Zalkind – Advocates for Children of New Jersey
NJ Council Member/Committee Co-Chair

Ellen Wolock – NJ Department of Education
NJ Council Member/Council Chair

Gerard Costa – YCS Institute for Infant and Preschool Mental Health
NJ Council Member

Gambi White-Tenant – Concerned Parents for Head Start

Bonnie Eggenburg – Tri County Head Start

Shonda Laurel – Department of Human Services, Division of Family Development
NJ Council Member

Beth Gardiner – Child Care Connections

Daniel Hart – Center for Children and Childhood Studies, Rutgers University

Beverly Lynn – Program for Parents

Theresa Caputo – Professional Impact NJ

Gary Sefchik – Department of Children and Families, Office of Licensing

Lorraine Cooke – Egenolf Early Childhood Center

Amanda Blagman – Advocates for Children of New Jersey

Lalita Boykin –New Jersey State TTA Center, a Member of the OHS TTA System

Eileen Howell-Lee - New Jersey State TTA Center, a Member of the OHS TTA System

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Birth-8 Early Learning and Development Standards and Birth-8 Program Standards Committee Report

Context:

The B-8 Early Learning Standards Committee has the overall responsibility for the development of a coherent set of early learning and development and program standards that address all areas of development for ages birth through eight that lead to positive outcomes for infants, young children and their families.

Three key objectives drive the work of an interdisciplinary team that extends beyond the New Jersey Council of Young Children's members (please refer to attached list of members):

- Develop infant and toddler early learning and development standards that outline their developmental capacities and are aligned with preschool standards.
- Adopt kindergarten program standards and align with preschool program standards that describe the components of a high-quality kindergarten program.
- Create a cross-walk of program standards for programs serving birth through age eight (including home visitation, child mental health and behavioral health) used throughout the state.

Background:

While New Jersey has developed a comprehensive set of preschool learning and development standards, *Preschool Teaching and Learning Standards* (revised in 2009), the state has not developed a widely used set of learning standards for birth to age three. The Council has prioritized the development of B-3 standards and plans to align and integrate these standards with the state's Preschool Standards and newly-adopted Kindergarten standards, to provide a consolidated New Jersey B-8 Comprehensive Early Learning and Development Standards continuum.

Activities:

1. The committee established a partnership with Zero-to-Three to support the work of the committee. The technical support provided by Linda Gillespie and Dianne Stetson has been a critical force in focusing the work of the committee via conference calls and all-day training sessions designed to create a common language. The work of the committee was facilitated via a review of the following resources:
 - a. Early Learning Guidelines for Infants and Toddlers: Recommendations for States
 - b. Inside the Content of Infant-Toddler Early Learning Guidelines
 - c. Early Learning Guidelines Resource: Recommendations and Issues for Consideration When Writing or Revising Early Learning Guidelines
 - d. Infant – Toddler Specialist Network Fact Sheet
 - e. The Relationship Between Early Learning Guidelines and Key Elements of State Early Childhood Systems
 - f. The Head Start Child Development and Early Learning Framework

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2. The committee conducted a deep review of states' learning guidelines to address a key question: Should New Jersey engage in the writing of early learning guidelines or should it consider adopting or adapting existing states' standards? The committee was further organized into smaller groups with a team leader. Among the several states' early learning guidelines selected for review were New Mexico, South Carolina, and Minnesota.
3. Zero-to-Three's Early Learning Guidelines Review Tool facilitated the decision making process by providing a rubric to evaluate other states' learning standards for infants and toddlers.
4. The committee made the decision to adopt/adapt Minnesota's Early Childhood Indicators of Progress – Minnesota's Early Guidelines for Birth – Three. Minnesota eagerly awaits the revision by New Jersey. Guidelines will be revised to include one additional domain (Approaches to Learning) and the re-organization of the age groups from three to four (see below).

Infant/Toddler Early Learning Guidelines are divided into age groups so that expectations for children's behavior are age-appropriate. Too few age groups could produce inappropriate expectations for children at the early end of the age group. For example, expectations for a birth to 12 month age group would be too high for young infants and an 18-36 month age group would be too high for young toddlers. The overlapping of age groups was chosen to reflect both the impact of individual differences in the rate of development and most current research and understanding of how infants and toddlers grow and develop. Overlapping age groups can convey the message that the age at which children typically exhibit specific knowledge and skills can vary, as some children exhibit specific knowledge and skills at much earlier or later ages than others. The toddler age span was divided into younger and older toddlers with examples indicating an increasing complexity in behaviors as the child develops.

Recommended Age Groups:

Group 1	Group 2	Group 3	Group 4
Zero To Nine	Eight to Eighteen	Sixteen To Twenty-Six	Twenty-Four To Thirty-Six

Prior to making a decision to adopt and adapt Minnesota's Early Learning Guidelines, the committee engaged in extensive research of multiple states' standards. The committee acknowledges that most states have chosen to integrate children's interests in and exploration of the world as a separate domain.

The committee believes that New Jersey's zero-to-three early guidelines should reflect children's development and learning across various environments. While domains are being presented separately, it is the committee's recommendation to adapt an integrated process through which various understandings can be facilitated simultaneously using balances and active learning experiences.

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The key factors contributing to the rationale for the inclusion of Approaches to Learning as an additional domain are:

- Infants and toddlers ability to express curiosity and initiative in exploring the environment;
 - Learn new skills and show pleasure when they are successful at manipulating their environment and overcoming challenges to reach a desired goal; and
 - Demonstrate problem solving skills when using a series of actions to reach a goal.
5. To guarantee an efficient, effective, cost-effective, and timely process, the committee identified a consultant or partner to facilitate the revision of Minnesota's Early Childhood Indicators of Progress – Minnesota's Early Guidelines for Birth – Three. Gail Roberts has been hired as the consultant who will guide the work that is based on a particularized need identified by the committee (see Appendix E, Consultant Agreement). Gail Roberts is the early childhood consultant and author of the Minnesota's Early Childhood Indicators of Progress – Minnesota's Early Guidelines for Birth – Three – Department of Human Services 2005-2007.
6. With the help of Zero-to-Three's LOGIC MODEL, a visual representation of the work of the committee is being completed. Teams are reviewing the DRAFT Logic Model to create Action Plans for each long-term goal.

The committee's development of the Action Plan and budget focused the work of the committee over the first-year of the project. The following sum up committee's current status:

- The committee made the important decision not to write a new set of early guidelines, but instead to adopt and adapt Minnesota's Early Childhood Indicators of Progress – Minnesota's Early Learning Guidelines for Birth-To-Three.
- The approval of the early childhood consultant is in the final stages. The consultant contract will be established as a sole source bid based on the consultant's unique qualifications related to this work.
- The committee composition is broad and its members are committed to supporting the important work that will lead to the design, implementation, and dissemination of early learning guidelines zero-to-three.

The budget set for the first year is appropriate and it will allow the committee to complete the work by March 2012. However, the Action Plan that outlines the process and timeline will need to be modified based on the start date of the consultant.

Next Steps:

The committee will research Approaches to Learning as a new domain and the new age group. The subcommittee will convene on June 6, 2011 to report progress and to receive feedback from the whole committee. The Logic Model along with Action Plans will be completed By June 6, 2011.

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Committee Members:

Laura C. Morana NJ Council Member	Red Bank Borough Schools
Veronica Ray NJ Council Member	NJ Head Start Association
Kathleen Priestley	Advocates for Children of New Jersey
Elmoria Thomas	SRCCRC/EIRC
Terri Buccarelli	President, Coalition of Infant/Toddler Educators
Stacy Salley-Proctor	Programs for Parents
Sue Williamson	CITE
Barbara Kiley NJ Council Member	CITE
Nezzie DeFrank	Professional Impact NJ Kean University
Lisa Lockwood NJ Council Member	NAEYC President
Beverly Lynn	Programs for Parents
Suzanne Canuso	<i>New Jersey Dept of Health & Senior Services Family Centered Care Services</i>
Elaine Bogoloff	Office of Licensing
Cathy Joseph	Office of Licensing
Alice Rose NJ Council Member	McGuire AFB Early Childhood Program Director
Jennifer Santana	Center for Family Resources
Shonda Laurel NJ Council Member	NJ Department of Human Services
Pat Mennuti	First Step Initiative – Community Coordinated Child Care - 225 Long
Linda Gillespie	Zero-to-Three
Kathleen Mulrooney	Early Childhood Specialist
Dianne Stetson	Zero-to-Three
Lorri Sullivan	YCS Institute for Infant and Preschool Mental Health
Michelle Keenan	Private Child Care Provider – Beachwood Nursery School
Barbara Pittman	Family Child Care Provider
Arlene Martin, Ed.D.	Executive Director – Professional Impact NJ
Karen Melzer	Early Intervention System – CSPD Coordinator – NJ Dept. of Health & Senior Services
Meg Saunders	L.E.A.P., Inc. Head Start /Early Head Start

Strategic Communication and Information Exchange Committee Report

Context:

The primary goal of the Strategic Communication and Information Exchange committee is to ensure that all citizens of New Jersey recognize the value of early care and education for the well being of infants

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and children, ages birth through eight. To achieve this goal, committee members have established the following objectives:

1. Expand Council committee participation;
2. Ensure that citizens of New Jersey, especially parents and caregivers, are informed and have input on the work of the Council; and
3. Develop and implement a public education campaign about the value of early care and education for infants and children, ages birth through eight.

Background:

New Jersey is a national leader in providing high-quality, well-planned preschool to three- and four-year-olds in the state's poorest school districts.

The New Jersey Department of Education has commissioned two longitudinal studies of New Jersey's preschool, The Abbott Preschool Program Longitudinal Effects Study (APPLES) and The APPLES Blossom: Abbott Preschool Program Longitudinal Effects Study, Results through Second Grade. Both studies have enumerated the long-term impact of high-quality preschool on student performance and have concluded that high-quality preschool contributed to sustained improvements in student performance in math and literacy, and to a substantial closing of the achievement gap between poor children and their wealthier peers.

While the long-term effects of early care and education prove to be positive, contributing to children's learning and development, these results have not been widely disseminated, nor is there widespread understanding of the value of preschool. Additionally, participation in preschool programs is not universal. The Strategic Communications and Information Exchange committee will provide objective information about the impact of high-quality early childhood education in New Jersey, and specifically to highlight the benefits of high-quality early childhood education to children and families, student achievement and New Jersey's economy. The outcomes of the aforementioned reports and similar studies will be effectively communicated to elected officials, many of whom are new to their positions, to school superintendents and school boards responsible for establishing high-quality preschool in their districts, and to the general public.

In addition to communicating to the public about New Jersey's highly successful preschool programs, the public should also be aware of and provide input on the areas in which New Jersey needs further development, particularly in its efforts to serve infants and toddlers in high-quality settings, and to reach vulnerable families who are not gaining utilizing services that would contribute to their well-being. Similarly, the public should be aware of and provide input on the continuum of services and high-quality education for children beyond preschool.

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Activities:*Objective 1*

To implement Objective 1, expanding Council committee participation, Council staff have collected, from each Committee chair, a list of committee membership and have discussed gaps in expertise. As a result, the data committee Chair has created a plan to increase its membership with more data-focused members. With three vacancies on the Council, the committee is working with the Council to fill those vacancies based on gaps in expertise on the Council. Council staff also continue to use the Council website to post information about the Council, including minutes and agendas, and information regarding its final Council meeting, which was a public hearing. The Committee reports, which were discussed during the public hearing, are posted on the Council website.

The Council website includes the following information:

- Mission,
- Executive Order,
- ARRA Application,
- Strategic Report,
- Strategic Goals,
- Bylaws,
- List of Committees and Members,
- Minutes and agendas,
- Timelines,
- Statewide Head Start Assessment, and
- Public hearing materials.

Most recently, the Council created a listserv to share updates, announcements, and a quarterly newsletter with the public. A link to subscribe to the listserv has been added to the website and already has approximately 25 subscribers.

Objective 2

To implement Objective 2, ensuring families are informed and have input on the work of the Council, the Council chair has developed a plan, which will allow the Community Parent and Involvement Specialist (CPIS) Liaison in the Office of Preschool Education to coordinate with the Improved Outreach committee to ensure that messages in early care and education to parents reinforce one another. This plan also calls for the CPIS Liaison to work with Council staff and the Strategic Communications Chair to develop and implement a recruitment plan to engage parents to participate on committees to provide input on the work of the Council.

Objective 3

To implement Objective 3, developing and implementing a public education campaign about the value of early care and education for infants and children, ages birth through eight, members of the committee have provided information about the impact of preschool to the public, to school leaders and to elected officials. They have also begun to compile information about prior public education efforts.

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To highlight the work of the Council, specifically, each committee's progress and role in supporting early education and care, Council staff are coordinating with the other committees to prepare press releases as the work is completed.

Next Steps:

Objective 1

Committee members will continue to regularly assess Council committee membership to identify gaps in expertise and recruit Council members to fill the three vacancies. Council staff will continue to use the Council website to post information about the Council.

Objective 2

In keeping with the designated timeframe, over the next three months through July 31, 2011, the CPIS Liaison will have a concrete plan with ways to engage parents to participate on committees and provide input on the work of the Council and ensure early learning messages to parents are reinforced.

Objective 3

Committee members are developing a Request for Proposal for the engagement of a communications professional to assist committee members in developing effective, research-based messages and to organize focus groups to test and refine these messages. The initial timeline for completion of this task was March 2011. The timeline has been modified to allow for more time to review other sources for messaging in early care and education and research how early care and education has been portrayed in New Jersey. Committee members will engage the communications consultant during the next six months, and convene the focus groups once the consultant has been secured. The consultant and members of the Council will work together to develop effective messages and messengers on the importance of early care and education. The consultant will also provide media training to the members of the Council.

The timeline has been adjusted and the committee anticipates that the work will be completed by June 2012.

Committee Members (*Chair)

Barbara Reisman*

Schumann Fund/NJ Council Member

Lorraine Johnson

New Jersey Head Start/NJ Council Member

Shonda Laurel

New Jersey Department of Human Services/NJ Council Member

Michelle Melgarejo

New Jersey Family Child Care

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Public Hearing

As required, the Council hosted a Public Hearing on year-one activities on June 3, 2011. Written testimony from that hearing has been posted on the Council's website and is summarized in the subsequent paragraphs. Council members gratefully acknowledge the thoughtful responses of individuals and organizations.

Comments were heard on the Council committee reports that summed up the progress of each committee's efforts around coordinated data systems, infant/toddler learning and program standards, workforce development, a statewide Quality Rating and Improvement System, outreach to under-served and at risk families, and public communication. The committee chair reports were summarized earlier within this report.

There were 17 attendees and seven of those attendees provided testimony. A list of feedback is below.

- The Quality Rating and Improvement System (QRIS) technical assistance should be provided by childcare resource and referral agencies.
- Family involvement and support should be an essential component to systems-building success and should be on the Council and/or committees.
- The Council should consider the New Jersey Registry as the state's coordinated statewide early childhood data system.
- The Council should consider a member of the New Jersey Care and Education Alliance when filling the vacant Council seats.
- The Council should consider including on its standards committee, faculty from academic institutions who have an in-depth knowledge and understanding of the learning and development of the birth through eight age group.
- The Council should work with agencies like the Coalition of Infant/Toddler Educators to ensure that efforts and initiatives like the Race to the Top announcement reach fruition.

The New Jersey Council for Young Children and Race to the Top Early Learning Challenge

The U.S. Departments of Education and Health and Human Services announced a grant competition for the Race to the Top Early Learning Challenge totaling \$500 million, which provides the opportunity for states to take a comprehensive approach to developing and implementing integrated, high-quality early care and education systems.

Building upon the work of the New Jersey Council for Young Children, the Race to the Top Early Learning Challenge will support a well coordinated, early care and education system that has maximum benefits for young children and their families. New Jersey will continue to focus on early learning standards, assessment to inform instruction, quality rating information systems/tiered rating systems, workforce development, data systems, program evaluation and comprehensive services for families.

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New Jersey is eligible to apply for approximately \$60 million of the grant award with funds obligated by December 31, 2011. Applications are due 6-8 weeks from the release.

New Jersey anticipates collaborating with other early care and education related agencies to fulfill its mission to align and improve its numerous and complex initiatives into one streamlined system of early education and care that reaches all infants and young children in need of services.

Expenditure Report

Total Available Funds				1,758,511.00
Fiscal Year	2011	2012	2013	
Expenditure Date	9/1/10 - 8/31/11	9/1/11 - 8/31/12	9/1/12 - 8/31/13	
Expenditures				
Salaries & Benefits	79,338.00	123,750.00	123,750.00	
Catering	291.00	291.00	291.00	
Technology	1,885.00	0.00	0.00	
Conferences, Travel	4,400.00	4,400.00	4,400.00	
MOU	128,017.75	128,017.75	1,100,429.50	
Sole-Source	0.00	23,250.00	0.00	
Sealed Bid	0.00	18,000.00	18,000.00	
TOTAL	213,931.75	297,708.75	1,246,870.50	1,758,511.00
BALANCE				0.00

For year one of the grant, New Jersey will have encumbered \$213,931.75 of the \$1,758,511 grant funds, as detailed in the expenditure chart above. Expenditures include:

- Salaries and benefits (for the time period October 2010-August 2011, as co-Project Director began in October 2010);
- Catering for four Council meetings and several committee meetings;
- Two laptops for both co-project directors;
- Travel to the Arlington, VA State Advisory Council Conference for two council members and both co-project directors; and
- Rutgers NIEER MOU (see Appendix C).

New Jersey anticipates similar expenditures for years two and three, as listed in columns three of four of the expenditure chart above. During year two of the grant, consultants Anne Mitchell (see Appendix D, Consultant Agreement) and Gail Roberts (see Appendix E, Sole-Source Contract) will be included in expenditures as they will work on the QRIS and development of New Jersey program standards, respectively.

During year three of the grant, New Jersey will incur additional costs with the launch of a public education campaign. An RFP for a media consultant will be issued.

New Jersey expects to expend all grant funds by August 2013.

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YEAR-TWO TIMELINE FOR THE NEW JERSEY COUNCIL FOR YOUNG CHILDREN

- September 23, 2011 – **Quarterly meeting** to discuss council progress
- September/October 2011 – Committees meet to develop work plans
- October 14, 2011 – Council finalizes proposed membership
- October 31, 2011 – Chair submits recommendations for membership to governor’s office
- November 1, 2010 – Committee chairs forward work plan update electronically to Council Chair
- November 18, 2011 – **Steering Committee meeting** to discuss work plan updates
- November 2011 – Committees meet as needed
- December 2, 2011 – **Quarterly meeting** to discuss council progress
- December 2011/January 2012 – Committees meet as needed
- January 20, 2012 – Committee chairs forward work plan update electronically to Council Chair
- January 27, 2012 – **Steering Committee meeting** to discuss work plan updates
- February 2012 – Committees meet as needed
- March 23, 2012 – **Quarterly meeting** to discuss council progress and hold public hearing
- March/April 2012 – Committees meet as needed
- April 20, 2012 – Committee chairs forward work plan update electronically to Council Chair
- April 27, 2012 – **Steering Committee meeting** to discuss work plan updates
- May 2012 – Committees meet as needed
- June 15, 2012 – **Quarterly meeting** to discuss council progress

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Membership Contact List

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Lisa von Pier Director – Division of Prevention & Community Partnerships Lisa's secretary is Kirk Cheewah. Email: Kirk.Cheewah@dcf.state.nj.us	Department of Children and Families P.O. Box 717 Trenton, NJ 08625-0717 609-292-6920 Fax: 609-292-1306 Lisa.vonPier@dcf.state.nj.us		1/6/2012	
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Cecilia Zalkind, Executive	Advocates for Children of New Jersey	60 Cambridge Rd.	1/6/2013	

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**MEMORANDUM OF UNDERSTANDING
FOR THE NEW JERSEY COUNCIL FOR YOUNG CHILDREN
DATA SYSTEMS INVESTIGATION**

between

THE NEW JERSEY DEPARTMENT OF EDUCATION

and

Rutgers, The State University of New Jersey

I. BACKGROUND AND INTENT

The New Jersey Department of Education (NJDOE) wishes to enter into a Memorandum of Understanding (MOU) with Rutgers, The State University of New Jersey (RU), which is a public/state controlled institution of higher education, to assist in the development of a coordinated early childhood data system across agencies and departments. This initiative will assist the New Jersey Council For Young Children (the Council), and is a component of an Executive Order required by the Head Start Act of 2007, and funded by the Administration for Children and Families.

The development of well-functioning and interconnected early childhood data systems is essential to the delivery of effective services. The New Jersey Council for Young Children views data systems development as essential to all other work to build and support a comprehensive early childhood information system.

The data work conducted by RU will help to address five of the seven goals that comprise the Council's approved application. The work will involve doing the research to develop recommendations for a coordinated data system, including: the development of unique identifiers, collecting and analyzing data on the availability and quality of early childhood educator and provider preparation programs, assessing the quality of infant/toddler care, assisting in the identification of underserved populations, and the evaluation of recruitment methods.

This work will help the state move toward a functional early childhood information system that will allow a broad group of stakeholders (from families to practitioners, program directors, researchers and policymakers) to have regular, easy access to information for real time case management as well as for longitudinal aggregate and subgroup analyses. It will support the state's efforts to seamlessly connect families with state services for which they are eligible. Second, the evolving New Jersey early childhood information system will be interoperable with the New Jersey Department of Education's K-12 State Longitudinal Data System that is now required under federal law. Third, this evolving system will satisfy the Improving Head Start for School Readiness Act's requirement for a "unified early childhood system." Fourth, children will be better

served and resources better managed when data-driven decision-making is the basis for the provision of services.

II. SCOPE OF WORK

The scope of work, protocol, and budget to be followed in implementing the project are described in the Work Plan attached hereto and incorporated herein (Attachment C).

III. TERM OF AGREEMENT

This MOU becomes effective upon execution by both the Commissioner of Education and the authorized representative of RU, and shall remain in full force until August 31, 2013.

IV. PROJECT ADMINISTRATION

Any modifications to this MOU and its attachments must be mutually agreed to by both parties in writing. The NJDOE reserves the right to terminate the agreement upon 60 days written notice, with or without cause.

Source of Funds

Funding for the initial year of this MOU will come from NJDOE, Division of Early Childhood Education, Administration for Children and Families state council grant, account #100 034 5069 025 H350 3620.

Rights and Obligations of the New Jersey Department of Education

1. The NJDOE shall pay a maximum fee of \$511,548 to RU for all tasks described in Attachment A. Payments will be made upon receipt of invoices based upon actual expenses incurred and acceptance of such deliverables as are stated below. Funds will be distributed based on the following schedule:

- Actual expenses incurred as of August 31, 2011, not to exceed 25% of the maximum fee (\$127,887) upon receipt and approval of invoice and progress report due September 30, 2011;
- Actual expenses incurred as of January 31, 2012, with the total of this payment and all prior payments not to exceed 50% of the maximum fee (\$255,774) upon receipt and approval of invoice and progress report due February 28, 2012;
- Actual expenses incurred as of November 30, 2012, with the total of this payment and all prior payments not to exceed 75% of the maximum fee (\$383,661), upon receipt and approval of invoice and progress report due December 30, 2012;
- All other costs incurred during the term of the contract, with the total of this payment and all prior payments not to exceed 100% of the maximum

fee (\$511,548), contingent upon receipt and approval of invoice and the year-end report on outcomes due September 30, 2013.

2. The NJDOE shall have the right to audit records maintained by RU for this project. The NJDOE will have access to all records and/or data regarding the project during normal business hours during the life of this project and seven year record retention period.
3. The NJDOE may, at its discretion, make site visits to:
 - a. Review data files and management control systems and/or
 - b. Provide such technical assistance as may be required.
4. Through the Council, NJDOE shall collaborate with RU on all tasks.

Rights and Obligations of RU

1. RU shall adhere to the work plan, project design and budget incorporated in Attachments A, B and C. RU shall ensure that the funds paid pursuant to this agreement are used solely for the work described in this Memorandum of Understanding.
2. The RU Project Director and/or designee shall attend regular status meetings with representatives of the NJDOE at least once every six weeks, to be scheduled at the mutual convenience of the parties.
3. RU shall submit written progress reports to NJDOE in advance of each scheduled payment that will document the status of the data collection. At the conclusion of the project, RU shall submit a research report detailing the results.
4. For protection of human subjects, RU's working files for data analysis will be free of identifying information on districts, schools, classrooms, teachers, and children. Links between IDs and names of districts and schools will be required for data collection purposes, but will be secured so that no information can be made publicly available that would identify participating districts and schools. Data files provided by RU for academic research purposes will be stripped of identifying information on districts and schools.
5. During the term of this Memorandum of Understanding, RU will have access to confidential and sensitive information. Confidential information shall mean information that is disclosed in writing and marked "Confidential" or disclosed orally or visually and subsequently reduced to writing and marked "Confidential". This information includes, but is not limited to, documents, reports (investigative or other), files, audio and video recordings, correspondence (electronic or other), data analyses (charts, graphs, etc.) and private conversations. RU shall maintain strict control over the information that it collects, as well as the information to which it is given access. All such information shall be kept in a secure location to maintain the integrity of the project. RU shall use reasonable care to protect the confidentiality of the information and shall comply with

fee (\$511,548), contingent upon receipt and approval of invoice and the year-end report on outcomes due September 30, 2013.

2. The NJDOE shall have the right to audit records maintained by RU for this project. The NJDOE will have access to all records and/or data regarding the project during normal business hours during the life of this project and seven year record retention period.
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 - a. Review data files and management control systems and/or
 - b. Provide such technical assistance as may be required.
4. Through the Council, NJDOE shall collaborate with RU on all tasks.

Rights and Obligations of RU

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- a. In consultation with the chair of the Council and sub-committee co-chairs, plan the statewide meeting. This will include developing the agenda, goals, and desired outcomes of the meeting as well as identifying who should attend.
 - b. Facilitate the statewide meeting.
 - c. Synthesize key discussion points from the statewide meeting and make recommendations for mapping and assessment tasks.
2. Mapping the professional development opportunities and preparation programs for the early childhood workforce in New Jersey.
 - a. In consultation with the chair of the Council and sub-committee co-chairs, devise a data collection plan.
 - b. Conduct document review and interviews with key personnel (where necessary) to identify what kinds of preparation opportunities leading to a credential are available for assistant teachers, teachers, and leaders in early childhood.
 - c. Conduct document review of available professional opportunities. Survey and interview key personnel (where necessary) to identify what kinds of professional opportunities are available for assistant teachers, teachers, and leaders in early childhood.
 - d. Analyze data and write report to identify: where preparation and professional development opportunities intersect for the early childhood workforce, effective practices in preparation and professional development, and gaps in both systems.
3. Quality assessment of professional preparation programs and professional development opportunities for early childhood workforce (ages 0-8) in New Jersey.
 - a. In consultation with the chair of the Council and sub-committee co-chairs, devise a data collection plan for assessing the quality of professional preparation programs and professional development opportunities for the early childhood workforce.
 - b. Conduct focus group interviews and surveys with key providers and practitioners about quality of professional development and preparation programs.
 - c. Analyze data and write a report to identify effective practices and quality issues within the current system.
4. Report recommendations to Council.
 - a. Write a report that summarizes the key findings of the above mapping and assessment exercises and identifies effective practices, gaps in the system and makes recommendations for improvement.

Task 3: Assist in analysis of recruitment and outreach systems to target ways to improve engagement of underserved, high-need populations.

1. Conduct a study of the type and efficacy of recruitment and outreach strategies with a focus on underserved populations.
 - a. Develop and conduct a survey to assess the populations served and the outreach strategies that are used by each agency and program. Identify underserved populations.
 - b. Evaluate the effectiveness of recruitment and outreach strategies.
 - c. Analyze data and write report that includes recommendations for optimizing recruitment and outreach of underserved populations.

Task 4: Begin to identify the nature and quality of early childhood programs with limited or no information, including infant and toddler programs.

1. Design and conduct a study to examine the quality of infant and toddler care in New Jersey.
 - a. Consult with experts in the field of infant and toddler care and education to design and conduct a study to assess the quality of existing programs in New Jersey.
 - b. Design an ongoing needs assessment of services for infants, toddlers and young children, birth through age eight, that includes the coordinated data system, workforce registry and the Quality Rating Improvement System (QRIS).

Ownership of Material

1. All data, technical information, materials gathered, originated, developed, prepared, used or obtained in the performance of the contract, including, but not limited to all reports, surveys, plans, charts, literature, brochures, mailing, recordings (video and/or audio), pictures, drawings, analyses, graphic representations, software computer programs and accompanying documentation and all print-outs, notes and memoranda, written procedures and documents, regardless of the state of completion, which are prepared for or are a result of the services required under this contract as deliverables or work products shall be and remain the property of the State of New Jersey and shall be delivered to the State of New Jersey upon 30 days notice by the State. With respect to software computer programs and/or source codes developed for the State, the work shall be considered "work for hire," i.e., the State, not the contractor or subcontractor, shall have full and complete ownership of all software computer programs and/or source codes developed. To the extent that any of such materials may not, by operation of the law, be a work made for hire in accordance with the terms of this Agreement, RU or its subcontractors hereby assign to the State all right, title and interest in and to any such material, and the State shall have the right to obtain and hold in its own name and copyrights, registrations and any other proprietary rights that may be available. RU retains the right to use any materials it develops under this agreement for its own internal purposes, such as, but not limited to its teaching and research programs and including publications provided that RU complies with all of the requirements of Section IV, paragraph 6 above.

2. The NJDOE has a right of free access to research findings and data collected as a result of the project and the right to distribute and use the findings and data at its discretion.

V. GENERAL PROVISIONS

1. RU shall, at all times, comply with all federal, State and local laws, ordinances, regulations and circulars that are in any manner applicable to the work performed by RU, its agents, subcontractors and employees pursuant to this Memorandum of Understanding. The applicable laws, ordinances and regulations with which RU shall comply include, but are not limited to, the following: *OMB Circular A-21 – Cost Principles for Educational Institutions; OMB Circular A-133 – Audits of State and Local Governments, Institutions of Higher Education and Other Non-Profit Institutions; State OMB Circular Letter 04-04 – Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid; OMB Circular A-102 – Grants and Cooperative Agreements with State and Local Governments*, as codified in U.S. Education Department General Administrative Regulations (EDGAR) at 34 CFR, Part 80; and *OMB Circular A-110 – Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Nonprofit Organizations*, as codified in EDGAR at 34 CFR, Part 74.
2. Procurement of supplies, equipment and other services with funds provided through this MOU shall be accomplished in a manner consistent with Federal and State requirements. However, adherence to the standards contained in the applicable Federal and State laws and regulations does not relieve RU of the contractual responsibilities arising under its procurements. RU is the responsible authority, without recourse to the NJDOE, regarding the settlement and satisfaction of all contractual and administrative issues arising out of contracts entered in support of this Memorandum of Understanding.
3. RU and the NJDOE recognize and agree that both the initial provision and the continuation of funding through this Memorandum of Understandings are expressly dependent upon the availability to the NJDOE of funds appropriated by the State Legislature from State or Federal revenue or such other funding sources as may be applicable. The lack of available funding shall not be deemed a breach of this Memorandum of Understanding by the NJDOE.
4. The NJDOE or RU may request changes or modifications to this Memorandum of Understanding. However, no such change or modification shall be effective unless incorporated in a written amendment executed by both RU and the NJDOE.
5. Any visits, inspections and audits, including visits and requests for documentation in discharge of the NJDOE's responsibilities, shall as a general rule provide for prior notice when reasonable and practical to do so. However, the NJDOE retains the right to make unannounced visits, inspections and audits as deemed necessary.

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6. If RU materially fails to comply with any term of the Memorandum of Understanding or any federal, State or local law, ordinance, regulation or circular, the NJDOE may, in its sole discretion, take one or more of the following actions:

- a. Temporarily withhold payments pending correction of the deficiency by RU;
- b. Disallow all or part of the cost of the activity or action not in compliance;
- c. Wholly or partly suspend or terminate the Memorandum of Understanding or any work hereunder;
- d. Withhold further funds for the project; or
- e. Take other remedies that may be legally available.

7. RU will include payments received under this Memorandum of Understanding in its single audit if required by the circulars listed in Section V, paragraph 1, or if otherwise required by law or regulation.

8. RU must obtain prior written approval from the NJDOE, Director, Office of State Budget and Accounting, if the institution intends to subcontract any work or services under this Memorandum of Understanding. NJDOE specifically permits RU to subcontract to the Center for the Study of Child Care Employment (CSCCE) at Berkeley University to complete the work of Task 2, as detailed in Attachment A. The NJDOE will only approve other subcontracts that, collectively, represent the assignment to third parties of only a very small percentage of the work to be performed pursuant to this MOU. It is understood that the consent of the NJDOE to any subcontract in no way relieves RU of its full obligations under this Memorandum of Understanding. RU shall be responsible for all work and services performed by the subcontractor and such work and services shall conform to the provisions of this Memorandum of Understanding.

9. RU shall retain fiscal and statistical records, supporting documents, and all other records related, in any way, to this Memorandum of Understanding for a period of seven years after the expiration or termination of this Memorandum of Understanding. If any litigation, claim or audit is started before the expiration of the seven year period, all records and supporting documents shall be retained until all such litigation, claims and audit findings are resolved.

10. Between the NJDOE and RU, the NJDOE, subject to the provisions of the New Jersey Tort Claims Act and the New Jersey Contractual Liability Act, shall be responsible for, and shall at its own expense, defend itself against any and all suits, claims, losses, demands or damages of whatsoever kind or nature, arising out of or in connection with any act or omission of the NJDOE, its employees, agents or contractors, in the performance of the obligations assumed by the NJDOE pursuant to this Memorandum of Understanding. The NJDOE hereby releases RU from any and all liabilities, claims, losses, costs, expenses and demands of any kind or nature whatsoever, arising under State or Federal law, solely out of or in connection with the NJDOE's performance of the obligations assumed by the NJDOE pursuant to this Memorandum of Understanding.

11. Between the NJDOE and RU, RU, subject to the provisions of the New Jersey Tort Claims Act and the New Jersey Contractual Liability Act, shall be responsible for, and shall at its own expense, defend itself against any and all suits, claims, losses, demands or damages of whatsoever kind or nature, arising out of or in connection with any act or omission of RU, its employees, agents or contractors, in the performance of the obligations assumed by RU pursuant to this Memorandum of Understanding. RU hereby releases the NJDOE from any and all liabilities, claims, losses, costs, expenses and demands of any kind of nature whatsoever, arising under State or Federal law, solely out of or in connection with RU's performance of the obligations assumed by RU pursuant to this Memorandum of Understanding.

12. Pursuant to Section 8136 of the Department of Defense Appropriations Act (P.L. 100-463), when issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all agencies receiving Federal funds, including but not limited to state and local governments, shall clearly state (1) the percentage of the total cost of the program or project which is financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) the percentage and dollar amount of the total costs of the project or program that will be funded by non-governmental sources, if applicable.

13. RU may not charge fees for services provided through this MOU. This prohibition does not apply to charges for materials that are not included in the approved budget and that are necessary to recoup RU's actual costs for the purchasing of materials used to deliver required and approved activities.

14. Reimbursement for travel expenses incurred by RU pursuant to this MOU shall be limited to those allowed under *OMB Circular 08-19-OMB – Travel Regulations* and *OMB Circular 06-14-OMB – Entertainment, Meals, and Refreshment*.

CONTACT PERSONS

The following persons shall serve as contact persons for notifications pursuant to this Memorandum of Understanding:

For NJDOE:

Office of Preschool Education
Ellen Wolock
NJ Department of Education
PO Box 500
100 Riverview Plaza
Trenton, NJ 08625-0500

For RU

Principal Investigator
Rutgers University
W. Steven Barnett
Director, ORSP
3 Rutgers Plaza
New Brunswick, NJ 08901

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APPROVAL

The terms of this agreement have been read and understood by the persons whose signatures appear below. Each person executing this agreement warrants that he or she has the authority to bind the entity listed.


Sheryl Goldberg, Director
Rutgers, The State University of NJ

Sheryl N. Goldberg
Director
Office of Research and Sponsored Programs


Date


Christopher D. Cerf, Acting Commissioner
New Jersey Department of Education


Date

I attest that sufficient funds have been appropriated by the State Legislature to cover the current State fiscal year portion of this MOU:

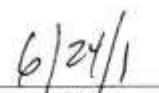

David D. Joye
Director, Office of State Budget and Accounting


Date

Approved as to form:

Paula Dow
Attorney General of New Jersey


By: Beth Leigh Mitchell
Assistant Attorney General


Date

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Attachment A

Budget

Rutgers University

National Institute for Early Education Research
New Jersey Council for Young Children Data Work
Project Period: 5/01/2011-8/31/2013

Expenditure Category	Task 1	Task 2	Task 3	Task 4	Total Budget
Salaries	29,377	8,097	14,218	98,489	150,182
Wages	22,880	0	16,000	104,306	143,186
Total Salaries and Wages	52,257	8,097	30,218	202,795	293,367
Fringe Benefits	10,100	2,368	5,719	37,834	56,021
<u>Total Personnel Costs</u>	<u>62,357</u>	<u>10,465</u>	<u>35,937</u>	<u>240,629</u>	<u>349,389</u>
Research Supplies	0	0	0	647	647
Office Supplies	750	100	1,450	3,734	6,034
Copying Costs	250	100	250	1,648	2,248
Telephone	139	42	110	940	1,230
Postage/Fedex	500	100	500	1,023	2,123
Business Meeting	600	0	0	0	600
Travel	4,623	0	223	8,735	13,582
Subcontract (first \$25,000)	0	25,000	0	0	25,000
<u>Modified Total Direct Costs</u>	<u>69,220</u>	<u>35,807</u>	<u>38,471</u>	<u>257,354</u>	<u>400,852</u>
Subcontract (over \$25,000)	0	46,636	0	0	46,636
Participant Support	0	0	0	7,500	7,500
Facilities	3,100	505	2,224	10,646	16,475
10% Overhead Costs (MTDC)	6,922	3,581	3,847	25,735	40,085
TOTAL BUDGET	79,242	86,529	44,542	301,236	511,548

Attachment B

NEW JERSEY COUNCIL FOR YOUNG CHILDREN
DATA SYSTEMS INVESTIGATION
Rutgers University

Budget Narrative

NIEER Research Personnel:	Total: \$150,182
<i>Principal Investigator (PI)</i>	<i>\$86,182</i>
The PI is funded at various FTEs at different times for different tasks throughout the budget period. For details, see Attachment C: Work Plan. In addition, he will design and oversee all tasks funded in this MOU. He will manage subcontracts and consulting agreements, ensure timely contact with DOE and the Council, and be responsible for writing all reports.	
<i>Project Coordinators (PC) Task 1, 3 & 4:</i>	<i>\$39,360</i>
The Project Coordinators will function as the day-to-day project coordinator across the four tasks on various .25 FTE bases, with support from the PI. For details, see Attachment C: Work Plan. Tasks include submitting weekly reports of task progress to the PI.	
<i>Data Analyst (DA) Task 4a:</i>	<i>\$11,534</i>
The Data Analyst will devote .10 FTE on Task 4a and be responsible for generating both overall descriptive statistics and more refined analyses across auspice and region.	
<i>Administrative Support</i>	<i>\$13,105</i>
The Administrative Assistant will devote various FTE across tasks to assist with the dissemination and filing of documents, preparation of budgets, processing invoices and subcontracts, and preparing administrative documentation (contract, payroll, etc.) related to this study.	
Part Time Project Directors (PD)	Total: \$64,469
For tasks 1, 3 and 4, two part time project coordinators will assist staff at NIEER to conduct investigations and write reports. For details, see Attachment C: Work Plan	
Data Collection/Entry:	Total: \$78,716
<i>Classroom observations</i>	<i>\$72,000</i>
Data collectors will visit 480 infant toddler programs to assess their overall quality.	
<i>Classroom observation training</i>	<i>\$3,750</i>
Five data collectors will be trained to conduct overall classroom quality observations. The training will take 5 days. Data collectors will be paid \$150 per day.	

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Data Entry

\$2,966

Data entry costs are estimated at \$12 per hour with two programs being entered per hour.

Fringe Benefits:**Total: \$56,021**

Based on new federally negotiated fringe benefit rates with Department of Health and Human Services published on May 23, 2010, effective retroactively from 7/1/10, fringe rate for salaried personnel has increased from 34.6% to 35.4%; for hourly employees decreased from 7.5% to 7.4%; for PI's summer research compensation increased from 0% to 7.4%.

Research Supplies:**Total: \$647**

The cost of observation scales for Task 4a is included in this line.

Office Supplies:**Total: \$6,034**

Paper will be used to print out reports and other communications. One file cabinet will be purchased to provide adequate storage for all data.

Copying Costs:**Total: \$2,248**

For paper and copying materials directly related to completing the project.

Telephone:**Total: \$1,230**

Telephone usage has been budgeted at \$100 per month multiplied by numbers of months in the period and budgeted FTE staff.

Postage/FedEx**Total: \$2,123**

\$1,200 has been budgeted to cover the costs of mailing/shipping data from the data collectors to NIEER.

Business Meetings:**Total: \$600**

Two meetings for Task 1 will be held during the performance period, with a budget of \$300 allotted per meeting.

Travel:**Total: \$13,582**

Ground travel to meetings and for data collection is calculated at 0.31 per mile. Air travel is included for 4 trips to NJ from Georgia to conduct meetings with experts and agency representatives for the Project Director for Task 1.

Subcontract:**Total: \$71,636**

The Center for the Study of Child Care Employment (CSCCE) at Berkeley University will be awarded a subcontract to complete the work detailed in Task 2.

Participant Support**Total: \$7,500**

An incentive of \$15 per program is included for the program assessments in Task 4a.

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Facilities

Total: \$16,475

Rent calculations are based on the monthly lease multiplied by numbers of months in the period and budgeted FTE staff.

Overhead Costs

Total: \$40,085

Overhead costs are calculated at the rate of 10% of the Modified Total Direct Costs.

TOTAL BUDGET FOR 5/1/2011 – 8/31/2013

\$511,548

Attachment C

**NEW JERSEY COUNCIL FOR YOUNG CHILDREN
DATA SYSTEMS INVESTIGATION
Rutgers University**

Work Plan

Task 1: Conduct research and develop recommendations for a coordinated statewide early childhood data system.

SUBTASK	TIMELINE	PERSON(S)	FTE
a. Survey states, identify best examples of early childhood data systems and data sharing, and gather in-depth information from best examples.	5/1/2011-8/31/2011	PI PC PD	5% 15% 10%
<ul style="list-style-type: none"> Identify best states by getting nominations from DQC, sending screening survey to Yearbook lists and reviewing materials developed by NAEYC's National PD Policy Summit 	5/1/2011 – 5/30/2011		
<ul style="list-style-type: none"> Attend NAECS-SDE meeting and National PD Policy Summit in Rhode Island 	6/8-10/2011		
<ul style="list-style-type: none"> Conduct in-depth review of materials and interview with "best states" 	6/15/2011-8/15/2011		
<ul style="list-style-type: none"> Write up results 	8/1/2011-8/31/2011		
b. Collect and review information on what data sharing currently takes place in New Jersey.	5/1/2011-8/31/2011	PI PC PD	5% 15% 10%
<ul style="list-style-type: none"> Organize a group of state agency representatives to help organize the review, conduct two meetings one in April and one in August to help interpret the draft results 	5/1/2011-8/2011		
<ul style="list-style-type: none"> Interview individuals across agencies and review data bases 	5/1/2011-7/31/2011		
<ul style="list-style-type: none"> Write report on results 	8/1/2011-8/31/2011		
c. Prepare report and make recommendations for data sharing, including the use of unique child identifiers.	9/1/2011-12/31/2011	PI PC PD	5% 15% 10%

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Task 2: Assist in data collection and analysis of professional development and early childhood preparation programs.

SUBTASK	TIMELINE	PERSON(S)	FTE
a. Facilitate a statewide meeting on professional development and the preparation of the early childhood workforce (ages 0-8).	5/01/2011-5/31/2011	CSCCE	
<ul style="list-style-type: none"> In consultation with the chair of the Council and sub-committee co-chairs, plan the statewide meeting. Facilitate the statewide meeting. Synthesize key discussion points from the statewide meeting and make recommendations for mapping and assessment tasks. 			
b. Mapping the professional development opportunities and preparation programs for the early childhood workforce in New Jersey.	5/01/2011 – 12/31/2011	CSCCE	
<ul style="list-style-type: none"> Devise a data collection plan. Conduct document review and interviews with key personnel (where necessary) to identify what kinds of preparation opportunities leading to a credential are available for assistant teachers, teachers, and leaders in early childhood. Conduct document review of available professional opportunities. Survey and interview key personnel (where necessary) to identify what kinds of professional opportunities are available for assistant teachers, teachers, and leaders in early childhood. Analyze data and write report to identify: where preparation and professional development opportunities intersect for the early childhood workforce, effective practices in preparation and professional development, and gaps in both systems. 			
c. Quality assessment of professional preparation programs and professional development opportunities for early childhood workforce (ages 0-8) in New Jersey.			
<ul style="list-style-type: none"> In consultation with the chair of the Council and sub-committee co-chairs, devise a data collection plan for assessing the quality of 			

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professional preparation programs and professional development opportunities for the early childhood workforce.			
<ul style="list-style-type: none"> Conduct focus group interviews and surveys with key providers and practitioners about quality of professional development and preparation programs. 			
<ul style="list-style-type: none"> Analyze data and write a report to identify effective practices and quality issues within the current system. 			
Report recommendations to Council.	10/2011		
<ul style="list-style-type: none"> Write a report that summarizes the key findings of the above mapping and assessment exercises and identifies effective practices, gaps in the system and makes recommendations for improvement. 			

Task 3: Assist in analysis of recruitment and outreach systems to target ways to improve engagement of underserved, high-need populations.

SUBTASK	TIMELINE	PERSON(S)	FTE
Conduct a study of the type and efficacy of recruitment and outreach strategies with a focus on underserved populations.	5/1/2011 – 8/31/2011	PC & PD	40 days varies
<ul style="list-style-type: none"> In consultation with the Outreach sub-committee and the DOE identify underserved and high risk populations and the currently available outreach services and programs to be targeted for this study. Identify underserved populations by program (e.g. infant toddler care, preschool, inclusive provisions, Head Start, etc.); child characteristics (e.g. immigrant status, race and ethnicity, disability, health status), parental characteristics (e.g. age, marital status, employment), and location (e.g. region of state, type/size of municipality). 	By 5/31/2011	PC	2 days
<ul style="list-style-type: none"> Identify and conduct interviews with key individuals responsible for funding or regulating the targeted services and programs for high risk and underserved populations to determine mandates/parameters, strategies, and outcomes for outreach strategies. 	5/01/2011 – 6/30/2011	PC	4 days
<ul style="list-style-type: none"> Review current research and survey other states to identify best practices for outreach to underserved and high risk populations. 	5/01/2011 – 6/30/2011	PC	4 days

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<ul style="list-style-type: none"> Synthesize information from above to develop a protocol for identifying early childhood programs (infant/toddler, early Head Start, Head Start, public and private preschool, family child care homes) with exemplary services for underserved and high risk populations. Identify via nomination agencies that have developed effective recruitment and outreach strategies. 	5/01/2011 – 6/30/2011	PC & PD	5 days 10%
<ul style="list-style-type: none"> Select and interview a cross section of exemplary early childhood programs to identify common characteristics and best practices for providing outreach services to underserved and high risk populations. 	6/1/2011 – 7/31/2011	PC & PD	15 days 25%
<ul style="list-style-type: none"> Analyze data and write a report to identify: national best practices for reaching high risk and underserved populations in early childhood programs, current processes and procedures to reach underserved populations in NJ, and recommendations for optimizing recruitment and outreach efforts for early childhood services. 	8/31/2011	PC & PD	10 days 10%

Task 4: Begin to identify the nature and quality of early childhood programs with limited or no information, including infant and toddler programs.

SUBTASK	TIMELINE	PERSON(S)	FTE
a. Design and conduct a study to examine the quality of infant and toddler center-based care in New Jersey.	5/1/2011 – 12/31/2012	PI PD DA	5% 20% 10%
<ul style="list-style-type: none"> In consultation with experts in the field of infant and toddler care and education, design a study of the quality of existing programs in New Jersey (determine sampling frame, instrumentation). 	5/1/2011 – 6/30/2011		
<ul style="list-style-type: none"> Conduct study (recruit sample, obtain informed consent, train data collectors, enter data). 	7/1/2011 – 6/30/2012		
<ul style="list-style-type: none"> Analyze results. Submit a draft report for review and discussion by the expert panel (by 9/30/2012). Complete a report to the Council including recommendations for improvement. 	7/1/2012 – 12/31/2012		
b. Design an ongoing needs assessment of services for infants, toddlers and young children, B-8, that includes the coordinated data system, workforce registry and the QRIS.	7/1/2011 – 8/31/2013	PI PC	5% 10%

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State of New Jersey AGENCY REQUEST FOR PROPOSAL					
VENDOR NAME AND ADDRESS:		RETURN THIS PROPOSAL TO:		DELIVER GOODS/SERVICES TO:	
Anne Mitchell 1250 Honey Hollow Road Climax, NY 12042		Joseph Vitelli New Jersey Department of Education Office of Budget & Accounting PO Box 500 Trenton, NJ 08625-0500		Joseph Vitelli New Jersey Department of Education Office of Budget & Accounting PO Box 500 Trenton, NJ 08625-0500	
NOTE: This proposal must be returned before the close of business on the following date: May 24, 2011 2 pm				AGENCY PERSON TO CONTACT: Joseph Vitelli	
FAX NO: (609) 633-7496					
FISCAL YEAR 2011-12	ACCOUNT NUMBER		AGENCY REF. NUMBER NJCYCBI	COMMODITY CODE NO.	
IMPORTANT INSTRUCTIONS TO BIDDERS: Read the entire bid proposal, terms and conditions, and specifications. Fill in all information requested below. All bid prices must be typed or written in ink. Any corrections, erasures or other forms of alterations to unit and/or total prices <u>must</u> be initialed by the bidder. Upon completion, this proposal must be signed and returned to the address shown above. Unsigned proposals will not be considered. Faxed proposals are acceptable and will be subject to THE TERMS AND CONDITIONS ON THE REVERSE SIDE.					
ITEM NO.	QUANTITY	UNIT	DESCRIPTION (ALL ITEMS MUST BE DELIVERED F.O.B. DESTINATION)	UNIT PRICE	AMOUNT
			<p align="center"><u>Scope of Work</u></p> <p>The contractor will conduct the following tasks to develop a Quality Rating Information System (QRIS) for New Jersey:</p> <p align="center"><u>Tasks</u></p> <p align="center"><u>Phase 1: Preliminary Work of the QRIS development</u></p> <p>1a) Review the current QRIS, developed by New Jersey BUILD, including pilot summary, instruments, checklists and findings/recommendations;</p> <p>1b) Compare the current QRIS to essential program regulations and requirements across all relevant New Jersey agencies (e.g., for child care and Pre-K), federal Head Start/Early Head Start and Infants and Toddlers to identify gaps, overlaps and conflicts;</p> <p>1c) Meet to discuss with DOE/Council</p>		

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Phase 1	5	days	<p>representatives and prepare a report that addresses the information and findings above;</p> <p><u>Phase 2: Changes and Modifications related to Adoption of a Statewide QRIS</u></p> <p>2a) Share any emerging areas or new research identified through state/federal standards and regulations that address special populations, early childhood mental health, technical support, professional development, family child care and infants/toddlers;</p> <p>2b) Meet with DOE/Council representatives to receive comments, suggestions and recommendations about proposed modifications to the QRIS;</p> <p>2c) Prepare a draft for review based on comments and feedback of the DOE/Council representatives, inclusive of agreed-upon recommendations of new and emerging areas as stated above;</p>	\$1,500	\$7,500
Phase 2	7	days	<p><u>Phase 3: Preparation and Review of Final Draft</u></p> <p>3a) Provide final drafts of the New Jersey QRIS process for review by DOE/Council representatives;</p> <p>3b) Create alignment charts with other relevant state/federal standards and regulations;</p> <p>3c) Make recommendations for incorporating the QRIS into the Statewide Data System;</p> <p>3d) Meet with DOE/Council representatives for approval of the Final Draft New Jersey QRIS;</p> <p>3e) Assist in focus group testing with families and the early childhood community</p> <p>3f) Prepare presentation of the Final Draft New Jersey QRIS to New Jersey Council for Young</p>	\$1,500	\$10,500

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Phase 3	12	days	<p>Children for feedback and comment; Consultant is responsible for incorporating feedback and comments into final draft.</p> <p>Deliverables</p> <ol style="list-style-type: none"> 1) Prepare a draft report/presentation that compares BUILD QRIS document with other state/federal regulations and requirements, identifying gaps, overlaps or duplications; Consultant is also responsible for incorporating recommendations and feedback from the DOE/Council representatives; 2) Present (via power point) consultant recommendations based on relevant new and emerging areas of research that address special populations, early childhood mental health, technical support, professional development, family child care, etc., to DOE/Council for review; Consultant is responsible for including these modifications as approved; 3) Provide final drafts of New Jersey QRIS document aligned with relevant state and federal regulations for birth –eight and include DOE/Council feedback, recommendations, etc.; 4) Prepare alignment charts with other relevant state/federal standards and regulations; 5) Assist the DOE/Council representatives with focus groups for families and the early childhood programs to pilot the NJ QRIS; and 6) Provide written recommendations on how to incorporate the NJ QRIS into the Statewide Data System. <p>Budget</p> <p>This contract budget cannot exceed \$36,000 and is inclusive of all travel and other project expenses. Payments will be distributed on a quarterly schedule in conjunction with submitted drafts and revisions across project phases as outlined above. Final payment to be dispersed upon completion of all required project tasks.</p>	\$1,500	\$18,500
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New Jersey Department of Education (Ref # NJCYCB1)

May 20, 2011

New Jersey Council for Young Children (NJCYC) Statewide Quality Rating Improvement System (QRIS) for Early Care and Education Programs Birth-Eight

Detailed Outline and Budget

Submitted by

Anne W. Mitchell

Consultant

Approach

This work is proposed as a collaborative effort with the NJCYC and its committees, e.g., Comprehensive B-8 Program Improvement System Committee, the B-8 Early Learning and Development Standards and B-8 Program Standards Committee and others as necessary, as well as New Jersey BUILD, and other relevant organizations, consultants and partners. The overall goal is to develop a continuous quality improvement system exemplified by a statewide implementable QRIS. The chart below provides a detailed outline and budget of the activities proposed by task, along with any assumptions made by the bidder and the effort required for each task. The timing of tasks is included as a best estimate of the flow of work beginning from the date the contract is fully executed. The actual dates for deliverables will need to be negotiated.

Payment

My customary daily rate includes travel and all other administrative expenses. Given the work is proposed in three phases with deliverables in each phase, the desired payment schedule is 1/3 on signing of the agreement, 1/3 when the review draft of the NJ QRIS is submitted (Month 4) and the final 1/3 when all deliverables have been submitted and accepted.

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New Jersey Department of Education (Ref # NJCYCB1)

May 20, 2011

Task-Timeline

Tasks	Assumptions/Comments	Timing	Effort
<i>Phase 1. Preliminary Work</i>			
1a) Review current QRIS (pilot summary, instruments, checklists, findings/recommendations)	Assume these items will be delivered in electronic format for consultant to review.	Month 1	1 day
1b) Compare current QRIS to essential program regulations of NJ agencies and federal Head Start/Early Head Start. Identify gaps, overlaps and any conflicts.	Assumes the NJCYC Committees (B-8 Early Learning and Development Standards and B-8 Program Standards) have completed their work to "Cross-walk existing program standards" as noted in the committee descriptions at http://www.nj.gov/education/ece/njcyc/committees.htm . The draft Committee Work Plan indicates this will be completed by April 1. That effort is a prerequisite for this task. Also: please clarify the definition of programs to be included in the B-8 range. B clearly means 'birth' thus beginning with programs for infants. Does '8' mean 8-year-olds, thus grades K-3, afterschool (out-of-school-time [OST] programs), both or something else? While several states include school-based programs in their QRIS, no state has, so far, developed a QRIS for programs beyond PreK (except for OST programs that serve children up to age 12).	Month 1-2	2 days
1c) Meet/discuss with DOE/NJCYC and prepare report that captures the information and discussion.	Assume meetings will be in Trenton, the scheduling of any meeting is to be determined, and may need to coincide with one or more committee meetings.	Month 2	2 days
<i>Phase 2. Changes and Modifications</i>			
2a) Share emerging practice and new research in re special	The consultant will summarize relevant information and provide links (URLs) for the Committee. This will lead to a set of recommendations for modifications to the current QRIS design.	Month 3	2 days

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New Jersey Department of Education (Ref # NJCYCB1)

May 20, 2011

populations, EC mental health, technical support, professional development, family child care and infants-toddlers			
2b) Meet/discuss with DOE/NJCYC proposed modifications	Assume meeting will be in Trenton, the scheduling of the meeting is to be determined, and may need to coincide with one or more committee meetings.	Month 3-4	2 days
2c) Prepare review draft of QRIS design incorporating feedback and agreed-upon recommendations		Month 4	3 days
<i>Phase 3. Preparation and Review of Final Draft</i> 3a) Provide final draft of the NJ QRIS process for review by DOE/NJCYC	Assumes that the term 'process' in the bid scope means overall design of the QRIS and includes outline of all elements: standards, monitoring/accountability procedures, program and practitioner supports for improvement, outreach to consumers/participants/funders, and financial incentives.	Month 4	2 days
3b) Create alignment charts	Assume 'alignment charts' refers to an updated version of the crosswalk constructed in Task 1b	Month 5	1 day
3c) Make recommendations for incorporating QRIS into the Statewide Data System	Assume information about the scope and function of the Statewide Data System is available and complete.	Month 6	2 days
3d) Meet with DOE/NJCYC to approve Final Draft NJ QRIS	Assume meeting will be in Trenton, the scheduling of the meeting is to be determined, and may need to coincide with one or more committee meetings.	Month 6-7	2 days
3e) Assist in focus group testing with families and EC&E community	Assume focus groups to be conducted by others, the consultant role is to advise on content/process but not conduct focus groups.	Month 7	1 day

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May 20, 2011

3f) Prepare presentation of Final Draft NJ QRIS, present to NJCYC for feedback/comments.	Assume 'feedback and comment' refers to those incorporated from meeting (Task 3d) and results of focus groups. If it is from meeting with the NJCYC and incorporating their feedback/comments, then negotiation will be required to reduce other tasks to cover time for a fourth meeting in Trenton and time for two rounds of edits to the Final Draft NJ QRIS.	Month 7-8	4 days
			24 days

Summary of qualifications and evidence of expertise

My full resume is on the following pages. I have worked with many states on all aspects of the design, review and implementation of QRIS (Alaska, Arizona, Connecticut, Delaware, Florida, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, New Mexico, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia and Washington). I developed the online tool, QRIS Cost Estimation Model or CEM, which can be accessed at <http://qriscostmodel.nccic.acf.hhs.gov/>. The CEM allows users to create multiple cost estimates for phased implementation of QRIS with varied features. (You will need to create a login and password to access it). The most relevant additional evidence of expertise is the following publications:

Mitchell, Anne (2009). *Quality Rating and Improvement Systems as the Framework for Early Care and Education System Reform*. The Build Initiative. <http://www.buildinitiative.org/files/QRIS-Framework.pdf>

Mitchell, Anne, Kristen Kerr and Juana Armenta (December 2008). *Comparison of Financial Incentives in States' Quality Rating and Improvement Systems*. Climax, NY: Early Childhood Policy Research. http://www.earlychildhoodfinance.org/downloads/2008/MitchQRISfinIncentives_2008.pdf

Mitchell, A. W. (2005). *Stair Steps to Quality: A Guide for State and Communities Developing Quality Rating Systems for Early Care and Education*. Alexandria, VA: United Way of America. Online at http://www.wkkflearninglabs.org/upload_main/docs/StairStepstoQualityGuidebook_FINALforWEB.pdf

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Agreement Number
C.012.014

NEW JERSEY DEPARTMENT OF EDUCATION

CONSULTANT AGREEMENT

Agreement made the 7 day of July between the New Jersey Department of Education (DOE) and Gail C. Roberts (Consultant).

THE DEPARTMENT OF EDUCATION AND (CONSULTANT) desire to enter into an agreement whereby the CONSULTANT will perform certain professional services as an independent contractor.

In consideration of the mutual promises in this agreement, the CONSULTANT agrees to perform the professional services set forth in paragraph 1 with the standard of professional care and skill customarily provided in the performance of such services. In return, Department of Education agrees to pay the CONSULTANT such amounts as are specified upon the following conditions:

1. You are hereby retained by the New Jersey Department of Education as a CONSULTANT and shall perform the following services:

To provide consultant services, specifically to provide consultation to the New Jersey Council for Young Children

Total fee to be paid by DOE to the CONSULTANT for the services and travel in paragraph 1 shall not exceed, \$523,250.00 and shall be paid for work actually performed or completed over the life of this agreement as follows:

Department of Education shall not be liable for any other costs or expenses in connection with CONSULTANT's work not detailed in paragraph 1. Any additional services beyond those set forth in paragraph 1 above shall be performed by the CONSULTANT only after an agreement in writing between CONSULTANT and Department of Education is executed:

2. Payment shall be made by the New Jersey State Department of Education (DOE) in accordance with the prompt payment act N.J.S.A. 52:32-32 et seq.
3. CONSULTANT is an independent contractor and shall not be considered an employee or agent of the Department of Education or the State of New Jersey. CONSULTANT acknowledges full responsibility for compliance with all Federal, State, and City tax regulations regarding taxes that may accrue on the fee paid as a result of services rendered by the Department of Education.
4. CONSULTANT agrees to hold the Department of Education, State of New Jersey and their officers and employees harmless, and to defend and indemnify them against all claims, actions, liability, damage, loss and expenses by reason of injury, illness or death

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to any person or damaged property arising or alleged to have arisen out of CONSULTANT's actions or inactions in connection with this agreement.

5. The Department of Education reserves the right to suspend indefinitely or to terminate this contract and the services to be rendered by CONSULTANT without cause at any time. In the event of such suspension or termination prior to completion of work set forth in paragraph 1 above, CONSULTANT shall not be liable for any other item or amount. Any such termination or suspension shall not affect the Department of Education or CONSULTANT's other obligations under the terms of this Agreement.
6. CONSULTANT, during the period of this Agreement, shall not, without prior written consent of the Department of Education, enter into any arrangement, contract, or employment or engage in any other activity that will conflict or negatively impact performance with the task undertaken pursuant to this Agreement.
7. CONSULTANT, shall not assign or subcontract any of the work or services covered by this Agreement nor shall any interest in the Agreement be assigned or transferred without prior written approval by the Department of Education.
8. CONSULTANT recognizes that all records, information and materials that are received by CONSULTANT, or copies made by CONSULTANT of these records, information and materials are and shall remain the property of Department of Education and shall be returned at the termination of this Agreement or at the specific request of Department of Education.
9. CONSULTANT agrees to keep all such records, information and materials confidential. If CONSULTANT receives any pupil records while fulfilling its obligations pursuant this agreement, CONSULTANT agrees to maintain their confidentiality pursuant to the dictates of Federal and State law including, but not limited to, 20 U.S.C. 1232G; N.J.S.A. 18a:36-19; N.J.A.C. 6:3-6.1 et seq.
10. CONSULTANT shall disclose promptly to the Department all inventions, discoveries, formulas, processes computer programs, algorithms, design trade secrets, workshop authorship whether or not fixed in a tangible medium of expression and other information and know-how (collectively hereinafter "TECHNOLOGY") made, discovered or developed by CONSULTANT either alone or in conjunction with any other person or entity associated with Department of Education during the term of this Agreement. CONSULTANT agrees that a TECHNOLOGY made, discovered, developed, authored, prepared or conceived by CONSULTANT in connection with the furtherance of this Agreement, whether alone or in combination with another, whether or not on Department of Education's premises, shall belong exclusively to Department of Education. CONSULTANT waives all rights whatsoever in the TECHNOLOGY including the right to prepare derivative works. CONSULTANT acknowledges work of authorship shall be deemed work made for hire.
11. To the extent permitted by external funding agreements CONSULTANT agrees to and hereby does assign all rights, title and interest in and to any TECHNOLOGY made, discovered, developed, authorized, prepared or conceived by CONSULTANT in connection with the furthermore of the agreement to the Department of Education. The Department of Education shall have all rights and property interests arising from or in

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connection with the TECHNOLOGY. CONSULTANT agrees to cooperate with and provide all reasonable assistance to the Department of Education, its designees, assignees or licensees in connection with the foregoing.

12. CONSULTANT has no actual authority, nor shall the CONSULTANT give the impression of having apparent authority, to bind or represent Department of Education with regard to any third parties.
13. ANTI-DISCRIMINATION – CONSULTANT agrees not to discriminate in employment and agree to abide by all anti-discrimination laws including those contained within N.J.S.A. 10:2-1 through N.J.S.A. 10:2-4, N.J.S.A. 10:5-1 et seq. and N.J.S.A. 10:5-31 through 10:5-38, and all rules and regulations issued thereunder.
14. AMERICAN with DISABILITIES ACT – the CONSULTANT must comply with all provisions of the Americans with Disabilities Act (ADA), P.L. 101-336, in accordance with 42 U.S.C. 12101 et seq.
15. PREVAILING WAGE ACT – The New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.26 et seq. is hereby made a part of this agreement. CONSULTANT's signature on this agreement is CONSULTANT's guarantee that none of those persons who will perform the work under this agreement have been suspended or debarred by the Commissioner, Department of Labor, for violation of the provisions of the Prevailing Wage Act.
16. INSURANCE – The CONSULTANT shall secure and maintain in force for the term of the contract liability insurance as follows:
 - a. General liability policy as broad as the standard coverage forms currently in use in the state of New Jersey which shall not be circumscribed by any endorsements limiting the breadth of coverage. The policy shall be endorsed to include:
 1. BROAD FORM COMPREHENSIVE GENERAL LIABILITY
 2. PRODUCTS/COMPLETED OPERATIONS
 3. PREMISES/OPERATIONS

The limits of liability for bodily injury and property damage shall not be less than \$1 million per occurrence as a combined single limit.
 - b. Automobile liability insurance which shall be written to cover any automobile used by the insured. Limits of liability for bodily injury and property damage shall not be less than \$1 million per occurrence as a combined single limit.
 - c. Worker's Compensation Insurance applicable to the laws of the State of New Jersey and Employers Liability Insurance with limits not less than:

\$100,000 BODILY INJURY, EACH OCCURRENCE
 \$100,000 DISEASE EACH EMPLOYEE
 \$500,000 DISEASE AGGREGATE LIMIT.

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17. **MAINTENANCE OF RECORDS** – The CONSULTANT shall maintain records for products and/or services delivered against the contract for a period of three (3) years from the date of final payment. Such records shall be made available to the Department upon request for purposes of conducting an audit or for ascertaining information regarding dollar volume or number of transactions.
18. **NEW JERSEY PROMPT PAYMENT ACT** – The New Jersey Prompt Payment Act N.J.S.A. 52:32-32 et seq. requires state agencies to pay for goods and services within sixty (60) days of the agency's receipt of a properly executed State Payment Voucher or within sixty (60) days of receipt and acceptance of goods and services, whichever is later. Properly executed performance security, when required, must be received by the State prior to processing any payments for goods and services accepted by state agencies. Interest will be paid on delinquent accounts at a rate established by the State Treasurer. Interest will not be paid until it exceeds \$5.00 per properly executed invoice. Case discounts and other payment terms included as part of the original agreement are not affected by the Prompt Payment Act.
19. **STANDARDS PROHIBITING CONFLICTS OF INTEREST** – The following prohibitions on vendor activities shall apply to all contracts of purchase agreements made with the State of New Jersey, pursuant to executive Order No. 189 (1988).
 - a. No vendor shall pay, offer to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or other thing of value of any kind to any State officer or employee or special State officer or employee as defined by N.J.S.A. 52:13D-13b, and e., in the Department of the Treasury or any other agency with which such vendor transacts or offers or proposes to transact business, or to any member of the immediate family, as defined by N.J.S.A. 52:13D-i, of any such officer or employee, or partnership, firm or corporation with which they are employed or associated, or in which such officer or employee has an interest within the meaning of N.J.S.A. 52:13D-13g.
 - b. The solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by any State officer or employee or special State officer or employee from any State vendor shall be reported in writing forthwith by the vendor to the Attorney General and the Executive Commission on Ethical Standards.
 - c. No vendor may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement express or implied, or sell any interest in such vendor to, any State officer or employee, or special State officer or employee, having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to any State agency or any instrumentality thereof, or with any person, firm or entity with which he is employed or associated or in which he has an interest within the meaning of N.J.S.A. 52:13D-13g. Any relationships subject to this provision shall be reported in writing forthwith to the Executive Commission on Ethical Standards, which may grant a waiver of this restriction upon application of the State officer or employee or special State officer or employee upon a finding that the present or proposed relationship does not present the potential, actuality or appearance of a conflict of interest.

- d. No vendor shall influence, or attempt to influence or cause to be influenced, any State officer or employee or special State officer or employee in his official capacity in any manner which might tend to impair the objectivity or independence of judgement of said officer or employee.
- e. No vendor shall cause or influence, or attempt to cause or influence, any State officer or employee or special State officer or employee to use, or attempt to use, his official position to secure unwarranted privileges or advantages for the vendor or any other person.
- f. The provisions cited above in paragraph 20a. through 20e. shall not be construed to prohibit a State officer or employee or special State officer or employee from receiving gifts from or contracting with vendors under the same terms and conditions as are offered or made available to members of the general public subject to any guidelines the Executive Commission on Ethical Standards may promulgate under paragraph 20c.

21. During the performance of this contract, the CONSULTANT agrees as follows:

The consultant or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. The consultant will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the public agency compliance officer setting forth provisions of the nondiscrimination clause.

22. NOTICE OF ALL STATE VENDORS OR SET-OFF FOR STATE TAX

Please be advised that pursuant to P.L. 1995, c. 159, effective January 1, 1996, and notwithstanding any provision of the law to the contrary, whenever any taxpayer partnership or S corporation under contract to provide goods or services or services or construction projects to the State of New Jersey or its agencies or instrumentalities, including the legislative and judicial branches of State government, is entitled to payment for those goods or services at the same time a taxpayer, partner or shareholder of that entity is indebted for any State tax, the Director of the Division of Taxation shall seek to set-off so much of that payment as shall be necessary to satisfy the indebtedness. The amount set-off shall not allow for the deduction of any expense or other deductions which might be attributable to the taxpayer, partner, or shareholder subject to set-off under this Act.

The Director of the Division of Taxation shall give notice of the set-off to the taxpayer, partner or shareholder and provide an opportunity for a hearing within 30 days of such

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notice under the procedures for protests established under R.S. 54:49-18. No request for conference, protest, or subsequent appeal to the Tax Court from any protest shall stay the collection of the indebtedness. Interest that may be payable by the State, pursuant to P.L. 1987, c. 184 (c. 52:32-32 et seq. to the taxpayer shall be stayed.

23. This AGREEMENT constitutes the entire understanding between the Department of Education and CONSULTANT. This Agreement or any amendment shall not be binding unless executed in writing by Department of Education and CONSULTANT.
24. This AGREEMENT shall be construed in accordance with the laws of the State of New Jersey.
25. If any provision of this AGREEMENT shall be determined to be void, invalid, unenforceable or illegal for any reason, it shall be ineffective only to the extent of such prohibition and the validity and enforceability of all the remaining provisions shall remain the same.
26. The failure of either party to exercise any of its rights under this AGREEMENT for a breach thereof shall not be deemed a waiver of such rights nor shall the same be deemed to be a waiver of any subsequent breach whether of the same provisions or otherwise.
27. Vendors must provide proof of Business Registration with the Department of Revenue in accordance with Public Law 2001, Chapter 134.
28. **SOURCE DISCLOSURE REQUIREMENTS:**
Pursuant to the statutory requirements, the intended awardee of a contract primarily for services with the State of New Jersey must disclose the location by country where services under the contract, including subcontracted services, will be performed. This will be done by completing the attached *Source Discloser Certification Form*.

This agreement has been duly executed by both parties.

Gail C. Roberts
Consultant Date 7/18/11

[Redacted Signature]
Social Security or Tax ID#

[Signature]
Program Director Date 7/18/11

[Signature]
Exec Division Director Date 7/19/11