

Child Care Education Committee

September 13, 2016

Roth's Conference Center, Oregon Room
1130 Wallace Drive NW, Salem, OR 97304

9 am – 4 pm

MEETING MINUTES

CCEC Members Attended

x	Bobbie Weber	x	Leslee Barnes	Michelle Gury		
x	Tim Rusk	x	Sarah Pope			
x	Abby Bush	x	Kamala Wymore			
	Nnenna Lewis		Jesus Arizmendi			
	Sue Norton	x	Donalda Dodson			
x	Elvyss Arqueta	x	Christy Cox			
	Judy Newman	x	Kelly Sutherlin			

ELD Staff Attended

x	Sonja Svenson	x	Kelli Walker			
x	Kim Parker	x	Nakeshia Knight-Coyle			
x	Lisa Pinheiro	x	Kathleen Hynes			
x	David Mandell					
x	Dawn Barberis	x	Heidi McGowan			
x	Cassandra Ferder					

Public Participant

x	Debra Jones					
x	Patrice, Family Building Blocks					

Welcome and Introductions

Bobbie Weber, Chair held introductions of the committee and participants of the meeting. She reviewed the agenda for timing and any updates as well as the goals of the meeting.

Certified Center, Certified Family and Registered Family Temporary Rules Work Session

Kellie Walker led the committee members through a discussion to review the temporary rules re certified centers, certified family and registered family temporary rules.

Committee Question: How long will people have to get into compliance?

Answer: After the rule goes into effect, one year of technical assistance will be provided to assist with compliance.

The committee reviewed each of the following sections and agreed to move the work forward to ELC for approval:

- Emergency Procedures
- Vehicular Traffic
- Shaken Baby and Abusive Head Trauma
- Health and Safety Training
 - Offered in 5 languages
 - Online training offered – in person training being developed

Committee Question: Is it the intent that is a one and done training? No follow up or refresher?

Answer: This is basic training, licensing specialists encourage providers to continue continued education as required and build off of the basic knowledge training provided in this training.

Feedback to consider:

- Consider making it an annual training requirement
- Adding the 5 rights of medication

Central Background Registry – Fingerprinting

Kathleen Hynes, ELD staff presented an administrative rule briefing re Central background registry changes that need to be made to be in compliance with federal regulations.

The Early learning Division, Office of Child Care administers the central background registry (CBR) pursuant to ORS 329A.030. OCC conducts background checks on individuals associated with childcare facilities. Subject individuals may submit an application for enrollment in the CBR to OCC. OCC then conducts a criminal and child welfare background check on the applicant and determines whether the applicant is suitable for enrollment in the CBR. The enrollment period is two years at which time the individual must apply for renewal of their enrollment. OCC conducts a quarterly LEDS (Law enforcement data system) check of all enrollees in the CBR. By reference, the brief is incorporated herein.

At this time, reciprocity between background checking systems is not possible. FBI has strong policies and guidelines on who can have access to certain sensitive information.

Federal requirements have changed requiring Oregon to revise the rules to be in compliance.

The State of Oregon has entered an agreement with Fieldprint/Lifescan to conduct all fingerprinting. The contract is to guarantee a reasonable rate for all users that the state requires fingerprinting. Services are provided throughout the state. The agreement is that it will cost \$12.50 per user – regardless of the Oregon state agency they work for.

Committee Question: what about neighboring states?

Answer: There is a process in place for this issue.

Committee Question: Will Fieldprint be available to rural communities?

Answer: Yes, currently they are all over the state, with the exception of Lakeview.

Committee Question: How many facilities are available in Oregon?

Answer: ELD Staff can provide a map of the locations

The committee, staff and interested parties discussed the cost and fiscal impact to providers that this change will cause.

The Early Learning Division has submitted a legislative proposal to ask for additional resources to providing funding support.

Timing of implementation was discussed.

There is concern about the timeframe for implementation. At this time the entire service infrastructure is not in place. As of January 1, 2017 the services will be open for use.

An option to request a waiver to postpone implementation date to allow users enough time to comply is being reviewed.

Committee Question: who is required? Frequent visitors?

Answer: There is a definition for frequent visitors in place that will be relied upon for the rule.

Answer: Any individual who has lived in Oregon less than 18 months, out of state crimes. This is about 14% of the population of providers.

Fiscal impact for this rule change was discussed.

At face value, \$35 for fingerprinting is a fiscal impact, there are other fiscal impacts to consider such as timing to get the fingerprinting done; for an employer, delays start time – loss of productivity. There will also be some additional administrative costs incurred.

It was raised, that to the African American community, fingerprinting is one step closer to the child care system being ran by the criminal justice system.

Committee Question: What is the process? What does it look like to go to Fieldprint?

Answer: The facility is a store front. The process machine is a scanner with a glass surface, no ink is used. Two pieces of identification are required, one being photo identification.

Committee Question: With the new requirement will there be a lot of providers that will be removed from licensing?

Answer: No, not necessarily, most screening is done in the background checks so it should not expose new information.

There is a legislative proposal to have ELD administer the process that would require the screening to be done every 5 years instead of every 2 years. In that same legislative request, the division is also requesting to broaden availability of data to include senior and adult services to look at abuse claims.

Communication of new Plan: There is a communication plan being developed in five languages to get this information out and assist with getting providers in compliance.

Committee questions: Can any other vendor do the fingerprinting?

Answer: No, the contract is with Fieldprint.

For more information related to Fieldprint, the link to their website is:

<https://www.fieldprint.com/>

Committee Request: A brief description from individual perspectives about the process they currently go through.

Most of the data systems do not have portability, the central background check system does. DHS does a check, but doesn't have a registry,

After much discussion, the group agreed to move forward and await the information that was requested that pertained to Fieldprint.

Relief Nurseries work session

Heidi McGowan reviewed the 5 key areas of discussion that were raised during the last discussion of the relief nursery services:

1. Funding – the 25% match
 - a. 25% match is in statute
 - b. Community is not defined
 - c. Staff recommendation: if community needs to be defined, do so broadly
2. Standards/Standardization
 - a. Programs and delivery will vary depending on community need, individual needs and goals
 - b. Parenting support
 - i. Varies
 - c. Licensing requirements are a result of the services they are providing to children
 - d. Certification and licensing are different – need to clarify and be specific
 - e. If they met definition of childcare facility – they have to be licensed – standardized across the state
3. Services
 - a. What services do the State need to purchase?
 - i. Statute lists two:
 1. Parent education

2. Therapeutic services
3. All other services are recommendations from the ELD to the ELC to consider purchasing
4. Alignment
 - a. Preschool promise rules
 - b. Head start rules
 - c. Hours of operation
 - i. **Action:** Evaluation process – ELD staff will review and report on the evaluations
5. Relief nurseries outcomes to hub metrics
 - a. Staff provided a chart mapping where relief nurseries are located (per previous meeting request)

The opportunity to raise other questions prompted the following:

- How to work with OARN?
- What role does OARN play in this process and what roles will it not play?

Lisa Pinheiro led the group through the rule side by side for review and discussion.

She facilitated the discussion for each section with assistance from Nakeshia Knight-Coyle and Dawn Barberis.

Definitions

Terms are defined when used throughout the rule and may need some general clarification for the common reader.

In terms of relief nursery, the division is not defining what a relief nursery is, for this purpose; they are defining the services they will be purchasing.

General Provisions

In maintaining consistency in rule writing and development, this section generally describes eligibility.

When discussing home visits and age limits, for the class room age is important, for home visits, it would include family members that may be older than six but provided because a family member is under the age requirement.

Committee agreed to: age 5, not yet in kindergarten

Possibly, in rule, there would be two eligibility statements.

Funding

Committee Question: Is there a timeline for the 25% match?

Answer:

Recommendation from Kelly Sutherland: The formula is established in collaboration with OARN. OARN created the funding formula that is currently used is established in collaboration with OARN. OARN created the funding formula that is currently used

Recommendation from staff: this committee could be the body that submits the recommendations to the council to consider factors in developing the funding model

Committee request to Staff: Get clarification if there is leeway to not including asset forfeiture in the match requirement

ELC Council Issue:

- Whether or not to include OARN in the rule
- Outcome base funding – achievement driven
- Divide funds in the pot (what the legislature provides)
- Buy services (specific / cost per child)

The discussion raised the following points:

- Really impacts current relief nurseries
- The ownership of OARN's funding model – very ownership
- These could have impacts to the current structures
- State allocation -- The money received by the state does not cover all the expense of relief nurseries
- Cost per child could be problematic
- Currently, some of the desired outcomes are listed in the contracts
- ELD is responsible for the funding allocation
- Strong need for transparency

Committee Request: Can staff develop a list of guiding principles to ensure transparency

Answer: yes, the ELD staff will work with FieldPrint to provide the detail information requested.

Committee Request: Can ELD Staff define collaborative for the purpose of this discussion and rule set

Answer: For this section, they discussed one of the sub-sections, specifically (D)

1. Currently written
2. OARN certification
3. 3rd party (not specifically named)
4. Add standards

Committee question: Is there another place/time that public input will be received?

Answer: yes

Committee question: Will public comment opportunity be available tomorrow?

Answer: yes. Always have the ability to email your written comments

Committee question: Are we creating unintended consequences for the HUBS?

Answer: ELD staff will identify and report back to the CCEC.

Committee request to staff: **can staff look into the waiver process**

Core Services

Staff will review evaluations to make determinations of best practices in this area.

After discussing, committee members agreed to move this section of work forward.

Next steps

Tomorrow, the call will be focused on bringing the committee members who were not able to attend yesterday the opportunity to hear the work that took place and provide any feedback and comments they may have.

In October, the committee will meet and discuss the findings of the inquiries and questions that were raised at this meeting.

Draft rules and a fiscal impact will be reviewed in preparation for the first reading to the ELC later in the month. Final adoption is scheduled for November.

Committee members expressed the value in meeting in person.

/cf