**Policy Discussion to lead to Development of Administrative Rules for Regulated Subsidy Providers**

**Background:**

**The Early Learning Division is currently engaged in implementing new monitoring requirements for license-exempt child care providers. During the 2015 legislative session, the Legislature passed HB 2015, a significant reform of Employment Related Day Care (ERDC), Oregon’s child care subsidy program for working families experiencing poverty. This legislation will enable ERDC to: better support families experiencing poverty to participate in the workforce; promote positive child development; increase the number of children in quality care; and better ensure the health and safety of children.**

**The Early Learning Council will promulgate new rules covering the on-site health and safety monitoring of licensed-exempt providers serving families receiving ERDC, now referred to as “Regulated Subsidy Providers”. Division staff is coordinating efforts with ERDC staff at the Department of Human Services to align Oregon Administrative Rules governing the program.**

**The following information is a brief summary of policy areas to be considered by the CCEC. Division staff will be developing draft rule language based on feedback received by the CCEC, community and partner engagement.**

Since the Early Learning council will be adopting administrative rules for a new “class” of child care providers in the domains of Health and Safety, Child to Provider Ratios, and Compliance, this is an opportunity to consider the following policy questions:

* What is necessary within the domains of Health and Safety, Child to staff Ratios, and Compliance to achieve the desired outcomes and principles?
* Are the existing administrative rules for other child care settings, in those domains achieving the outcomes and meeting the principles?
* What changes are necessary?

New Health and Safety, Child to Provider Ratios and Compliance Requirements

The requirements imposed by the new law are shown in the table below. The requirements within this domain are similar to or the same as the health and safety regulations in other child care provider administrative rules.

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| **Health and Safety**  |
| Prevention and control of infectious diseases (including immunizations). |
| Prevention of SIDS and use of safe sleeping practices. |
| Administration of medication, consistent with standards for parental consent. |
| Prevention of and response to emergencies due to food and allergic reactions. |
| Building and physical premises safety (e.g. electrical, water, vehicular hazards). |
| Prevention of shaken baby syndrome and abusive head trauma.  |
| Emergency preparedness and response planning. |
| Handling and storage of hazardous materials. |
| Appropriate disposal of bio-contaminants. |
| Appropriate precautions in transporting children. |
| Nutrition, access to physical activity and other subject areas necessary for child development or to protect children’s health and safety. (OPTIONAL) |
| **Child to Provider Ratio Standards** |
| Group size limits for specific age populations. |
| Ratio of number of children and providers, in terms of age of children in care. |
| **Compliance with State and Local Health and Safety Requirements** |
| All caregivers are in compliance with all applicable state and local health and safety requirements. |

Within each domain there are several elements to be addressed in rule. While this is a large body of work, the bulk of the work is within the Health and Safety domain.

Given this large body of work, how does the committee wish to proceed in discussing and considering the policy areas and implications for rules governing the domains and the sub-elements?

Options:

The committee’s meeting schedule has the committee considering this set of rules over the next five meetings.

One option for reviewing the set of rules is to consider potential rules for the domains within the context of other child care provider settings.

This approach could serve several purposes:

* Consider and determine the rigor of child care rules and their impact on achieving the Council’s desired outcomes
* Determine necessary changes
* Ensure the rules for child care providers are consistent across sets of rules, aligned with broader state goals and those of related agencies, and
* Ensure that children are in safe environments that promote healthy physical, social, emotional and cognitive development and support high quality interactions among families and providers.