



Early Learning Council

April 27, 2017

9:00am-2:30pm*

Somerville Large Conference Room

775 Court St NE

Salem, OR 97301

Agenda

SUE MILLER
*Early Learning Council
Chair*

MARTHA BROOKS

DONALDA DODSON

JANET
DOUGHERTY- SMITH

HOLLY MAR

SALAM NOOR

EVA RIPPETEAU

SHAWNA RODRIGUES

CLYDE SAIKI

LYNNE SAXTON

DONNA SCHNITKER

TERI THALHOFER

KALI THORNE-LADD

CARMEN URBINA

BOBBIE WEBER

DAVID MANDELL
*Acting Early Learning
System Director*

*Members of the public wanting to give public testimony must sign in.
Each individual speaker or group spokesperson will have 2 minutes.
Electronic testimony may be submitted to Alyssa.Chatterjee@state.or.us.*

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| I. Board Welcome and Roll Call | 9:00-9:10 |
| a. Welcome to New Council Member(s): Carmen Urbina
Sue Miller, Chair | |
| II. Public Testimony – Agenda-Specific | 9:10 |
| III. Chair's Report Sue Miller, Chair | 9:10-9:40 |
| a. Council Meeting Schedule | |
| b. Consent Agenda – Action Item | |
| i. Acknowledge Receipt of Committee Reports | |
| ii. Measuring Success Committee Membership Recommendation
Adoption | |
| iii. Measuring Success Key Policy Questions Adoption | |
| IV. State Board of Education Mission, Vision & Values – <i>Information & Feedback</i> | 9:40-10:10 |
| Jessica Nguyen-Ventura, Executive Officer, State Board of Education, ODE | |
| V. Rules | |
| a. Relief Nursery Rules Update – <i>Action Item</i> | 10:10-10:40 |
| David Mandell, Acting Early Learning System Director
Lisa Pinheiro, Early Learning Policy Analyst, ELD | |
| b. Child Care Van Rules Briefing – <i>Information Only</i> | |
| Lisa Pinheiro, Early Learning Policy Analyst, ELD
Dawn Woods, Director of Child Care, ELD | |
| VI. Director's Report | 10:40-11:00 |
| David Mandell, Acting Early Learning System Director | |
| VII. Child Care Statutory Authority Workgroup Discussion – <i>Action Item</i> | 11:00-11:30 |
| David Mandell, Acting Early Learning System Director | |
| VIII. Legislative Update | 11:30-12:00 |
| Lisa Pinheiro, Early Learning Policy Analyst, ELD | |

Working Lunch – 15 minute break

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| IX. Lynne Angland Award Nominations | 12:15-12:25 |
| David Mandell, Acting Early Learning System Director | |

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| X. Measuring Success Committee Update: Hub Metrics – <i>Information Only</i>
David Mandell, Measuring Success Committee Chair
Tom George, Research Analyst, ELD | 12:25-1:05 |
| XI. Blue Mountain Early Learning Hub Presentation
Cade Burnette, Child & Family Services Director, Umatilla-Morrow
County Head Start | 1:05-2:05 |
| XII. Public Testimony – Open Topic | |
| XIII. Adjournment | |

**Times are approximate; items may be taken out of order, meetings may conclude early and breaks may be added as needed. All meetings of the Early Learning Council are open to the public and will conform to Oregon public meetings laws. The upcoming meeting schedule and materials from past meetings are posted [online](#). A request for an interpreter for the hearing impaired or for accommodations for people with disabilities should be made to Alyssa Chatterjee at 971-701-1535 or by email at Alyssa.Chatterjee@state.or.us. Requests for accommodation should be made at least 48 hours in advance.*

Measuring Success Committee Membership Recommendations

Measuring Success Committee

The Measuring Success Committee is chartered to advise the Early Learning Council on the issues, challenges, successes and priorities related to measuring the success of the early learning system and ensuring equitable outcomes for all children, including but not limited to the Early Learning Hubs.

The following expertise will be sought to fill seats on the Measuring Success Committee

- Early Learning Council members (2-3)
- Hub leadership (2-3)
- Hub operational staff (1-2)
- Individuals from local early learning programs that partner with Hubs (2)
- Individuals with expertise in early learning data (including EI/ECSE) and early learning programs (2)
- Individual with expertise in health data and health system (1)
- Individual with expertise in human services data and state human services system (1)
- Individual with expertise in k12 education data and system (1)
- Individuals with expertise in program evaluation and/or design and implementation of performance metrics (2)

Membership Recommendations

The following applicant(s) is recommended for Measuring Success Committee Membership:

Early Learning Council members (2-3)

Holly Mar, Early Learning Council

Early Learning System Research & Policy Questions

1. Impact of the Early Learning System on Children and Families

Key Question: *How are state-funded and affiliated services improving healthy development and school readiness for young children and families furthest from opportunity?*

Sub Questions:

- 1.1 How have early learning services impacted children's developmental progress? How has the developmental progress of children under six improved?
- 1.2 Are all young children needing developmental supports receiving services, and how is it improving the lives of children and families?
- 1.3 How have early learning services impacted children and families from the parents' perspective, and are parents actively engaged?
- 1.4 How are early learning services delivered in a culturally relevant manner?
- 1.5 How have early learning services differentially impacted children and families furthest from opportunity and have disparities been reduced?
- 1.6 What are the processes for programs' continuous quality improvement? What is the quality of programs, and is quality improving?
- 1.7. How can technical assistance by the ELD be improved to enhance early learning services?

2. Access to Early Learning Services

Key Question: *Are children and families furthest from opportunity accessing early learning services?*

Sub Questions:

- 2.0 Which populations of children and families are and are not accessing early learning services?
- 2.1 What state funded and affiliated early learning services are available for children and families furthest from opportunity?
- 2.2 How are early learning investments prioritized to reach those furthest from opportunity?
- 2.3 How are state funded and affiliated early learning services being located in communities with high concentrations of children and families furthest from opportunity?
- 2.4 How are early learning services engaging children and families furthest from opportunity?
- 2.5 How are children and families able to seamlessly transition among early learning services?
- 2.6 What are the barriers that prevent some children and families furthest from opportunity from participating in state-funded services?

3. Early Learning System Coordination

Key Question: *How are early learning services aligned, coordinated, and family centered?*

Sub Questions:

- 3.1 How do early learning organizations develop relationships with partner organizations and establish buy-in for coordinated services?
- 3.2 How do early learning organizations align and coordinate family services?
- 3.3 What are the barriers to an effectively coordinated and aligned early learning system?
- 3.4 How are resources blended and braided to achieve collective impact within the early learning system?
- 3.5 How are culturally-specific community-based organizations and services effectively integrated partners in the early learning system?

Board Action Summary

AGENDA ITEM: State Board of Education Mission, Vision & Values

Summary of Recommended Board Action

ACTION: Provide input to the State Board of Education's mission, vision & values.

ISSUE: The State Board of Education last updated their mission, vision, values and goals in 2005. In an effort to revamp their mission, vision, and values and align these with the Department of Education, the Board began a facilitated process to create a new mission, vision, and values. The creation of a new mission, vision, and values is necessary direction and foundation for how the State Board of Education moves forward.

BACKGROUND: The Oregon State Board of Education works to ensure that every Oregon public school student has equal access to high quality educational services that promote lifelong learning and prepare students for their next steps following high school, including college, work, and citizenship.

For the last six months, State Board members have been working diligently to update their strategic plan in a two-step process: 1) revise their mission, vision and values; and 2) create a two-year strategic plan. The State Board now has a [proposed mission, vision and values](#) and will begin discussions on their two-year strategic plan soon. In an effort to collect public feedback from educational partners and the public, the Board staff has asked to make presentations on the Board's proposed mission, vision, and values and gathering feedback. The purpose is to gather input for Board consideration and present this information to the Board during their first reading of the proposed mission, vision, and values on May 25, 2017.

The updated mission, vision, and values will allow the Board to clearly communicate the board's vision for Pre-Kindergarten-12 students, align their work across the P-20 system, and to align the Board with the Oregon Department of Education's work.

[Survey on the State Board of Education's proposed Mission, Vision and Values](#)

CONTACT: Jessica Nguyen-Ventura, Oregon Department of Education

VISION (Guiding Compass)

The Oregon State Board of Education will work with all relevant stakeholders to create and maintain a public education system that empowers all PK-12 students to reach their full potential.

MISSION (Purpose)

Provide leadership and vision for Oregon's schools and districts by enacting policies and promoting educational practices that lead directly to the educational and life success of all Oregon PK -12 students.

VALUES

1. **EQUITY:** We will ensure in words and actions that all students have access to the resources and supports they need to thrive in school. We will explicitly work toward an education system that is culturally responsive, sustaining, and relevant to Oregon's diverse communities.
2. **INTEGRITY:** We will act with honesty and transparency in everything we do.
3. **INNOVATION:** We will promote creativity, challenge the status quo, and work to improve Oregon's education system through promising evidence-based solutions.
4. **EMPOWERMENT:** We will honor multiple perspectives, and empower students, education professionals, families, and community members and education professional to take a leading role in ensuring student success.
5. **EXCELLENCE:** We will take actions to ensure Oregon is providing a world-class education for every student.
6. **INCLUSION:** We will ensure that all students have access to the opportunities and benefits of Oregon's education system.
7. **ADAPTABILITY:** Grounded in our vision and mission, we will adjust and modify policies and practices to respond to changing social, demographic, operational, or financial conditions in order to do what is best for students and schools.
8. **STUDENT CENTERED:** We will ensure that all discussion, decisions, and actions are centered on the best interest of all students.

Rules

- Relief Nurseries Rules Update – *Action Item*
- Child Care Van Rules Briefing

Board Action Summary

AGENDA ITEM: Relief Nurseries Rules Update

Summary of Recommended Board Action

ACTION: Suspend Rulemaking for Relief Nurseries

ISSUE: On April 18, 2017, the Oregon Association of Relief Nurseries (OARN) submitted a written request to David Mandell, Acting Early Learning System Director, requesting the suspension of rulemaking relating to rules governing Relief Nurseries.

OARN is currently advancing Senate Bill 314 in the 2017 legislative session. OARN has identified a number of issues within SB 314 regarding Relief Nursery certification that may have bearing on the administrative rules. OARN believes administrative rules cannot be properly drafted until those issues are resolved.

In response to OARN's request, Mr. Mandell submitted a letter to Mary Ellen Glynn, OARN Executive Director, indicating that based on the importance of addressing the issues raised around SB 314 and the impact those proposed legislative changes could have on the rule-making, the Division supports the recommendation to temporarily suspend the rule-making process and resume it once those issues have been resolved.

In order to ensure continuity of Relief Nursery services, the Early Learning Division will need to develop contracts for the 2017-19 biennium, absent new administrative rules, that use current contract language. These contracts will be dated July 1st, 2017 to September 30, 2019. Once the issues with SB 314 have been resolved, the rule-making process resumed and completed, the Early Learning Division will work with the Relief Nurseries to develop new contract language that accords with the revised rules. The 2017-19 contracts would then be amended to reflect this new language.

OARN indicated the Relief Nurseries will agree to a renewal of the current contracts and the existing terms until such time as new contracts can be finalized.

BACKGROUND: The Child Care and Education Committee (CCEC) of the Council, serving as the rules advisory committee, was scheduled to continue work on relief nurseries draft language at its April 13, 2017 meeting.

ACTION PRECEDING RECOMMENDED BOARD ADOPTION:

During the April 13th meeting, CCEC was briefed on OARN's request to suspend the rulemaking. CCEC members understood the need to suspend and expressed concern about the impact on Relief Nursery contracts. With the agreement between OARN, Relief Nurseries, and ELD to renew contracts for the 2017-19 biennium using current contract terms, there should be no adverse impact to the provision of Relief Nursery services.

BOARD MEMBER PRESENTING REPORT FOR ADOPTION:

David Mandell, Acting Early Learning System Director

CONTACT: Lisa Pinheiro, Early learning Policy Specialist, Early Learning Division



April 13, 2017

David Mandell
Acting Director, Early Learning Division
Oregon Department of Education
775 Summer St. NE
Salem, OR 97301

Dear Mr. Mandell:

This is a letter to formally ask the Early Learning Division to delay the administrative rule-making process for rules governing the Relief Nurseries.

You asked me to meet with Department of Justice attorneys regarding passage of SB314 prior to the rulemaking discussion scheduled for Thursday, April 13, 2017. We met with the attorneys from DOJ and further consulted with the Relief Nurseries attorneys. There are plainly outstanding issues regarding Relief Nursery certification which will have significant bearing on the outcome of the rules. While we do not see it as necessary to wait until final passage of SB314 to complete the rules, the rules cannot be properly drafted until core issues are resolved. We hope and expect that will be eminent; to do otherwise would be to put the cart before the horse.

The stated reason for continuing with the rule-making process is that the ODE cannot assure us that we will have contracts in place by October 1, 2017. It is incomprehensible that the state of Oregon cannot execute a simple annual contract renewal within six months. However, if contracts cannot be drawn up and awarded within that six-month time period, the Relief Nurseries will agree to a renewal of the current contracts and the existing terms until such time as new contracts can be finalized, assuming the amount of monies are consistent with the appropriations of the 2017-2019 legislative session.

We look forward to working with you serve the children and families of Oregon.

Sincerely,

Mary Ellen Glynn
Executive Director, Oregon Association of Relief Nurseries

CC: Sue Miller, Early Learning Council
Bobbi Weber, Chair, Child Care and Education Committee
Lindsay Capps, Oregon Education Investment Board
Nik Blosser, Chief of Staff, Office of the Governor of Oregon



Early Learning Division | 775 Summer St NE, Suite 300, Salem, OR 97301

Phone: 503-373-0066 | Fax: 503-947-1955

April 18, 2017

Mary Ellen Glynn

Executive Director

Oregon Association of Relief Nurseries

PO Box 42094

Portland, OR 97202

Dear Ms. Glynn,

Thank you for your letter dated April 13, 2017 regarding the rule-making process for rules governing the Relief Nurseries and OARN's request that the rule-making process be temporarily suspended until the direction of SB 314 has been clarified. Based on the importance of addressing the issues around SB 314 that were raised in your conversations with the Department of Justice and the impact those proposed legislative changes would have on Relief Nursery programs, I support the recommendation to temporarily suspend the rule-making process and resume it once those issues have been resolved. I will be bringing a formal request to suspend the rule-making to the Early Learning Council at their April 27th meeting.

In order to ensure continuity of Relief Nursery services, the Early Learning Division will need to develop contracts for the 2017-19 biennium which will contain current Relief Nursery contract language. These contracts will be dated from July 1st, 2017 to September 30, 2019. Once the rule-making process has been resumed and completed, the Early Learning Division will work with the Relief Nurseries to amend the 2017-19 contracts to reflect new rule language.

We look forward to continuing to work with you and OARN through this process so that we can best serve the children and families of Oregon.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Mandell".

David Mandell

OREGON DEPARTMENT OF EDUCATION

Kate Brown, Governor



Board Action Summary

AGENDA ITEM: Child Care Van Rules Briefing

Summary of Recommended Board Action

ACTION: No Action – Council Briefing and Informational Item

ISSUE: Vehicle Rule for Licensed Child Care Programs

The Early Learning Council is being briefed on the Child Care and Education Committee's ongoing development of administrative rule recommendations for vehicles that can be used to transport children in licensed child care programs.

The Early Learning Division is currently engaged in a rule review of the licensing rules for Certified Center, Certified Family, Registered Family and Regulated Subsidy rules as well as the development of a rule set for School-Age Only Certified Centers.

An area of urgency is the development and adoption of a rule governing the types of vehicles that licensed programs can use when transporting child care children. This rule is being developed in advance of the full rule sets.

BACKGROUND: In February 2015, the revised Registered Family Child Care rules were adopted. One of the new rules was the prohibition of 15-passenger vans for transportation of child care children. This was in response to advisories published by the National Highway Traffic Safety Administration warning of an increased risk of 15-passenger vans rolling over in the event of an accident. The rule was worded to become effective three years after the adoption date to help minimize the financial impact providers who were presently using those types of vehicles may experience. At that time, it was anticipated that the same rule would be put into the Certified Center and Certified Family rules when those rule sets were revised.

Since that time, additional research and data has been explored concerning safe transportation as well as a more in-depth look into the financial and practical impact a vehicle prohibition may cause licensed providers who transport children.

ACTION PRECEDING RECOMMENDED BOARD ADOPTION: The Child Care and Education Committee, serving as the Council's Rules Advisory Committee, conducted a work session on the vehicle rule in February 2017. Several rule options were reviewed and discussed. At that time, it was recommended that the issue be forwarded to the Early Learning Council for review.

BOARD MEMBER PRESENTING REPORT FOR ADOPTION:

CONTACT: Dawn Woods, Child Care Director, ELD



Child Care Statutory Authority Workgroup

Background:

The Early Learning Division's Office of Child Care (OCC) is charged with assuring the health and safety of children in care based on federal law of the Child Care Development Fund (CCDF) and state requirements. OCC's statutes were first enacted in 1972, when the legislature enacted day care certification rules, which had been previously licensed by individual counties across the state. Over the last four decades as Oregon's child care needs have grown, the regulatory system and enforcement mechanisms have not evolved as quickly.

Problem:

While the Office of Child Care is charged with the health and safety of children in care, in certain situations it struggles to protect Oregon's children due to limited statutory authority. The Office of Child Care needs the appropriate level of authority to take action, while preserving the rights of licensed providers and central background registrants, should child care children be exposed to an unsafe or unhealthy environment.

Committee purpose:

It is recommended that this workgroup is convened by the Early Learning Council to develop and bring legislative recommendations forward for the 2018 legislative session:

1. Strengthen OCC's regulatory and enforcement functions to protect Oregon's children, including:
 - a. Grant OCC continuing jurisdiction over enforcement issues, so that the agency may continue enforcement actions even after a license or enrollment has expired
 - b. Address loophole that allows an exempt prohibited provider, who cannot provide child care themselves, to have a new provider enter the home and provide child care
 - c. Update child care definitions and requirements from the 1971 framework to the new landscape of early learning
 - d. Grant OCC the ability to issue cease and desist orders to non-licensed or non-enrolled care providers (current authority requires an OCC to seek a court injunction)
 - e. Grant OCC ability to level civil penalties against persons providing unlicensed child care
2. Align regulatory and enforcement functions with other agencies wherever possible
 - a. Burden of proof to match DHS requirements
3. Examine current statutes and where appropriate shift regulatory requirements to administrative rule so that OCC can remain nimble and better respond to ever changing community needs

Potential Membership:

Early Learning Council Members

Legislative staff members

Early Learning Division Staff

Early Learning Provider Organizations





Early Learning Council

The Lynne Angland Award: Honoring contributions to Oregon's Child Care & Early Education System

Lynne Angland was a passionate visionary dedicated to Oregon's families. She was Vice-Chair of the Commission for Child Care from 2004 to 2008, when her untimely death left a void that only her diligent advocacy could have filled. Lynne's service, passion, and leadership improved the lives of Oregon's children and families, and as a former owner of a child care center – opened to benefit her employees – Lynne personally understood that quality child care is dynamic as a workforce and early childhood education issue.

Honoring Lynne's commitment to strengthening Oregon's next generation, and the Commission for Childcare which established the Lynne Angland Award, the Early Learning Council continues Lynne's charge through honoring those contributing to improving child care and the lives of our children.

The Lynne Angland Award recognizes people and organizations who improve safety, quality, affordability, and access to child care at state and local levels. An annual award, it both memorializes Lynne and spotlights the incredible ongoing work dedicated to improving care.

For more information on how to submit your nomination – a person, facility, or organization – please go to our website: <https://oregonearlylearning.com/early-learning-council/>. Deadline for submission is **5pm, June 1, 2017**. The recipient(s) will be announced at the June 22, 2017 Early Learning Council meeting.

Board Action Summary

AGENDA ITEM: Measuring Success Committee Update – Hub Metrics

Summary of Recommended Board Action

ACTION: No Action – Review of the “Role of the Hubs” document.

ISSUE: Potential revision to the Hub metrics for the 2017-19 contract cycle

BACKGROUND:

The Measuring Success Committee of the Early Learning Council met on April 5th to begin discussions regarding potential changes to the Early Learning Hub metrics for the next contract cycle. During the current contract cycle, many lessons were learned regarding the availability and limits of current data and data systems, the challenges of developing a set of common metrics across Hubs that also allow for local flexibility, significant variability across Hubs in their regional challenges as well as their own stage of development, and others. The Committee began by reviewing the underlying roles of the Hubs in promoting the three early learning system goals of (a) a coordinated, aligned, and family centered system, (b) supporting children and families to be ready for kindergarten, and (c) promoting healthy, stable, and attached families. Based on feedback, ELD staff revised the document.

ELD staff recently reviewed the revised document with the Equity and Implementation Committee and will incorporate suggestions into the document. The intent is to finalize the document and begin a discussion of potential indicators for each role of the Hubs at the next Measuring Success meeting.

CONTACT: Tom George, Research Analyst, ELD

The Role of Early Learning Hubs

Goal One: The early childhood system is aligned, coordinated and family-centered

1. The role of the hub is to develop and implement, in partnership with the five sectors (early learning, K-12, health, human services, and business), a shared strategic vision and work plan to achieve the Early Learning System goals of (1) an aligned, coordinated, and family-centered system, (2) children entering school ready to succeed, and (3) healthy, stable, and attached families.
2. The role of the hubs is to aggregate, interpret and effectively communicate available data in order to (1) identify focus populations, (2) track the well-being of children and families in the community, (3) guide development of their work plan and its revision in a process of continuous quality improvement; and (4) facilitate collaboration across sectors and partners.
3. The role of the hub, in partnership with the five sectors, is to identify focus and priority populations in the community using best available data and help direct community resources to address the needs of those populations.
4. The role of the hub is to work with community partners to build understanding and grow community support for the shared vision, and to facilitate opportunities for partners to integrate that vision into their own work plans and strategies.
5. The role of the hubs is, with partners and all five sectors, to identify and prioritize barriers children and families experience when attempting to access supports to achieve positive outcomes, and to strategically work to remove prioritized barriers.
6. The role of the hub is to incorporate family voice from focus populations and adjust accordingly in hub planning, strategies and activities.

Goal Two: Children are supported to enter school ready to succeed

1. The role of the hub is to facilitate shared understanding and collaboration between early learning and K-12 partners regarding expectations about the skills and abilities of children entering school.
2. The role of the hub is to facilitate family engagement activities across the community (including schools) that promote seamless transitions into kindergarten and the family's comfort and engagement at their child's school.
3. The role of the hub is to work with partners to coordinate identification of children & families from priority and focus populations, to recruit them for early learning activities, enroll them in services, and make timely referrals with smooth transitions.
4. The role of the hub is to work with community partners to increase the percentage of children from focus populations who access quality early learning experiences that prepare them for success in school.

Goal Three: Families are healthy, stable and attached

1. The role of the hub is to work with early learning programs and other partners to ensure children and families from focus and priority populations access family support services.
2. The role of hub is to collaborate with the health sector to address the social determinants of health that lead to health and well-being for young children and their families.
3. The role of the hub is to work with community partners to increase protective factors and reduce childhood experiences of abuse or neglect.
4. The role of the hub is to work with community partners to ensure children and families access medical, dental and other health care services.