

CCEC Administrative Rule Briefing

Program Name/OAR #: Registered Family Child Care 414-205-0035

Date: May 11, 2017

Staff/Office: Dawn Woods, Child Care Director, Early Learning Division/Office of Child Care

Statutory Authority: ORS 329A

☐ Temporary Rule ☒ New Rule ☐ Amend Existing Rule ☐ Repeal Rule
Prompted by: ☐ State law changes ☐ Federal law changes ☒ Other

Last Revised: February 2015

Action Requested: Discussion on adding foundational requirements in Registered Family Child Care concerning minimum square footage per child care child. Make recommendations to the Early Learning Council.

Program Summary:

The Office of Child Care licenses Registered Family Child Care Homes which provide safe and healthy environments in a residential setting for children cared for outside their own homes.

Eligible Population:

Registered Family child care programs.

Population Served:

Registered Family child care programs.

Stakeholders Impacted:

Partners: Child Care Resource and Referral, child care unions,

Licensing: OCC licensing specialists, OCC central office staff, registered family child care providers, and provider network groups.

Consumers and other external stakeholders: parents of child care children, child care children.

Stakeholders Consulted:

Stakeholder engagements are being developed and will be implemented as this review progresses. The Equity Implementation Team will be consulted as rule concepts are developed and rule language is drafted.

List of Other Interested Parties:

The general public.

Need for Rule:

Oregon Administrative Rules for Certified Centers and Certified Family Child Care indicate minimum square footage requirements per child for the interior of the facility and the outside area. Registered Family Child Care presently has no such foundational requirements.

Policy Matters or Questions to be Addressed:

The question of whether providers and children would benefit by adding minimum square footage requirements in the Registered Family child care rules shall be discussed and assessed. The potential for fiscal and practical impact on providers must be considered.

Fiscal Impact [to stakeholders impacted, to small business (defined as a business that is independently owned and operated with 50 or fewer employees) or to local government]:

Fiscal impact to providers, parents of children in care, child care children and other stakeholders will be evaluated as determinations are made as to the specific rules that may be modified, repealed or added.

Equity Analysis:

- **Who are the racial/ethnic and underserved groups affected?**
Those affected are the underserved communities where disparity exists in Oregon. Strength-based approaches and asset-based mindsets will support efforts to operationalize equity. The Early Learning Division recognizes that in order for each and every child and family to learn and thrive, we have to provide differentiated, person-centered resources and support.
- **Do the proposed rules ignore or worsen existing disparities or produce other unintended consequences?**
Specific rule language will be assessed to ensure that no barriers or unintended consequences are present.
- **What is the impact of the rules on eliminating the opportunity gap?**
The rules are intended to increase consistency of regulation enforcement across the state and among all demographics. Specific rule language will be assessed to ensure that no barriers or unintended consequences are present which could create opportunity gaps for child care providers and children in care.
- **What are the barriers to more equitable outcomes (e.g. mandated, political, emotional, financial, programmatic or managerial)?**
Barriers to more equitable outcomes may include loss of revenue to providers that may not be able to comply with minimum square footage requirements.
- **How have you intentionally involved stakeholders who are also members of the communities affected?**
We have developed a stakeholder engagement process that considers all potential persons and entities that may be positively or negatively impacted by any rule revisions. Part of the process is

determining the most beneficial methods of engagement for each stakeholder group so that input can be gathered in a timely, mutually constructive fashion.

➤ **How will you modify or enhance strategies and rules to ensure each learner and communities' individual and cultural needs are met?**

We will take into consideration any impact, an addition of minimum square footage rules may cause providers, children and families. We will increase the training and guidance opportunities for Office of Child Care licensing staff to gain knowledge, tools and resources to better monitor and support the communities they serve.