

# Relief Nurseries OAR 414 Division 600

Rules Review for CCEC Discussion

**DRAFT**

Date: March 6, 2017

Rule Section	Possible/Recommended Language	Explanation or Policy Discussion
<b>Purpose Statement</b>	<p><b>414-600-0005</b> <b>Purpose Statement</b></p> <p>These rules prescribe standards and funding requirements for entities contracted with by the state to provide services to children and families under ORS 417.788.</p> <p>Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788</p>	<p>Section 28, chapter 624, Oregon Laws 2013</p>
<b>Definitions</b>	<p><b>414-600-0015</b> <b>Definitions</b></p> <p>For the purposes of OAR 414-600-0025 through OAR 414-600-0120:</p> <p>“Early Learning Council” means the Council established to oversee a unified system of early learning services and the Oregon Early Learning system created by ORS 417.727.</p> <p>“Early Learning Division” or “Division” means the division of the Department of Education that administers programs and funding, collects, and analyzes data, and monitors program and contractor performance and accountability for the statewide early learning system.</p> <p>“Early Learning System” means the voluntary statewide early learning system established and described in ORS 417.728</p> <p>“Regional Early Learning Hub” or “Hub” means an entity designated under ORS 417.827 and contracted by the Early Learning Division to coordinate early learning services in a specific region within the state.</p>	

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	<p>“Relief Nursery” means a community-based organization that meets the certification requirements of OAR 414-600-0025.</p> <p>“Therapeutic Early Childhood Education Program” means programs that include therapeutic early childhood classrooms that provide developmentally appropriate activities and interactions as determined by the Division.</p> <p>Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788</p>	
<b>Certification of Relief Nurseries</b>	<p><b>414-600-0020</b> <b>Certification of Relief Nurseries</b></p> <p>The Oregon Association of Relief Nurseries (OARN) shall certify relief nurseries according to the process established in OAR 414-600-0025.</p> <p>Applicants for certification shall complete and submit all forms and provide all information required by OARN to verify compliance with these rules.</p> <p>Certification is contingent upon a Relief Nursery’s compliance with these rules.</p> <p>The Division shall notify OARN in writing if a Relief Nursery fails to comply with these rules or the terms of the contract.</p> <p>Upon receiving notification that a Relief Nursery is out of compliance with these rules or the terms of the contract, OARN shall initiative a review of the certification and take corrective action to bring the Relief Nursery into compliance.</p> <p><b>Conditions and process for Revocation of Certification.</b></p>	<p>Need information from OARN on application and certification process to insert in OAR 414-600-0025.</p> <p>need to call out the conditions that would result in revocation and the process .</p>

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	Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788	
<b>Certification Process</b>	<b>414-600-0025</b> <b>Certification Process</b>  Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788	Need information from OARN on application and certification process
<b>Appeals of Certification Decisions</b>	<b>414-600-0030</b> <b>Certification Appeals</b>  An entity may appeal a certification decision made by OARN in the manner provided in these rules.  (1) An entity's shall submit a timely written request for review by the OARN Board of Directors. (2) An entity's appeal request is not required to follow a specific format as long as it provides a clear written rationale from the entity expressing disagreement with OARN's decision. (3) The request must identify the decision made by OARN that is being appealed and the reason the Relief Nursery disagrees with that decision. (4) An entity's appeal request is considered timely if it is received by OARN within 60 calendar days of the date of the appealed decision. (5) Upon receipt of a written request for review, OARN shall notify the Division of the request. (6) The OARN Board of Directors shall initiate a review of the decision being appealed, create an appeal file and maintain all records and documents relating to the appeal.	

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	<p>(7) The OARN Board of Directors shall notify the entity and Division of its decision within 60 days of receipt of the appeal request.</p> <p><b>Request for Review.</b> If the member is not satisfied with the outcome of their appeal, the member may request a review of OARN's decision for final adjudication by the Division.</p> <p>The request for review must be received in writing by the Division within 31 days of receiving the appeal decision notification.</p> <p>An entity's request to review is not required to follow a specific format as long as it clearly identifies the appeal decision made by the OARN Board of Directors and provides information to support the entity's disagreement with the decision.</p> <p><b>Adjudication of Appeals.</b> The Division shall make final decisions on all certification appeals.</p> <p>Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788</p>	
<b>Eligibility for Funding</b>	<p><b>414-600-0035</b> <b>Funding; Eligibility for state funds</b></p> <p>The Division, in consultation with OARN Board of Directors, shall establish a methodology and formula for allocation of state funds.</p> <p>Applications for state funding must be submitted to the Division on forms prescribed by the Division. The Division shall make final decisions on funding requests.</p> <p>The Division may conduct a competitive public procurement process pursuant to OAR Chapter 125 Division 246.</p>	

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	<p>To be eligible for state funds to carry out the provisions of ORS 417.788, an entity must</p> <ul style="list-style-type: none"> <li>(1) meet the definition of Relief Nursery under these rules;</li> <li>(2) Comply and maintain compliance with these rules</li> <li>(3) Operate pursuant to ORS 417.788.</li> <li>(4) Provide matching community financial support equal to a minimum of 25 percent of any state funding allocation.</li> <li>(5) Comply and maintain compliance with the terms of the contract.</li> </ul> <p>Funding is contingent upon a Relief Nursery's compliance with these rules and the terms of the contract.</p> <p>Noncompliance can result in termination of contract and funding.</p> <p>Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788</p>	<p>(OAR 414-600-0025, 414-600-0040, 414-600-0050, 414-600-0055, 414-600-0105, 414-600-0115, 414-600-0120)</p>
<b>Funding Appeals</b>	<p><b>414-600-0018 Funding Appeals</b></p> <p>A Relief Nursery may appeal a funding decision made by the Division in the manner provided in this rule.</p> <ul style="list-style-type: none"> <li>(1) A Relief Nursery must submit a written appeal for review to the Division within 60 calendar days of the date of the funding decision notification.</li> <li>(2) A Relief Nursery's appeal for review is not required to follow a specific format as long as it provides a clear written rationale from the entity expressing disagreement with the funding decision.</li> <li>(3) The appeal for review must clearly identify the reason the Relief Nursery disagrees with the funding decision.</li> <li>(4) The Division shall initiate a review of the funding decision and notify the Relief Nursery of its decision within 60 days of receipt of</li> </ul>	

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	<p>the appeal request.</p> <p><b>Adjudication of Funding Decisions.</b> The Division shall make final decisions on all funding appeals.</p> <p>Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788</p>	
<p><b>Coordination with the Statewide Early Learning System</b></p>	<p><b>414-600-0040</b> <b>Coordination with the Statewide Early Learning System</b></p> <p>(1) To ensure Relief Nursery programs and services are consistent with the statewide Early Learning System created by and described in ORS 417.727 and 417.728, Relief Nurseries shall:</p> <p>(a) Coordinate and work collaboratively with the regional Early Learning Hub to ensure that the Relief Nursery program and services are consistent and aligned with the goals of the early learning system.</p> <p>(b) Participate with the regional Early Learning Hub to establish a multi-year expansion plan to address service growth, taking into account: the needs of children and families identified by the Hub and Relief Nursery; the strategies to meet the needs of children, and taking into account local community priorities, initiatives or opportunities.</p> <p>(c) Coordinate with the regional Early Learning Hub, health, human and other early learning programs to plan, develop and implement an early childhood system of supports and services towards the achievement of positive outcomes for children and families, maximizing the effective use of available resources and avoiding duplication of services.</p> <p>(2) For the purposes of this section, regional Early Learning Hubs shall coordinate with Relief Nursery programs to maximize the</p>	

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	<p>effective use of available resources and avoid duplication of services, including, but not limited to other home visiting services in the region.</p> <p>Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788</p>	
<b>Minimum Requirements</b>	<p><b>414-600-0050</b> <b>Minimum Requirements</b></p> <p>(1) A Relief Nursery must be incorporated as a 501(c)3 organization</p> <p>(2) Each contracted Relief Nursery must have established appropriate internal fiscal controls and fund accounting procedures to assure the proper disbursement of, and accounting for, all funds provided.</p> <p>(3) Each contracted Relief Nursery must have the capacity to adequately collect and report data including, but not limited to, child and family data including risk factors, demographics, assessments, and abuse and neglect reports. Relief Nurseries will use required reporting forms established by the Division.</p> <p>(4) Each contracted Relief Nursery must participate in the following activities initiated by the Early Learning Council or Division:</p> <ul style="list-style-type: none"> <li>(a) Regular contracted services monitoring reviews by Division staff, as deemed necessary by the Division;</li> <li>(b) Periodic contracted services evaluations; and</li> <li>(c) State and local training or meetings as required.</li> </ul> <p>(5) A contracted Relief Nursery must have an infrastructure that provides oversight, responsibility and resources necessary to provide services on an ongoing basis.</p> <p>(6) Each Relief Nursery must be licensed by the Office of Child Care.</p>	

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	<p><b>Staff Qualifications</b></p> <p>(1) Relief Nursery staff will have a minimum of a BA degree in Early Childhood; or</p> <p>(a) a degree in a related field with early childhood teaching experience; or</p> <p>(b) a combination of an Associate of Arts degree, (b) A combination of an associate's degree, an equivalent step on the Oregon Registry and appropriate experience; or</p> <p>(c) A degree in a field other than child development or early childhood education and six courses in child development or early childhood education focusing on children from birth to age five.</p> <p><b>Staff Training</b></p> <p>(1) Relief Nurseries shall provide new hire and ongoing training for all staff and volunteers.</p> <p>(2) Volunteers must be trained and provided with ongoing support and guidance.</p> <p><b>Staff Supervision</b></p> <p>(1) Relief Nurseries shall maintain a ratio of one supervisor to eight staff.</p> <p>(2) Supervisors shall provide regular, ongoing supervision and support in child and family case management, personnel issues, and professional development.</p> <p>Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788</p>	
Core Services	<p><b>414-600-0055</b></p> <p><b>Core Services</b></p> <p>Relief Nursery contracted services must include therapeutic early childhood education, home visiting, and parent education and support.</p>	





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	<p>(1) Home visiting, provided by the child's classroom teacher, is a required component of the therapeutic early childhood education;</p> <p>Home visits by a child's classroom teacher shall be conducted as follows:</p> <p>(A) at least monthly for children attending class twice a week; and</p> <p>(B) weekly for children attending class once per week, with a duration of 1-2 hours.</p> <p>(2) Home visiting must be offered in all Relief Nursery program components.</p> <p><b>Parent Education and Support</b></p> <p>All parents served by the Relief Nursery must be offered parenting education, through home visiting, classes or groups, using culturally appropriate and evidence-based curriculum that is adapted to and appropriate to the needs of the family.</p> <p><b>Nutritious Meals and Snacks</b></p> <p>Relief Nurseries must provide nutritious snacks and meals following United States Department of Agriculture standards for nutrition during program hours.</p> <p><b>Ongoing Child Screenings and Assessments</b></p> <p>Relief Nurseries shall regularly screen and assess all children when indicated, for appropriate development using research-based, culturally and linguistically appropriate developmental screening. Progress toward goals will be monitored and assessed on an ongoing basis.</p> <p><b>Basic Needs Support and Services</b></p> <p>Relief Nurseries shall provide resource referral, short- and long-term problem solving, and emergency food and clothing as available.</p>	<p>Define 'culturally appropriate and evidence-based'?</p>

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	<p>Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788</p>	
<b>Reporting</b>	<p><b>414-600-0105</b> <b>Reporting</b></p> <p>Relief Nurseries shall ensure that information and data demonstrating program compliance is collected and reported to the Division upon request and in a manner provided by the Division.</p> <p>Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788</p>	
<b>Mandatory Reporters</b>	<p><b>414-600-0115</b> <b>Mandatory Reporters</b></p> <p>Relief Nurseries, Relief Nursery staff and other providers having reasonable cause to believe that any child with whom the provider or program staff comes into contact has suffered or is suffering from abuse or neglect, shall report or cause a report to be made in the manner described in ORS 419B.005 to 419B.015.</p> <p>Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788</p>	
<b>Confidentiality of Client Data</b>	<p><b>414-600-0120</b> <b>Confidentiality of Client Data</b></p> <p>1) All personal information relating to a client that the Relief Nursery may maintain in one or more locations and in various forms, reports, or documents, or stored or transmitted by electronic media shall be treated as confidential.</p> <p>2) A Relief Nursery must obtain a completed and signed</p>	

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	<p>authorization for release of information from the parent or guardian before obtaining or using protected information about an individual from a third party or disclosing protected information about the individual to a third party.</p> <p>(a) Uses and disclosures must be consistent with the purposes for which the parent or guardian authorized disclosure by the Relief Nursery.</p> <p>3) Information may be shared among ELD, Hubs and Relief Nurseries to effectively serve children and families in the Hub region.</p> <p>4) Notwithstanding Section 2, nothing prohibits the disclosure of information in summaries, statistical or other form, which does not identify particular individuals.</p> <p>Stat. Auth.: ORS 326.425(7) Stats. Implemented: ORS 417.788</p>	