

ELD Response to Internal Audit Findings

1. Strengthen the Office of Child Care: People and Processes

- a. New leadership including new Legal Administrator and Central Office manager
- b. Increased compliance and background specialist staffing
- c. Established a team of senior compliance specialists to supervise junior employees
- d. Updated job descriptions to reflect current responsibilities
- e. New agency hiring practices and intentional recruitment of employees from more qualified, internal applicant pools resulting in more staff with child development backgrounds
- f. Developed a robust onboarding plan and training for new staff
- g. New processes that allow for increased consistency, communications, and oversight of licensing decisions. Strategies include but are not limited to:
 - i. Regular meetings between licensing and senior compliance specialists
 - ii. Regular meetings between managers in regional and central office
 - iii. Central office managers conduct annual trips throughout the state to visit field offices and conduct file reviews and licensing visits
 - iv. Legal Administrator regularly conducts field visits with licensing staff
- h. Improved communications between senior licensing staff in the field and Central Office allow the Agency to react more swiftly to issues in the field
- i. New data system - Early Learning Information System (ELIS) data system – allows for timely data reports for quality assurance purposes. ELIS will facilitate efforts to track and look at trends such as staff workload and assignments, facility compliance history and exceptions granted to facilities
- j. Strengthen, align and clarify child care regulations
- k. Ongoing professional development and training for all staff, including on investigation techniques
- l. Improve and strengthen existing progressive discipline policies for child care facilities

2. Support child care providers to improve quality, including in the area of health and safety

- a. Establish an internal referral system for providers to receive technical assistance
- b. Increase professional development opportunities
- c. Utilize Spark to define and support quality practices, including in the area of health and safety
- d. Implementation of Risk Assessed Rules to focus existing TA resources in areas that reduce the risk of harm to children. Note that Risk Assessed Rules also help to increase consistency of enforcement actions.

- 3. Pursue New Tools for Enforcement:** At the request of ELD, the new House Committee on Early Childhood and Family Supports has formed a statutory work group that brings together knowledgeable legislators and key stakeholders to address issues that have the potential to help ELD staff in taking stronger and more timely actions in response to child safety concerns in child care facilities.

Key Issues:

- a. Continuing Jurisdiction: ELD requesting the ability to not lose jurisdiction because the license expires
- b. Burden of Proof Requirements Under APA: ELD seeking to validate that adjusting the burden of proof is not possible, as recommended by auditor
- c. Adding additional categories: ELD seeking input on auditor recommendation to add a fourth category of our findings. Currently ELD uses three categories for child care findings: currently valid, invalid and unable to substantiate
- d. Update Civil Penalty Structure: ELD seeking the ability to adjust civil penalty structure and amounts to levels that act as a meaningful deterrent to noncompliance. ELD is also requesting rulemaking authority to set the penalty as it is currently in statute.
- e. Cease and Desist: ELD seeking the ability to more nimbly stop individuals who are chronic in providing illegal care.

Statutory workgroup members		
Rep. John Lively (Chairperson)	Bobbie Weber, Early Learning Council member	Annalise Sheahan, AFSCME
Sen. Sara Gelsler	David Mandell, ELD Director of Policy and Research	Richard Riggs, OCC Legal Administrator
Rep. Alissa Keny-Guyer	Dawn Woods, OCC Director	Lisa Pinheiro, ELD Policy Specialist
Rep. Carla Piluso	Dawn Myers, Office of Self Sufficiency, DHS	OCC Staff (as needed) Legislative Staff (as needed)
Miriam Calderon, Early Learning System Director	Belit Burke, Office of Self Sufficiency, DHS	
Lindsey Capps, Chief Education Officer	James Barta, Children First	