

Comments received from Sam Barber, representing the Oregon Association of Relief Nurseries
Received 11/7/2017

1. Section 414-600-0051

Subsection (1) states that the ELD, "in collaboration with OARN, shall establish a methodology and formula for allocation of state funds." Then it says "The Division shall make all final decisions on the allocation formula."

-We request that "state funds" be changed to the more specific "legislatively allocated funds for Relief Nurseries." We have myriad contracts through the state that are not through the Department of Education and thus request that we be more specific about which state funds we are talking about.

-We also request that there be added to the rule language requiring that in the event that the ELD has a differing opinion from RNs on the methodology and funding formula, that Division provide documentation the methodology used to create their formula. And that there be a process for Relief Nurseries to appeal the decision. The logical place for an appeal in our minds is the Early Learning Council.

2. Also in Section 414-600-0051, subsection (3), the second sentence.

This language is still unclear. It sounds like the ELD has authority over the amount that an individual Relief Nursery requests from the state. We don't believe this is the intent. We believe the intent is either the same as the sentence in subsection (1) that reads "The Division shall make all final decisions on the final allocation formula" or something else entirely.

-Therefore, we request that this sentence be removed for clarity's sake, or if the intent is something else entirely, then we request that it be clarified.

3. Section 414-600-0061

The issue here is the definition of "Focus Populations."

The language is mostly drawn from the Relief Nursery statute that defines "at-risk." There is however one important distinction between the two.

- In the OAR it reads: "Focus Populations" means (a) Children or families with a child or children who is at risk of not entering school ready to learn due to factors, including but not limited to:..."

- In SB 314 it reads: “At risk” means likely to enter foster care due to multiple risk factors, including but not limited to:...”

The issue with this discrepancy is that kindergarten readiness is not Relief Nurseries' primary aim. It's also not what legislators are primarily seeking to address when they fund Relief Nurseries. It is hopefully an ancillary benefit of Relief Nursery services, but it is not our primary focus. Our focus is preventing child abuse and neglect and strengthening families.

While it is true that a child who is at risk of entering foster care is likely also at risk of not entering school ready to learn, the converse is not true. A child who is at risk of not entering school ready to learn is not necessarily at risk of entering foster care.

We believe this inadvertently subjects Relief Nurseries to mission creep, and leaves us open to unintended consequences down the road. It also puts Relief Nurseries in the situation of being beholden to two differing missions: the broader goal of kindergarten readiness, and the statutory goal of keeping kids out of foster care.

-Relief Nurseries are committed to coordination with the broader Early Learning System and the Early Learning Hubs and are committed to collaborating and contributing to the broader goals of kindergarten readiness, but for the reasons outlined here, we request that the definition of focus populations in this section reflect statute accurately.