

Rules Principles

- CCEC Rules Principles Framework
- Rules Principles – ELC Survey Analysis

Board Action Summary

AGENDA ITEM: Committee Reports – Committee Membership Recommendations

Summary of Recommended Board Action

ACTION:

Consent Agenda Item – adopt committee membership recommendations

ISSUE:

The Chair of each standing committee has recommended the following members for their committee roster. In addition to membership recommendations, the chairs propose that applications are accepted on a rolling basis to full remaining vacancies, and kept on file to fill future vacancies.

The Equity Implementation Committee has revised its charge to better meet the needs of the Early Learning Council and work of the Early Learning System.

BACKGROUND:

The Early Learning Council has established three standing committees:

- 1) Best Beginnings Committee
- 2) Child Care and Education Committee
- 3) Equity Implementation Committee

Applications were posted in English, Spanish and Russian, seeking applicants to fill the vacancies within each committee. The Child Care and Education Committee was the only previously-established committee, so there were fewer vacancies to fill.

Each committee chair reviewed the applications received and made recommendations to the ELC Executive Committee, which is comprised of the Early Learning Council Chair and three Committee Chairs.

ACTION PRECEDING RECOMMENDED BOARD ADOPTION:

The Early Learning Council adopted the governing rules and charges at their May 28, 2015 meeting.

BOARD MEMBER PRESENTING REPORT FOR ADOPTION:

Martha Brooks, Best Beginnings Committee Chair
Bobbie Weber, Child Care and Education Committee Chair
Marlene Yesquen, former ELC Equity Subcommittee Chair

CONTACT:

Megan Irwin, Acting Early Learning System Director
Alyssa Chatterjee, Early Learning Council Administrator

Proposed Rule Promulgation Framework and Principles

The Early Learning Council has designated the Child Care and Education Committee as its rule advisory committee for all rules related to early learning and development programs in Oregon under its authority. To fulfill this role, the first step is to develop an overarching policy framework with goals and principles to guide rule promulgation that is aligned with the Early Learning Council outcomes. The overarching goals are those that guide all of the work of the Early Learning Council:

- (1) Ensure that children arrive at school ready to succeed;
- (2) Ensure that Oregon's young children live in families that are healthy, stable, and attached; and
- (3) Ensure an early childhood system that is aligned, coordinated, and family-centered.

The following principles will guide the Early Learning Council (ELC) as it promulgates or revises the rules governing early learning:

Continuous Improvement

- In conducting its responsibilities for rule promulgation and revision, ELC is moving beyond a culture of compliance to one of continuous improvement.
- ELC uses data to inform the extent to which rule making contributes to achieving outcomes and goals as part of continued quality improvement.
- Licensing standards/rules are the first step of Oregon's Quality Rating and Improvement System and programs that are licensed are part of a continuum of quality improvement.
- Licensing is a component of and aligned with Oregon's strategy for continuously improving the quality of early learning.

Quality Child Development

- Licensing aims to ensure children are in safe environments that promote health and development. Specifically, healthy physical, social, emotional and cognitive development.
- Licensing provides a foundation for a high quality early childhood system.
- Rules support high quality interactions of service providers with families and children.
- Rules reflect understanding of the primary importance of a child's relationship with adults (parents and care and education professionals).
- Rules are based on research, knowledge of child development, and best practices.

Parent, Stakeholder and Community Engagement

- ELC believes parents are primary stakeholders for all of its rules.
- ELC will consider public will for children in care.
- ELC will actively engage **affected** persons and organizations affected in rule promulgation or revision.

Diversity, Equity and Access

- Rules support and encourage diversity and ensure equity.
- Rules promote equal access, especially for children from targeted populations.

Technical and Procedural

- ELC will aim for consistency across sets of rules over which it has authority.
- ELC will align its rules with broader state goals and those of related agencies to the extent possible.
- ELC aims to align standards across early learning sectors, including those not managed by the Early Learning Division (Examples include Early Intervention/Early Childhood Special Education, public schools, Child and Adult Care Food Program, home visiting, public health, fire department).
- ELC will consider reasonableness, cost considerations, and assurance that rules are enforceable.
- ELC will consider fiscal impact on those affected by the rules.
- ELC will support community investment and community match where appropriate.

Rules and Principles Survey Analysis

Results Summary

Respondents: 8

Generally speaking, a majority of respondents in agreement with a majority of the principles. There were fewer instances where a majority was in STRONG agreement with the principle. Neutral responses were similar in number to the Strongly Agree responses.

In even fewer cases (4 principles) respondents disagreed with the statement.

In these cases, the issues was regarding public/stakeholder engagement and/or issues of ensuring equity in development, treatment and application of rules:

- Those comments regarding stakeholder/public engagement seems to suggest that the respondents are concerned that the ELC engage the individuals who are responsible for “doing the work” (e.g., child care providers). A second and somewhat related comment suggests there might be a conflict between the principle of basing rules on best practices and data and the principle of consideration of “public will”.
- Those comments regarding ensuring equity might suggest that the overarching objective of diversity and equity isn’t clearly articulated or understood in the context of the rulemaking process and efficacy of rules. More time might need to be spent guiding the ELC/Committee through this principle. It could also be true that after the committee has an opportunity to apply the equity lens to a few of the rules as they undertake rulemaking, the objective/principle will become clearer and more apparent to the members.

Lastly, there are a couple of areas where the *sentiment* of the principle is understood and supported, but the language is not explicitly clear and may need to be revisited.

Survey Responses

Principle 1 (Average score: 4.0; 71.43% agree): In conducting its responsibilities for rule promulgation and revision, ELC is moving beyond a culture of compliance to one of continuous improvement.

Principle 2 (Average score: 3.86; 57.14% agree): ELC uses data to inform the extent to which rule making contributes to achieving outcomes and goals as part of continued quality improvement.

Comments

- 1) I would also like to see input from providers who do the work.
- 2) Data is used but not certain as to whether the data used is applicable to all communities(rural, urban, metro, small districts....)

Principle 3 (Average score: 4.57; 57.14% Strongly Agree): Licensing standards/rules are the first step of Oregon’s Quality Rating and Improvement System and programs that are licensed are part of a continuum of quality improvement.

Comments: Even though I am a 4, I would also include licensed exempt that work toward quality.

Principle 4 (Average score: 4.43; 57.14% Agree): Licensing is a component of and aligned with Oregon’s strategy for continuously improving the quality of early learning.

Principle 5 (Average score: 4.29; 42.86 % Strongly Agree): Licensing aims to ensure children are in safe environments that promote health and development. Specifically, healthy physical, social, emotional and cognitive development.

Comments: Not sure licensing aims are sufficient to ensure the stated intended outcomes but lack sufficient knowledge to agree or disagree

Principle 6 (Average score: 4.0; 42.86% agree; 28.57% neutral and strongly agree): Licensing provides a foundation for a high quality early childhood system.

Comments:

- 1) Same. I am a much stronger proponent of the NAEYC accreditation standards as a measure of high quality. NAEYC accreditation provides a proven standard for a high quality early childhood system that spans both community based and public school providers
- 2) I think loving and caring people create the foundation, licensing helps to set expectations.

Principle 7 (Average score: 3.86; 57.14% agree): Rules support high quality interactions of service providers with families and children.

Comments:

- 1) Maybe I'm being nit-picky but I think I want examples of what this means.
- 2) If rules are synonymous with standards
- 3) Again people support families, the rules should help set the expectation.

Principle 8 (Average score: 4.14; 85.71% agree): Rules reflect understanding of the primary importance of a child's relationship with adults (parents and care and education professionals).

Comments: If rules are synonymous with standards

Principle 9 (Average score: 4.29; 42.86% strongly agree): Rules are based on research, knowledge of child development, and best practices.

Comments:

- 1) As well as influenced by the people who do the work.
- 2) If rules are synonymous with standards

Principle 10 (Average score: 3.86; 14.29% disagree; 57.14% agree): ELC believes parents are primary stakeholders for all of its rules.

Comments:

- 1) While parents and children are certainly stakeholders, primary would be the people the rules are being put upon.
- 2) If the rule is about child care facility, while that would influence the care of the child the primary stakeholder is the child care provider.
- 3) I believe it should be the child.

Principle 11 (Average score: 3.57; 14.29% disagree; 71.43 agree): ELC will consider public will for children in care.

Comments:

- 1) Of course, public will should be considered, but is it aligned with our evidence based practices or input from the people who do the work?
- 2) I'm not sure what this means, I would not want the "public will" to override the parent?

Principle 12 (Average score: 4.43; 57.14% strongly agree): ELC will actively engage affected persons and organizations affected in rule promulgation or revision.

Comments: I believe statement should be reworded as it makes it easy for someone to be missed and argue the ELC should have engaged them as an "affected person..."

Principle 13 (Average score: 4.14; 14.29% disagree; 57.14% strongly agree): Rules support and encourage diversity and ensure equity.

Comments:

- 1) Rules should produce diversity of services. Rules should be made assuring children of color will be served and effected positively.
- 2) Fundamentally do not agree that rules will or can ensure equity. I have no rewrite for the principle

Principle 14 (Average score: 4.43; 14.29% disagree; 14.29% agree): Rules promote equal access, especially for children from targeted populations.

Comments: I don't see this happening at this time.

Principle 15 (Average score: 4.71; 71.43% strongly agree): ELC will aim for consistency across sets of rules over which it has authority.

Principle 16 (Average score: 4.29 42.86%; strongly agree): ELC aims to align standards across early learning sectors, including those not managed by the Early Learning Division (Examples include Early Intervention/Early Childhood Special Education, public schools, Child and Adult Care Food Program, home visiting, public health, fire department).

Comments: Do we have people from each of those sectors advising our rules?

Principle 17 (Average score: 4.29; 42.86% strongly agree): ELC will consider reasonableness, cost considerations, and assurance that rules are enforceable.

Comments:

- 1) Again, even though I strongly agree, I want to underline that this is a huge concern for child care providers. We have already passed a rule that is cost prohibitive for many providers when we banned 15 passenger vans without allowing for retrofits.
- 2) Not sure the ELC will or will not consider the latter list. In addition the terminology is open to multiple definitions which will impact what is or is not enforceable. I would delete Principle 17.

Principle 18 (Average score: 4.57; 57.14% strongly agree): ELC will consider fiscal impact on those affected by the rules.

Comments: Again, even though I strongly agree, I want to underline that this is a huge concern for child care providers. We have already passed a rule that is cost prohibitive for many providers when we banned 15 passenger vans without allowing for retrofits.

Principle 19 (Average score: 4.29; 71.43% agree): ELC will support community investment and community match where appropriate.