



Mr. David Mandell
Early Learning Division
Oregon Department of Education
775 Summer St. NE Suite 300
Salem, OR 97301

Dear Mr. Mandell:

I am writing on behalf of the Oregon Association of Relief Nurseries (OARN) regarding the promulgation of the Oregon Administrative Rules related to Relief Nurseries. As you know, we asked the Child Care and Education Committee (CCEC) to defer consideration of the rules for another month. We appreciate your willingness to do so. This letter is intended to provide feedback on the memo given to the CCEC drafted by Lisa Pinheiro and to ask for further clarification of some of the language.

1) Exceptions to Staff Qualifications: OAR 414-600-0031

OARN is seeking exceptions for staff who may not have the requisite combination of degrees and experience. The reason that we are doing so is that there is a discrepancy in access to education among minority populations and rural communities.

OARN has suggested the following language be added:

OARN may make an exception to staff qualifications in a special circumstance. Applicants who do not meet the qualifications above may be hired if a two-year Professional Development and Training Plan is written and implemented. Staff hired under this exception must receive more intense training and supervision during the two-year training period.

Early Learning Division (ELD) staff have suggested that individual Relief Nursery Directors apply for exceptions, with the ELD following up to monitor the training plans. OARN believes that the process would be less cumbersome if the Executive Director of OARN applies for exceptions, and submit biannual updates on the implementation of those Professional Development and Training Plans.

2)Annual Reviews vs. 4-Year Recertification: 414-600-0041

OARN would like clarification about what ELD staff are referring to in the memo of December 14, 2017 regarding "annual licensing visits." This seems like a reasonable solution

to the issue noted in Lisa's memo, but without more detail about what these "annual licensing visits" entail, we cannot be fully supportive.

3) Funding Distribution Process: 414-600-0051

OARN continues to have concerns about subsection (3) of this section. We are currently waiting to hear back from ELD staff about the purpose of this section in order to find workable language for both parties.

4) Appealing Funding Distribution Process: 414-600-0051

We are requesting the CCEC take up the question of to whom OARN may make an appeal regarding funding distribution in the case of a disagreement about the funding formula. We understand that the ELD does not believe the ELC is an appropriate mediator in the case of a disagreement. We understand the rationale and instead request that the rules outline that "Either party may ask for third party review to resolve a dispute." This would simply make it clear that a third party should be brought in to help resolve a dispute before more drastic action is taken.

5) Focus Populations: 414-600-0061

The CCEC settled on a definition of "focus populations" for Relief Nurseries. That definition is consistent with the definition found in ORS 417.788 . While we understand that the Early Learning Council may want to establish common definitions across early learning programs, the Relief Nurseries cannot be expected to uphold two different standards. Therefore, we respectfully ask you to affirm the definition of focus populations in the statute governing Relief Nurseries. A copy of our lawyer's public testimony to the ELC is attached to this memo for consideration by the CCEC.

On a final note, we realize that this process has been long and arduous. But these rules will govern Relief Nurseries for at least a decade, and we all have an interest in making certain that they are fair and clear. We very much appreciate the ongoing effort from those involved at the ELD, ELC, and CCEC.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Ellen Glynn", written in a cursive style.

Mary Ellen Glynn
OARN Executive Director

CC: Lisa Pinheiro
Nakeshia Knight-Coyle
Alyssa Chatterjee
Bobbie Weber