

Early Learning Council

October 30, 2018 12:30-2:30pm*

Oregon Garden Resort Orchid Room A 895 West Main Street Silverton, OR

Agenda

Members of the public wanting to give public testimony must sign in. Each individual speaker or group spokesperson will have **3 minutes**. Electronic testimony may be submitted to Alyssa. Chatterjee@state.or.us.

I. Board Welcome & Roll Call Sue Miller, Chair	12:30-12:35
II. Public Testimony	12:35-12:45
 III. Child Care Rules Update & Adoption – Action Item a. Subject Individual Temporary Rules b. Safe Sleep & Training Corrections Temporary Rules Alyssa Chatterjee, Policy Advisor, ELD 	12:45-1:05
 IV. Chair's Report Sue Miller, Chair a. Retreat Reflections from the Council b. Consent Agenda – Action Item i. Committee Reports 	1:05-1:35
V. Director's Report Miriam Calderon, Early Learning System Director	1:35-1:55
VI. Lynne Angland Award Announcement: <i>Honoring Adelante Mujeres & Debra Gray</i> Bobbie Weber, Chair, Child Care & Education Committee	1:55-2:15
VII. Adjournment	2:15

*Times are approximate; items may be taken out of order, meetings may conclude early and breaks may be added as needed. All meetings of the Early Learning Council are open to the public and will conform to Oregon public meetings laws. The upcoming meeting schedule and materials from past meetings are posted online. A request for an interpreter for the hearing impaired or for accommodations for people with disabilities should be made to Alyssa Chatterjee at 971-701-1535 or by email at Alyssa. Chatterjee@state.or.us. Requests for accommodation should be made at least 48 hours in advance.

SUE MILLER Early Learning Council Chair

PATRICK ALLEN

MARTHA BROOKS

DONALDA DODSON

COLT GILL

HOLLY MAR

FARIBORZ PAKSERESHT

EVA RIPPETEAU

SHAWNA RODRIGUES

DONNA SCHNITKER

TERI THALHOFER

KALI THORNE-LADD

BOBBIE WEBER

MIRIAM CALDERON Early Learning System Director

Advisors Cate Wilcox, OHA

Kim Fredlund, DHS

Candace Pelt, ODE

Staff

Alyssa Chatteriee, Council Administrator

Board Action Summary

AGENDA ITEM: Subject Individual Temporary Rules

Summary of Recommended Board Action

ACTION: Adopt temporary rules to expand the definition of "subject individual" in the Central Background Registry (CBR).

ISSUE: To ensure that entities identified in ORS 329.172(3) are required to participate in the CBR, the Early Learning Division (ELD) needs to define "Early Learning Program" and modify the current definition of "subject individual" to include these personnel.

BACKGROUND: The ELD convened a stakeholder group to provide recommendations on an alternative compliance pathway to meet health and safety standards in those facilities that the Office of Child Care lacks the statutory authority to license. The ELD sought specific feedback regarding personnel in those facilities being enrolled in the CBR, including those facilities that have their own distinct background check process. In the end, the stakeholder group recommended that personnel in those facilities described in ORS 329.172(3) continue to participate in CBR because it is more comprehensive and rigorous.

Contact: Dawn Taylor, Child Care Director, ELD

Definitions 414-061-0020

- (1) "Adult protective services history " means information about whether the subject individual has a substantiated finding of abuse or neglect in an adult abuse investigation conducted by the Oregon Department of Human Services or its contractor or designee, or similar information held by another state, county, municipal or other governmental entity or its contractor or designee.
- (2) "Adult protective services check" means a certification by the subject individual of the presence or absence of a substantiated finding of abuse or neglect in an adult abuse investigation, or obtaining and reviewing adult protective services records from appropriate governmental authority, its designee or contractor as required or permitted by these rules .
- (3) "Agency Agreement" means the written agreement between the Oregon State Police (OSP) and the Oregon Office of Child Care (OCC).
- (4) "Central Background Registry" or "CBR" means the registry established and operated pursuant to ORS 329A.030.
- (5) "Child Abuse and Neglect Records" means information on child abuse and neglect cases conducted by the Oregon Department of Human Services or its contractor or designee, or similar information held by another state, county, municipal or other governmental entity or its contractor or designee.
- (6) "Child Abuse and Neglect Records Check" means obtaining and reviewing child protective services reports and records as required or permitted by these rules.
- (7) "Computerized Criminal History (CCH) System" means the on-line computer files of significant criminal offender information maintained by the Oregon State Police (OSP).
- (8) "Conditional Enrollment" means temporary approval to be enrolled in the CBR following an OSP criminal records check and child abuse and neglect records check but prior to receipt by OCC of the results of a required FBI criminal records check.
- (9) "Criminal Records" means information, including fingerprints and photographs, received, compiled, and disseminated by the Oregon State Police for purposes of identifying criminal offenders and alleged offenders and maintained as to such persons' records of arrest, the nature and disposition of criminal charges, sentencing, confinement, and release and includes the OSP Computerized Criminal History System.
- (10) "Criminal Records Check" means obtaining and reviewing criminal records as required or permitted by these rules and includes any or all of the following;

- (a) A check of Oregon criminal offender information and driving records conducted through use of the Law Enforcement Data System (LEDS) maintained by OSP, in accordance with the rules adopted and procedures established by OSP;
- (b) A check of Oregon criminal offender information, including through fingerprint identification or other means, conducted by OSP at the authorized agency or district's request; or
- (c) A nationwide check of federal criminal offender information, including through fingerprint identification, conducted by OSP through the Federal Bureau of Investigation (FBI).
- (11) "Early Childhood Care and Education Program" means a regulated child care facility, federally-funded Head Start program, Oregon Department of Education funded pre-kindergarten program, parent-as-teacher program, or early childhood special education/early intervention program.
- (12) "Early Learning Program" means a preschool provider referenced in ORS 329.172(3) that has applied to participate in the preschool program described in that section.
- (13) "Employee" means any individual caring for, overseeing, or who has or may have access to children, who holds a paid position in a requesting agency.
- (14) "Employee of the Early Learning Division" means any individual employed by the Early Learning Division.

Subject Individuals 414-061-0030

- (1) For purposes of criminal records checks, including fingerprint-based criminal records checks, and child abuse and neglect records checks, foster care or adult protective services checks, "Subject Individual" means a person who is or applies to be any of the following:
- (a) The owner, operator or an employee or volunteer of a certified, registered or otherwise regulated facility caring for children that is subject to the jurisdiction of OCC;
- (b) The operator or an employee of an Oregon pre-kindergarten program or parent-as-teacher program under ORS 329.170 to 329.200;
- (c) The operator or an employee of a federal Head Start Program regulated by the United States Department of Health and Human Services;
- (d) A designated employee or a contractor with the Early Learning Division;
- (e) A contractor or an employee of the contractor who provides early childhood special education or early intervention services pursuant to ORS 343.455 to 343.534; or
- (f) A child care provider who is required to be enrolled in the Central Background Registry by any state agency.
- (g) A designated contractor, employee or volunteer of a Metro Service District.

- (h) A provider of respite services as defined in ORS 418.205 for parents pursuant to a properly executed power of attorney under ORS 109.056.
- (i) An employee, contractor or provider of child care services under any memorandum of understanding or similar arrangement with one of the nine federally recognized tribes in Oregon or administrators of the Tribal Child Care and Development Fund.

(j) The operator or an employee of an Early Learning Program.

(2) An individual in any of the above facilities or programs who may have unsupervised contact with children is also a Subject Individual. This includes but is not limited to permanent or temporary residents in the home or facility or persons visiting on a regular basis.



Board Action Summary

AGENDA ITEM: Safe Sleep & Training Corrections Temporary Rules

Summary of Recommended Board Action

ACTION: Adopt temporary rules pertaining to safe sleep and training requirements to correct language for Certified Child Care Centers, Certified Family Child Care Homes, Registered Family Child Care Homes and Regulated Subsidy Child Care.

ISSUE:

All Rule Sets

The terms "portable crib, bassinet or playpen" are being added to the safe sleep rule pertaining to the prohibition of items with infants when sleeping. The terms "portable crib, bassinet or playpen" are present in other rule paragraphs pertaining to safe sleep standards for infants adopted on August 30, 2018 but were not included in the rule paragraph pertaining to the prohibition of items with infants when sleeping.

The rule allowing children to remain in car seats until they awaken is being removed. The existing language is in conflict with the language adopted on August 30, 2018 to state that children who arrive at the program asleep in a car seat must be immediately placed in a safe sleep surface.

Registered Family Child Care Homes

Adding a requirement that current providers complete OCC approved safe sleep training by January 1, 2019 to the Training Requirements section. This requirement is already included in the rules for Certified Family and Certified Center child care.

Certified Child Care Centers

Expanding training requirements to all Certified Center staff in alignment with the rules adopted by the Council on August 30, 2018. Also removing the requirement to complete two hours of child abuse and neglect training within the first 90 days. The Council adopted rule language requiring this training to occur within the first 30 days and is stated in the Teacher Aides section of the rules.

BACKGROUND: The permanent rules adopted by the Early Learning Council on August 30, 2018 were in response to statute changes resulting from House Bill 4065, federal requirements resulting from the Child Care Development Block Grant and an urgent need to strengthen safe sleep standards for infants. The proposed changes are clean-up to ensure alignment with the rules adopted on August 30, 2018 and ensure consistency within each rule set.

CONTACT: Dawn Taylor, Child Care Director, ELD

REGULATED SUBSIDY

414-180-0015

Health

- (15) The following safe sleep practices must be followed:
- (h) There shall be no items in the crib, portable crib, bassinet or playpen with the infant, except a pacifier (e.g. bottles, toys, pillows, stuffed animals, blankets, bumpers);

414-180-0025

Safety

(21) Car seats are to be used for transportation only. Children who arrive at and brought into the child care facility asleep in a car seat may remain in the car seat until the child awakens.

REGISTERED FAMILY

414-205-0055

Training Requirements

(5) All current providers must complete OCC approved safe sleep training by January 1, 2019.

414-205-0090

Program of Activities

- (11) The following safe sleep practices must be followed:
- (h) There shall be no items in the crib, portable crib, bassinet or playpen with the infant, except a pacifier (e.g. bottles, toys, pillows, stuffed animals, blankets, bumpers);

414-205-0110

Safety

(9) Car seats are to be used for transportation only. Children who arrive at the provider's home asleep in a car seat may remain in the car seat until the child awakens.

CERTIFIED CENTER

414-300-0120

Staff Training

(3) Within the first 90 days of employment, all staff, with the exception of Aide I's, shall complete first aid and Infant and Child CPR training or have current certification in first aid and Infant and Child CPR on file. First aid and Infant and Child CPR training must be kept current during employment at the center. First aid training shall include the following components: bleeding; burns; poisoning; choking; injuries;

shock; seizures; sprains and breaks; dental emergencies; and head injuries. CPR training must have practical hands-on instruction. CPR courses that involve an on-line component with hands-on instruction may be accepted. Strictly on-line CPR training is not acceptable.

(b) Have completed a minimum of two hours of training on child abuse and neglect that is specific to Oregon law before they can have unsupervised access to children.

414-300-0215

Infant and Toddler Furniture and Equipment

(9) Car seats are to be used for transportation purposes only. Children who arrive at the center asleep in a car seat may remain in the car seat until they awake.

414-300-0300

Infant and Toddler Program of Activities

- (6) The following safe sleep practices must be followed:
- (h) There shall be no items in the crib, portable crib, bassinet or playpen with the infant, except a pacifier (e.g. bottles, toys, pillows, stuffed animals, blankets, bumpers);

CERTIFIED FAMILY

414-350-0220

General Requirements

- (7) The following safe sleep practices must be followed:
- (h) There shall be no items in the crib, portable crib, bassinet or playpen with the infant, except a pacifier (e.g. bottles, toys, pillows, stuffed animals, blankets, bumpers);

414-350-0235

Infant and Toddler Furniture and Equipment

(6) Car seats are to be used for transportation purposes only. Children who are asleep in a car seat must be removed upon arrival to the home and placed in an appropriate sleep surface.

Consent Agenda

- Best Beginnings Committee No Meeting
- Child Care & Education Committee Report
- Equity Implementation Committee Report
- Measuring Success Committee Report

Early Learning Council Child Care & Education Committee Report: October 2018

Committee Charge:

The Child Care and Education Committee (CCEC) is chartered to advise the ELC on the issues, challenges, successes and priorities related to affordable, quality child care and early education programs in Oregon, to provide outreach and act as a liaison between citizens and the ELC through community forums and surveys to engage parents, early care and education providers and union representatives and to prioritize outcome based policies for child care and early education issues related to quality, affordability and system coordination.

Committee Membership:

Bobbie Weber, Chair; Pam Hester; Michelle Gury McKenzie; Sabrina Escobedo; Tim Rusk; Kamala Wymore; Sue Norton; Abby Bush; Leslee Barnes; Elvyss Argueta; Donna Schnitker

Report:

The Child Care & Education Committee met in person on October 11th to review the Lynne Angland Award process and provide substantive feedback on the early learning strategic plan as outlined at their September meeting.

Key Issues Discussed & Uncovered:

CCEC Members Participating: Bobbie Weber (Chair), Abby Bush **Staff Participating:** Alyssa Chatterjee, Dawn Taylor, Crys Plattner

Lynne Angland Award

The Committee received more applications for the Lynne Angland Award than in the last several years. The Committee discussed ideas to further engage the public, as well as clarify roles and expectations particularly to encourage Early Learning Council members and child care licensors to nominate programs or individuals who have had a positive impact on Oregon's early learning system.

The Award Team convened separately to review nominations and recommend award recipients.

Strategic Planning

The Committee had an opportunity to review the objective strategies most closely aligned with the top two themes they selected as most relevant to their work: Workforce and Family-Centered Systems. However, CCEC is also charged with supporting families' access to affordable, quality child care and has expressed strong support for recognizing parents as their child's first teachers. With that, the following objectives (and related strategies) were also identified for review and discussion:

- Families have access to affordable, high-quality, culturally-responsive early care and education that meets their needs.
- Build and retain a high-quality, culturally-responsive and diverse early care and education workforce.

- Support parents as children's first teachers.
- Improve the alignment and capacity of the cross-sector early learning workforce to support young children and their families across the system.
- Strengthen state-community connections to create streamlined local systems that are aligned, coordinated, and family-centered.

The Committee provided substantive feedback regarding the clarity (or needed clarity) of the objectives and strategies as described; potential gaps or additional bullet items for consideration within each strategy; and offered insight regarding the organization of the full plan. Specifically, the Committee discussed parenting education and both how it should be articulated – supporting the parents and their skills, not deficit based – and where it should be located within the plan. They also offered considerations of the Master Training structure that is currently in place and information from the field regarding the efficacy of that model.

Next Meeting:

The Committee will determine their future meeting schedule as a result of the Council's retreat discussion regarding Committee roles and the work moving forward.

Staffed by:

Dawn Woods, Child Care Director, ELD Crys Plattner, Executive Support to the Office of Child Care



Early Learning Council EIC Committee: October 2018 Report

Committee Charge:

ELC Charge to Equity Implementation Committee

The Equity Implementation Committee is chartered to educate and provide leadership for the Early Learning Council (ELC) on the issues, challenges, successes and priorities related to implementing the <u>equity recommendations</u> for children and families furthest from opportunity, originally adopted by the Council on March 18, 2015. They are chartered to create an evidence-based, data driven plan relating to aligning early learning policy and practice with the equity lens, with a focus on culturally responsive practice, operating systems and data/resource allocation. The committee will assist the ELC in understanding equity issues from a data programmatic and social standpoint to support the ELC in:

- 1. Actualize issues of disparity in setting policy for the early learning system.
- 2. Recognize the value that diversity brings to the early learning environment and acknowledging the benefits of self-worth, empathy and success that it brings to all children.
- 3. Champion closure of development, opportunity and achievement gaps for young children and their families.

Committee Membership:

Sue Miller, Interim Chair; Eva Rippeteau; Carmen Ellis; Joyce Harris; Kelly Poe; Lennie Bjornsen; Nicole Briggs; Carmen Urbina; Patricia Alvarado; Rashelle Chase; Sadie Feibel Holmes; Kate Iordan-Downs

Report:

The Equity Implementation committee (EIC) met in person on October 16th in Portland for an update of the ongoing Early Learning Council strategic planning process. They also provided feedback on definitions that will be contained in the glossary of the Early Learning Council strategic plan.

Committee EIC members participating: Eva Rippeteau, Patricia Alvarado, Rashelle Chase, Carmen Ellis, Joyce Harris, Sadie Feibel Holmes, and Kelly Poe

Staff participating: Lillian Green and Alyssa Chatterjee

Key Topics Discussed

Introductions and welcome.
Minutes of the September 2018 meeting accepted.

ELC Strategic Plan: (Presenters: Alyssa Chatterjee and Lillian Green)

Alyssa Chatterjee and Lillian Green reviewed how equity and the feedback/input for the ELC Equity Implementation Committee was woven throughout the current draft of the strategic plan. Alyssa informed the group that Miriam C. and Sue M. will be sitting down with the agency directors of Housing, DHS, ODE and the Health Department to make sure we have called out the strategies important to their work as well.



During this time, committee members wondered about higher education role in the planning process. Alyssa informed the committee that the division has been working with them on some of these objectives and strategies, and particularly professional development pathways.

- Member stated: Love the cross sector lens and how we have input from other agencies.
- o Member stated: Under Housing lack of affordable housing affects child care and child care providers. How are we going to address the issue?
- Member stated: The draft is very strong, and I think it reflects the process of engaging community, but the one piece that can be strengthened is the focus on equity and cultural responsiveness. Really appreciate seeing that front and center and how it shows up in each of the three areas and in each of the three goals. Would like to see it show up explicitly in the objectives because once we get into objectives, which then drives strategies and we are measuring indicators, if we are not really front measuring it, we won't hold ourselves accountable as a system. Would like to see some language in the objectives around reduction in disparities for children furthest from opportunities.
- o Member stated: Would like more attention paid to the cultural responsiveness and the equity lens. Needs to be addressed in a very specific way in an objective.

Alyssa also let the group know that she will send the revised objectives and strategies to the committee when they are released on the 22^{nd} .

ELC Strategic Plan Introduction

Alyssa shared the current and updated versions of the introduction section to the ELC strategic plan. Committee members stated that they wanted to see additional attention to the workforce, specifically how housing affects our workforce and their ability to house programs for children. During this section a committee member wanted to know if children of incarcerated parents are included anywhere in the plan.

Alyssa stated that at this stage, it was too late to engage with the Department of Corrections, but also reminded the committee that the plan is a living document that can be updated in the future.

Another committee member recommended that the plan specifically call out children and families being affected by immigration policies.

Member stated: Need to expand to call out families being affected by immigration policies. It results in severe trauma for little children, which affects development.

Other committee members agreed with this comment.

Members questioned why equity and culturally responsiveness seemed interchangeable in the document. They pointed out that equity focuses on different types of outcomes or issues compared to definition of culturally responsiveness. They recommended one bullet point for equity and one bullet point for culturally responsiveness. Committee members also stated:

Member asked: Can you put in link for culturally responsiveness?

Member stated: On page 5 on the first line in second paragraph – economic disadvantage. Change to prenatal to birth or from conception to birth.

Member asked: Is there calling out of non-governmental partners.

<u>Definitions</u>: (Presenter: Lillian Green)



Lillian led the committee through a review the glossary section of the strategic plan. The committee specifically reviewed the verbiage of high quality child care and the 20 page glossary.

Member stated: Doesn't see support for families of children with disabilities.

Member stated: Would like to see wording be on sentence #2: "... who speak a language other than English," could that read, "from diverse cultures, who speak a language other than English."

Member stated: That it doesn't mention equity. Discussion held.

Carmen sent a revised paragraph of her ideas for revising this paragraph:

High-Quality Child Care (Early Education/Education Environments) (Glossary Definition):

Refers to the characteristics of early learning and development programs and settings that research has demonstrated are associated with positive child outcomes. These programs identify and support the needs of children from diverse cultures, children who speak a language other than English, and children with emerging and diagnosed special needs. These programs and settings seek out and use their resources in an equitable manner to ensure developmentally appropriate, culturally and linguistically responsive communication, activities, and parent engagement. They create a dynamic relationship between the family and the educator that works to define what the physical, social, emotional, and cognitive needs are for that child to ensure an optimal learning environment for that individual.

Member stated: We should change the word "programs" to "settings."

Member stated: She is concerned that Spark is the source for data. Feels we are missing a lot of other data.

Lillian will make sure ELC is given our feedback and recommendations on this.

Alyssa stated that the ELC will be looking at all charters, committees, and membership. Will be making some changes to charters.

Discussion held on the phrase "furthest from opportunities"

- Member stated: She liked the term "furthest from opportunities" because it actually includes geographical location.
- o Member stated: The term should be "underserved populations."
- Member stated: The term furthest from opportunities, but wants to add "furthest from system opportunities."
- o Member stated: "Historically underserved" would be a good title.

The committee reviewed the asset based communication tool and continued with their discussion.

- o Members agreed they would rather have "historically underserved communities."
- o Members also agreed that children with incarcerated parents should be added to this definition of this phrase.

Discussion on the Strategic Plan Glossary – Lillian asked for input on terms:



Is anything missing? What are terms that should be included in this glossary?

Member asked: Question on underserved students - shouldn't it be children?

Member stated: Children of incarcerated parents is not necessarily a child whose parent is in prison,

but instead could include a parent on Probation.

Member stated: Cultural competence is inaccurate – should say culturally responsive. Member asked: About the "see related" within the document. Lillian will follow up.

The committee decided that terms or phrases that needed to be used regardless of if they are used in the plan:

Historically Underserved:
 Refers to communities that the Early
 Learning Council Equity Implementation
 Committee identified as African
 American, Asian and Pacific Islander,
 Children with disabilities, English
 language learners, Economic Disparities,
 Geographic Isolation, Immigrants and
 Refugees, Latino, and Tribal Communities.

Please note that the committee would like to add "children of Incarcerated Parents/parental figures to this definition

- Equity:
- Culturally Responsive
- High Quality:
- Communities of Color
- Regulated Subsidy

- Dual Language Learners(DLL)
- Inclusion
- Equity Lens

Terms or phrases that are missing (Within the context of the larger glossary):

- IEP
- IEP Team
- Equity
- Children of Incarcerated Parents
- Regulated Subsidy (RS):

Changes:

- Change underserved students to underserved children (Closer alignment to the early learning system)
- The definition for the "core body of knowledge" and "cost of care" are the same
- Change cultural competence to cultural responsiveness.

Next Meeting

The Committee will reconvene in-person on November 13th in Portland.

Upcoming Key Decisions:

- o Review the Draft of the ELC Strategic Plan
- o Respond to any request from the ELC Formulated at their Fall Retreat

Staffed by:

ELD - Lillian M. Green, ELD Equity Director

ELD- Alyssa Chatterjee, ELD Policy Administrator



Early Learning Council Measuring Success Committee Report: October 2018

Committee Charge:

Advise the Early Learning Council on the issues, challenges, successes and priorities related to measuring the success of the early learning system and ensuring equitable outcomes for all children, including but not limited to the Early Learning Hubs

Committee Membership:

Kristi Collins, Colleen Reuland, Bobbie Weber, Holly Mar Conte, Debbie Jones, Dorothy Spence, Emily Berry, Beth Green, Sara Kleinschmidt, Shannon Lipscomb, Bill Baney, Bess Day.

Report:

The Measuring Success Committee met on Wednesday, October 3, from 1-3pm at the Early Learning Division to review the Early Learning Strategic Plan.

Initially breaking into three groups, the Committee reviewed the three System Goals and their respective objectives and strategies, and worked to note possible alignment with the draft dashboard measure the Committee had been working on. Members assigned to System Goal 3 quickly determined that, as the objectives work towards system alignment, the current dashboard did not have any corresponding metrics to consider.

The members in System Goal 1 and 2 took different approaches to the exercise, with Goal 1 focusing on whether the measurements could map exactly to the outlined objective and strategies. The members in Goal 2 took a looser approach, instead looking at how measures may indicate progress of a particular strategy or an objective, rather than its effectiveness or direct correlation.

Ultimately, this exercise helped reveal that additional clarity would need to be added in order to make the dashboard useful alongside the Strategic Plan as a meaningful tool. It was also recognized that the dashboard is meant to accompany the Strategic Plan, but is not designed to assess each strategy or outcome. Additionally, the Committee walked through all objectives and strategies and shared feedback and concerns for consideration in the next draft. This feedback focused on including more explicit language that addresses the current state of the system, rather than where the system needs to go. The Committee also focused on pathways throughout the plan, particularly looking at the connections between the health and early care and education sectors.

Upcoming Key Decisions:

Finalize long-term and intermediate outcomes measures

Staffed by:

David Mandell, Tom George, Sue Parrish

