



Early Learning Division | 700 Summer St NE, Suite 350, Salem, OR 97301
Phone: 503-947-1400 | Fax: 503-947-1955

ELC Ad Hoc Committee: Child Care Safety Portal

Date: Tuesday, May 21, 2019
Time: 3:00pm – 5:30 pm
Location: Early Learning Division Tualatin Field Office
7995 SW Mohawk St
Tualatin, OR 97062

Meeting Goals:

- DEVELOP A COMMON UNDERSTANDING OF THE COMMITTEE’S PURPOSE AND HOW IT WILL FUNCTION
- DEVELOP A COMMON UNDERSTANDING OF THE PURPOSE AND REQUIREMENTS OF THE CHILD CARE SAFETY PORTAL
- UNDERSTAND BROADLY THE TOPICS THAT WILL BE DISCUSSED EACH MONTH
- RECEIVE AN INTRODUCTION TO NEXT MONTH’S TOPIC

Materials:

COMMITTEE PARTICIPANT LIST, LETTER FROM GOVERNOR BROWN, CHILD CARE SAFETY PORTAL BACKGROUND, CCDF CONSUMER EDUCATION REQUIREMENT SUMMARY, ELC AD HOC COMMITTEE CHARTER, COMMITTEE ROLES AND RESPONSIBILITIES, VOTING AND CONSENSUS INFORMATION

Meeting Agenda:

I.	Welcome and Check-in	3:00 – 3:30
II.	Child Care Safety Portal Background	3:30 – 3:40
III.	Child Care Safety Portal Elements	3:40 - 3:55
IV.	Committee Charge	3:55 – 4:10
V.	Break	4:10 – 4:25
VI.	Committee Roles and Responsibilities	4:25 - 4:35
VII.	Committee Monthly Meetings	4:35 - 5:05
	a. Overview of Monthly Meeting Topics	
	b. Structure and Decision-Making Process	
	c. Interim Support to Committee	
VIII.	Introduction to June’s Meeting Topics	5:05 - 5:20
IX.	Closing	5:20 - 5:30





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Committee Participants (in alphabetical order by last name)	Perspective or Area of Expertise	Location	Contact Information
Kevin Barton	District Attorney	Washington County	Kevin_Barton@co.washington.or.us
Representative Daniel Bonham	Legislator	Columbia River Gorge	Rep.DanielBonham@oregonlegislature.gov
Nova Connolly	Child Care Provider, Certified Family	Eugene	Novasnest2014@gmail.com
Stephanie Fortner	Parent	Portland	stephaniefortner@hotmail.com
Senator Sara Gelser	Legislator	Corvallis	Sen.saragelser@oregonlegislature.gov
Regan Gray, Child Care Policy Advisor at Family Forward	Parent Advocacy Organization	Portland	regan@familyforward.org
Renee Holmes	Child Care Provider, Certified Family	Portland	503-282-0911
Representative John Lively	Legislator	Springfield	Rep.johnlively@oregonlegislature.gov
Deena Loughary, DHS Child Safety Manager	DHS Child Welfare – Field Staff	Salem	Deena.k.loughary@state.or.us
Lisa Matos, Environmental Health Specialist at Multnomah County Health Department	Local Registered Environmental Health Specialist/Supervisor	Portland	Lisa.matos@multco.us
Andrea McMurtray	Parent	Portland	Andrea.mcmurtray@yahoo.com
Sue Miller, Chair	Early Learning Council	Portland	Suemiller500@gmail.com
Jerry Moore, Police Chief	Local Police Chief	Salem	gmoore@cityofsalem.net
Veronica Ochoa	Parent	Salem	vochoa@earlylearninghub.org
Eva Rippeteau	AFSCME Representative	Portland	Erippeteau@oregonafscme.org
Jennifer Roemer	Parent	Portland	jennroemer@gmail.com





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Jakelinne Salgado, Care Provider Organizer, SEIU Local 503	SEIU Representative	Eugene	salgadoj@seiu503.org
Kara Tachikawa	Child Care Provider, Certified Center	Bend	kara@inspirepreschool.org
Shannon Vandehey, CCR&R Director for Marion, Polk, and Yamhill counties	Child Care Resource and Referral Organization	Salem	Shannon.vandehey@mwvcaa.org
Non-Voting Participants			
Martha Brooks, State Director	Fight Crime Invest in Kids Oregon	Beaverton	mbrooks@fightcrime.org
Jay Messenger, Legal Enforcement Director	Office of Child Care -- Compliance	Salem	jay.messenger@ode.state.or.us
Tamara (Tami) Scott, Field Operations Director	Office of Child Care -- Licensing	Salem	Tamara.l.scott@ode.state.or.us
Dawn Taylor, Office of Child Care Director	Early Learning Division (ELD) Child Care Director	Salem	Dawn.Taylor@ode.state.or.us
Bobbie Weber, Retired Research Associate	Oregon State University	Corvallis	bobbie.weber@oregonstate.edu
Committee Staff			
Heidi McGowan, Facilitator	East Consulting & Associates	Corvallis	heidi@hbsaa.com
Angela Rodriguez, Operations and Policy Specialist	Early Learning Division	Salem	Angela.rodriguez@ode.state.or.us
Jason Sloan, System Design Specialist	Early Learning Division	Salem	jason.p.sloan@ode.state.or.us





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KATE BROWN
Governor

March 14, 2019

Miriam Calderon,
Director Early Learning System
Early Learning Division
700 Summer St. NE, Ste. 350
Salem, OR 97301

Sue Miller Chair,
Early Learning Council
Early Learning Division
700 Summer St. NE, Ste. 350
Salem, OR 97301

Dear Ms. Calderon and Ms. Miller,

Over the past year, several inconsistencies have come to light in how the Early Learning Division is sharing information about child care facilities - and particularly tragedies that occur at these facilities - on its parent portal.

While I understand the portal is a new tool and still evolving, I am concerned about the ability of families to access the information they need to make choices about where they send their children each day. Parents deserve transparency and clear and easy access to information so that they can do their homework when making such an important decision.

For this reason, I am directing the Early Learning Council to lead a public process to review the parent portal and make recommendations for how to improve parents' access to information. Per the conversation my staff had with you on March 13, 2019, I expect the Council to seek input from a variety of stakeholders, especially parents, and provide an opportunity for public input. The Council should address, among other things, the needs of parents, confidentiality concerns and best practices.

Thank you for your attention to this important issue. I look forward to continued improvements in the portal, so that Oregon families can make informed choices about child care.

Sincerely,

A handwritten signature in black ink that reads "Kate Brown".

Governor Kate Brown

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ON
Kate Brown, Governor





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Child Care Safety Portal Background

As the agency responsible for administering the federal Child Care and Development Fund (CCDF) grant, the Early Learning Division is tasked with, among other things, providing consumer education information to help parents make informed choices about child care. The reauthorization of the Child Care Development Block Grant Act in 2014 and the 2016 CCDF final rule imposed new requirements regarding what information must be included as part of online consumer education resources, including the following specific information that must be posted online:

- Licensing, monitoring, inspection, background check, and exclusion policies
- Information on the availability of child care providers, searchable by zip code
- Quality of child care providers, if available
- Provider-specific monitoring and inspection reports
- Aggregate number of deaths, serious injuries, and substantiated child abuse in child care settings each year for the past three years
- Referral to local child care resource and referral organizations
- Directions on how to contact the Lead Agency to better understand the information on the website

To date, the Early Learning Division's Office of Child Care is meeting these new requirements in a variety of ways. The ELD's consumer education website (www.oregonearlylearning.com) houses the Child Care Safety Portal (CCSP) webpage and facility search tool. Launched in 2017, the CCSP provides online access to information about provider-specific monitoring and inspection visits as well as the aggregate number of deaths, serious injuries, and substantiated child abuse findings in child care settings. By September 30, 2019, the CCSP will include uploads of licensing specialists' monitoring visit reports.

Since initial release of the CCSP, the ELD has encountered challenges related to accuracy of data transfers and an interest in exceeding the CCDF requirements with regards to the specificity and length of time information will be available. The Early Learning Division will soon launch a new licensing data system known as the Early Learning Information System (ELIS). This new system will have implications for the CCSP in a number of ways. ELIS will replace the Child Care Regulatory Information System (CCRIS) as the primary source of data feeding into the portal's facility search tool and will provide reports that allow for portal webpage updates. Additional work is planned to enhance the usability of the portal, including gathering feedback from families about their experiences navigating the ELD's consumer education website, with a special focus on the CCSP. As such, it is an opportune time for the Early Learning Division to receive input from the Early Learning Council and other stakeholders regarding changes to the Child Care Safety Portal to help address some of the challenges in providing information.





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CCDF Consumer Education Website Requirements Summary

The Early Learning Division (ELD) is a state agency administering a Child Care Development Fund (CCDF) program. The CCDF program is administered by the federal United States Office of Childcare. The following information represents key federal CCDF consumer education website requirements. We are providing this information because the Child Care Safety Portal and web page represent how the Early Learning Division meets many of these CCDF consumer education requirements. And these requirements represent the minimum level of information that the Child Care Safety Portal and web page must contain.

Components of Consumer Ed Website

The information below comes from two sources. The first three sections are from a webinar presented by the federal Department of Health and Human Services Administration for Children & Families Office of Child Care on April 26, 2018 titled “CCDF Final Rule Consumer Education and Parental Choice.” The last two sections come from the ACF Office of Child Care’s “Information Memorandum” to Lead Agencies administering the CCDF program issued on July 23, 2018.

Section 1

Components	Details
State Policies and Procedures	<ul style="list-style-type: none"> Process for licensing, monitoring and inspections of providers, and background checks (incl. offenses that would prevent individual from being a provider)
Provider – specific information	<ul style="list-style-type: none"> Localized list of providers, incl. licensing status (Note: States have option to exempt license-exempt providers from this list) Quality of child care providers (if available) Results of monitoring and inspection reports, in plain language
Aggregate Annual Data	<ul style="list-style-type: none"> Number of deaths and serious injuries for each provider category and licensing status Number of instances of substantiated child abuse in child care settings
Referrals	<ul style="list-style-type: none"> Referrals to local CCR&Rs
Contact Information	<ul style="list-style-type: none"> Directions on how parents can contact Lead Agency (or a designee) for help them understand the website





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Section 2

Posting Monitoring and Inspection Reports

- States must post full monitoring and inspection reports in plain language. If not in plain language, may post a plain language summary with full report.
- Applies to all child care providers subject to the CCDF monitoring requirements, all licensed child care providers, and all providers eligible to deliver CCDF services.
- Going forward, at least 3 years of results must be posted for each provider.
- Reports must be posted in a “timely” manner. We recommend, but do not require, reports be posted within 90 days of inspection.

Section 3

Components of Monitoring and Inspection Reports

Monitoring and inspection reports must include:

- ✓ The date of the last inspection; and
- ✓ Information on any corrective action taken by the State and child care provider, where applicable; and,
- ✓ A prominent display of any health and safety violations, including any fatalities and serious injuries occurring at the provider.

Lead Agencies must also establish a process for correcting inaccuracies in monitoring and inspection reports.

Section 4

Monitoring and Inspection Reports

The fourth website requirement is Lead Agencies must post provider-specific results of monitoring and inspection reports, including those reports that are due to major substantiated complaints about a provider's failure to comply with health and safety requirements and other policies. Lead Agencies must post the monitoring and inspection reports for all licensed child care providers, regardless of whether they serve children receiving CCDF, and all child care providers eligible to deliver CCDF services. Lead Agencies may exempt providers that are related to all the children in their care.

States must post full monitoring and inspection reports. In order for inspection results to be consumer-friendly and easily accessible, Lead Agencies must use plain language for all parents and child care providers and caregivers to understand. In the case that full reports are not in plain language, Lead Agencies must post a plain language summary or interpretation in addition to the full monitoring and inspection reports. Reports must include information about the date of inspection and information about any corrective actions taken by the Lead Agency and child care provider, where applicable. The reports must also prominently display any health and safety violations, including any fatalities or serious injuries that occurred at that child care provider. To





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highlight this information. Lead Agencies may choose to put these violations at the top of the report, using a different or bold font and/or a separate text box. Reports must be posted in a timely manner. The final rule does not define timely but recommends reports be posted with 90 days of the monitoring visit or corrective action. Lead Agencies must post, at a minimum, three years of monitoring and inspection results, where available. Lead Agencies do not have to post reports retrospectively or prior to the effective date of this provision.

Section 5

Aggregate Data

The fifth required component of the consumer education website is posting of the aggregate number of deaths, serious injuries, and instances of substantiated child abuse in child care settings each year. The aggregate data must include information about any child in the care of a provider eligible to receive CCDF, not just children receiving subsidies. The information on deaths and serious injuries must be separately delineated by category of provider (e.g., centers, family child care homes) and licensing status i.e., licensed or license-exempt). The information should include: (1) the total number of children in care across the state or territory by provider category/licensing status; (2) the total number of deaths of children in care by provider category/licensing status, and (3) the total number of serious injuries in child care by provider category/licensing status. The aggregate number of substantiated instances of child abuse do not have to be separated by category of provider and licensing status.





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Child Care Safety Portal Ad-Hoc Committee Charter

Charge: The Child Care Safety Portal Ad-Hoc Committee is charged with advising the Early Learning Council on the issues, challenges, and expectations related to providing accurate, timely, and relevant information to parents via the [Child Care Safety Portal](#). This includes, but is not limited to, the federal requirements for posting information in accordance with the Child Care Development Fund (CCDF).

Specifically, the Committee is charged with delivering recommendations to the Early Learning Council related to the breadth and depth of information included in the portal, how the information is represented, and other considerations for what information is available via the Child Care Safety Portal (CCSP). These recommendations will be delivered no later than November 1, 2019.

Principles: In addition to the principles established by the Committee, the Committee is required to, at minimum, ensure its recommendations take into account the need for the Child Care Safety Portal to provide information that is:

1. Helpful to families
2. Timely and accurate
3. Clear and easy to access
4. Consistent with CCDF requirements
5. Aligned with best practices in child care consumer education
6. Produced in collaboration with partner agencies
7. Balancing privacy and transparency

Committee Structure: The Child Care Safety Portal Ad-Hoc Committee will be chaired by a member of the Early Learning Council. The membership of the Committee will include stakeholders representing the following perspectives and areas of expertise:

- Parents, including a parent who has experienced a tragedy in child care
- Child Care Providers, including a provider who has experienced a tragedy in child care
- Parent Advocacy Organization
- Child Care Resource and Referral Organization
- Local Registered Environmental Health Specialist/Supervisor
- AFSCME Representative
- SEIU Representative
- Local chief/sheriff/police/detective
- District Attorney
- Early Learning Division (ELD) Child Care Director
- Office of Child Care - Licensing





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- Office of Child Care - Compliance
- Department of Human Services Child Welfare - Field staff
- Legislators (House and Senate)

The Committee will be staffed by the Early Learning Division. The lead staff assigned to the Committee are Angela Rodriguez, Operations and Policy Specialist, and Jason Sloan, System Design Specialist.

The Committee will have access to representatives from the National Quality Assurance Technical Assistance Center and The Consultants Consortium Incorporated (portal vendor) in an advisory capacity. The committee will also have access to Department of Justice attorneys that specialize in child care to ensure recommendations align with state and federal laws and regulations.

These meetings will be open to the public and comply with Oregon's public meeting laws. Compensation will be provided for parents and child care providers serving on the committee.





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Child Care Safety Portal Committee Roles and Responsibilities

Committee Roles	Responsibilities
Committee Chair	Lead planning and committee meetings, support committee participation, assist with report writing, present final recommendation to the Early Learning Council
Committee Facilitator	Facilitate meetings, listen to and chart on paper committee member ideas, move committee through the agenda items, support participation of all committee members, lead consensus-making process
Committee Participants, Voting	Provide relevant information and insights on topics being discussed, come to consensus on recommendations
Committee Participants, Non-Voting	Provide relevant information and insights on topics being discussed; ELC members and ELD state employees: help plan future meetings and assist with report writing
Committee Staff	Coordinate the meeting agendas, materials, space locations, assist in recommendation writing, and inform how portal is being changed based on approved recommendations; act as technical resource on how the portal works and is connected to the Early Learning Information System

“As Needed” Committee Advisors:	Provide consultation, as needed, on content specific to their areas of expertise:
<ul style="list-style-type: none"> CCDF National Quality Assurance Technical Assistance Center 	<ul style="list-style-type: none"> CCDF Requirements Experts
<ul style="list-style-type: none"> The Consultants Consortium Incorporated (TCC) 	<ul style="list-style-type: none"> Child Care Safety Portal Search Tool software developers
<ul style="list-style-type: none"> Department of Justice Attorneys 	<ul style="list-style-type: none"> Attorneys that specialize in child care regulation, privacy, and public records





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Fist to Five Voting and Consensus

Fist to Five is quality voting. It has the elements of consensus built in and can prepare groups to transition into consensus if they wish. Most people are accustomed to the simplicity of "yes" and "no" voting rather than the complex and more community-oriented consensus method of decision making. Fist to Five introduces the element of the quality of the "yes." A fist is a "no" and any number of fingers is a "yes," with an indication of how good a "yes" it is. This moves a group away from quantity voting to quality voting, which is considerably more informative. Fist to Five can also be used during consensus decision making as a way to check the "sense of the group," or to check the quality of the consensus.

Fist to Five is accomplished by raising hands as in voting, with the number of fingers raised that indicates level of agreement.

- **A fist** means, "I vote NO." or in consensus it means, "I object and will block consensus (usually on moral grounds)."
- **1 finger** means, "I'll just barely go along." or, "I don't like this but it's not quite a no." or, "I think there is lots more work to do on this proposal." In consensus this indicates standing aside, or not being in agreement but not blocking the consensus.
- **2 fingers** means "I don't much like this but I'll go along."
- **3 fingers** means, "I'm in the middle somewhere. Like some of it, but not all."
- **4 fingers** means, "This is fine."
- **5 fingers** means, "I like this a lot, I think it's the best possible decision."

Fist to Five Process:

1. When a proposal has been brought before a group, it has been well discussed and refined as needed, a vote for passage is taken.
2. People raise their hands with the number of fingers that indicate their degree of agreement with the proposal. Hands are held VERY high and the room is scanned by all. That way everyone is checking the sense of the room and not individual opinions.
3. The vote can stand as taken, with all fists and fingers counted, the majority winning. Or, people with fists and one finger can be asked to speak to their objections and offer possible solutions to overcome their objections. This is attempted, and then a second and final vote is taken, which is the final vote.
4. It is often wise to check early in the proposal dialogue, as sometimes a group is actually ready for consensus or a vote earlier than expected and a lot of time can be saved. An early check might find all 4 and 5 fingers except for two i's, meaning the proposal would be voted in, or in the case of consensus, no one would block consensus and only two people have needs to be met. Only those people then speak and their objections addressed which saves a lot of time.
5. A low quality vote (lots of is, 2s and 3) tells you the decision is probably a stop gap measure and will need to be watched closely or revisited soon. It is generally wise to attach a date for review to a decision that is low in quality. Some groups find it saves time in the end to not accept a vote that is affirmative but primarily is and 2s as the proposal is generally troublesome and comes up again anyway.
6. If it is obvious that the vote is wildly split, with no real majority, despite a winning "yes," the group knows it has more work to do, and that the decision may not endure. They can expect more controversy and know a plan must be made to address the polarized views.
7. When Fist to Five has been used for a while, a transition to consensus, if desired, is quite easy.

OREGON DEPARTMENT OF EDUCATION

Kate Brown, Governor

