

ELC Ad Hoc Committee: Child Care Safety Portal

September 24, 2019
3:00 p.m. – 5:30 p.m.

Meeting Agenda

Check-In, Progress to Date, and Agenda Review	3:00 – 3:20
What information regarding incidences of substantiated child abuse in regulated child care settings should be made available on ELD’s website? <ul style="list-style-type: none">▪ Review of Background Materials▪ Questions on Background Materials▪ Group Discussions	3:20 – 4:15
Break	4:15 – 4:30
Group Report Outs and Committee Recommendations <ul style="list-style-type: none">▪ What should information be available?▪ When information should be made available?	4:30 – 5:15
Brief Description of October’s Meeting	5:15 – 5:20
Closing	5:20 – 5:30

Question:

What information regarding incidences of substantiated child abuse in regulated child care settings should be made available on ELD’s website?

Current Practice:

- The state-wide aggregate number of substantiated child abuse incidences in regulated care is made available online, broken down by care type.

Recommendation:

- When there is a substantiated incident of child abuse in regulated care, going forward make available as part of the provider’s portal history the following information:
 - whether the finding was assigned to an individual or the facility
 - the substantiated type of abuse
 - the date that this substantiation was determined by final order
- Continue to provide online the state-wide aggregate number of substantiated child abuse incidences in regulated child care, broken down by care type.

Meets CCDF Requirements:

- The CCDF federal requirement states that the aggregate number of incidences of substantiated child abuse in child care settings each year must be posted, broken down by care type.

PROS AND CONS of the RECOMMENDATION

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Provider/Facility	<p>Pros:</p> <ul style="list-style-type: none">• Provides an opportunity to have dialogue with parents about the facts	<p>Cons:</p> <ul style="list-style-type: none">• The provider may have resolved the issue
Parent/Guardian	<p>Pros:</p> <ul style="list-style-type: none">• Increases transparency of information• Increases parents access to safety related information• Allows for parents to see if a provider has experienced one of the incidences of child abuse that are included in the aggregate count	<p>Cons:</p> <ul style="list-style-type: none">• None identified

Background Information: Making Substantiated Child Abuse Information Available in the Child Care Safety Tools and Portal

Roles, Decision-Making, and Due Process Procedures across Departments within State Agencies

	Department of Education Early Learning Division: Office of Child Care (OCC)	Department of Human Services: Child Welfare (CW), Office of Training, Investigations and Safety (OTIS)
Role	<p>OCC conducts regulatory health and safety investigations into allegations of violations of its applicable laws or administrative rules.</p> <p>FACILITIES</p> <ul style="list-style-type: none"> • OCC does not conduct child abuse allegations. However, OCC will investigate the underlying facts surrounding allegations of abuse at a child care facility to determine if any health and safety violations occurred at the facility. <ul style="list-style-type: none"> ○ For example, hitting is listed as “prohibited punishment” under OCC rules. ○ Also, as of 2018, OCC started conducting tandem investigations with Child Welfare staff for child care facilities where concerns or complaints related to child abuse are presented. <ul style="list-style-type: none"> ▪ This is currently a pilot program in 5 counties with a statewide rollout being planned for 2020. <p>INDIVIDUALS</p> <ul style="list-style-type: none"> • OCC will also review the underlying facts surrounding allegations of child abuse in child care facilities to determine if involved individuals are suitable to remain enrolled in the Central Background Registry (a prerequisite to working at a child care facility) 	<ul style="list-style-type: none"> • Currently, Child Protective Services (CPS), a program of CW, responds to reports of child abuse at child care facilities. • This function is expected to be transferred to OTIS in 2020.

	Department of Education Early Learning Division: Office of Child Care (OCC)	Department of Human Services: Child Welfare (CW), Office of Training, Investigations and Safety (OTIS)
Decision-Making and Definitions	<p>FACILITIES</p> <ul style="list-style-type: none"> • After OCC’s investigation is completed, a finding is assigned to each allegation and issued in a findings letter. The possible findings are: <ul style="list-style-type: none"> ○ Valid: There is evidence that the noncompliance occurred. ○ Invalid: There is evidence that the noncompliance did not occur. ○ Unable to Substantiate: There is conflicting evidence, or evidence is not available on whether the noncompliance occurred. • Findings letters impose no sanctions or penalties. <ul style="list-style-type: none"> ○ However, the violation(s) represented in the findings letter may trigger OCC to take further legal action, either immediately or upon license renewal, depending on the frequency and seriousness of the findings and other factors. <p>INDIVIDUALS</p> <ul style="list-style-type: none"> • In determining suitability, the factors to be considered include “(a) The nature of the child abuse and neglect [and] (b) The facts that support the child abuse and neglect...OAR 414-061-0050(9). 	<ul style="list-style-type: none"> • The possible CPS assessment dispositions are (ORS 413-015-1010): <ul style="list-style-type: none"> ○ (a) "Founded," which means there is reasonable cause to believe the abuse occurred. "Founded" is synonymous with "substantiated" ○ (b) "Unfounded," which means there is no evidence the abuse occurred. "Unfounded" is synonymous with "unsubstantiated" ○ (c) "Unable to determine," which means there is some indication the abuse occurred, but there is insufficient evidence to conclude that there is reasonable cause to believe the abuse occurred. "Unable to determine" is synonymous with "inconclusive" • OTIS expects that their dispositions for investigations in child care settings will align with the above.
Due Process	<p>FACILITIES</p> <ul style="list-style-type: none"> • Child care facilities are given 30 days to request a findings review if they do not agree with the findings. • OCC has a two level findings review process: <ul style="list-style-type: none"> ○ First Level – Reviewed by a panel of OCC Regional Managers ○ Second Level – Reviewed by a panel that includes the Legal and Enforcement Director and the Field Operations Director 	<ul style="list-style-type: none"> • Reviews of CPS Founded Dispositions <ul style="list-style-type: none"> ○ “The written request for review must be delivered to the local Child Welfare office within 30 calendar days of the receipt of the Notice of CPS Founded Disposition....” ORS 413-010-0721. ○ “The local Child Welfare office must conduct a review and issue a "Notice of Local Child Welfare Office CPS Founded Disposition Review Decision" (Form CF 314) to

	Department of Education Early Learning Division: Office of Child Care (OCC)	Department of Human Services: Child Welfare (CW), Office of Training, Investigations and Safety (OTIS)
	<ul style="list-style-type: none"> If OCC takes legal action the contested case process is followed <p>INDIVIDUALS</p> <ul style="list-style-type: none"> If an individual failed to provide the adequate evidence of suitability, OCC will remove the individual from its Central Background Registry, pursuant to the contested case process. 	<p>the requestor within 30 days from the date the local Child Welfare office receives a request for review of a CPS founded disposition.” ORS 413-010-0735(1).</p> <ul style="list-style-type: none"> “A person entitled to the [Notice of Local Child Welfare Office CPS Founded Disposition Review Decision] may, within 30 days of receipt of the notice, request a Central Office CPS Founded Disposition Review.” ORS 413-010-0740(1). “Central Office must conduct a review and issue a "Notice of Central Office CPS Founded Disposition Review Decision" (Form CF 315) within 60 days from the date Central Office receives a request for a review.” ORS 413-010-0745. <ul style="list-style-type: none"> Reviews of OTIS Findings of Abuse <ul style="list-style-type: none"> See Appendix 1 (Overview of Contested Case Hearing Process)
Child Abuse Types	<p>As noted, OCC does not investigate child abuse per se, but does investigate the facts associated with allegations of child abuse at a child care facility to determine if any health and safety violations have occurred.</p>	<p>Recognized types of abuse:</p> <ul style="list-style-type: none"> Physical injury <ul style="list-style-type: none"> “Including an injury that is inflicted by non-accidental means that results in harm.” Neglect <ul style="list-style-type: none"> “Failure through action or omission to provide and maintain food, shelter, medicine, supervision, protection or nurturance to such a degree that a child’s health and safety are endangered.” Sexual abuse and sexual exploitation Threat of harm <ul style="list-style-type: none"> This is “subjecting a child to severe harm of physical abuse, sexual abuse, neglect, mental injury or other child abuse or neglect...

	Department of Education Early Learning Division: Office of Child Care (OCC)	Department of Human Services: Child Welfare (CW), Office of Training, Investigations and Safety (OTIS)
		<p>including witnessing or intervening in domestic violence.”</p> <ul style="list-style-type: none"> • Mental injury <ul style="list-style-type: none"> ○ “A continuing pattern of rejecting, terrorizing, ignoring, isolating or corrupting a child that results in serious damage. • Child selling <ul style="list-style-type: none"> ○ Buying, selling, or trading for legal or physical custody of a child. <p>See Appendix 2 for more details. (DHS 9010 rev 05/2015 – Mandatory Reporter Brochure)</p>
Investigation Results and Notifications	<p>INDIVIDUALS</p> <ul style="list-style-type: none"> • If an individual currently enrolled in the CBR is found not be suitable to remain enrolled in the CBR, and through the contested case process is removed from the CBR, this is not posted. • However, the provider (employer of the individual) is notified by OCC that the individual is no longer enrolled in the CBR and thus ineligible to work at their facility. <p>FACILITY</p> <ul style="list-style-type: none"> • Findings levied are against the facility. A valid or unable to substantiate finding gets posted on the Child Care Safety Portal for a period of time. 	<p>INDIVIDUALS</p> <ul style="list-style-type: none"> • CW dispositions of assessments of potential child abuse at a child care facility are typically against individuals. The perpetrator (individual) and the director/owner of the child care facility and the victim’s parents would all be notified. <p>FACILITY</p> <ul style="list-style-type: none"> • CW dispositions of assessments of potential child abuse at a child care facility may be found against a facility <p>Similarly, OTIS’s investigation dispositions of potential child abuse are usually against individuals but may be against facilities. In addition to the individuals listed above notified by CW, OTIS also notifies licensing bodies and the victim’s legal guardian and law enforcement.</p>
DHS and OCC Coordination	<ul style="list-style-type: none"> • As noted, OCC and CW began a pilot of tandem investigations in 2018. • OTIS is now involved in the tandem planning meetings. • Statewide rollout of OCC-OTIS tandem investigations is expected for June 1, 2020. 	

Overview of Contested Case Hearing Process

A Finding of Abuse is Substantiated

When a finding of abuse is substantiated the accused person will receive a Notice of Abuse Determination via regular and certified mail that notifies them of the investigative finding, their right to appeal the finding, and the necessary steps to request a hearing. The accused person has 30 calendar days to postmark a request for hearing. If a hearing is not requested the Notice of Abuse Determination defaults to be the Final Order.

The Informal Conference

If the accused person requests a hearing, OTIS will offer them an informal conference. The informal conference is a conversation before the hearing between the accused person and a representative of OTIS. During this conversation, the accused person can explain why they asked for a hearing and to ensure that OTIS fully understands their situation. The accused person can also learn more about why the allegation of abuse was substantiated. Sometimes, this results in OTIS reversing the substantiated finding of abuse or the accused person withdrawing their request for hearing. The accused person is not required to participate in the informal conference, but it is encouraged.

Contested Case Hearing

If resolution is not achieved during the informal conference, then a hearing is scheduled with the Office of Administrative Hearings. The contested case hearing provides the accused person with the opportunity to receive a decision from an Administrative Law Judge about whether a substantiated finding was justified. A contested case hearing is a less formal way of resolving disputes between agencies and citizens. Most hearings are held by phone, including consideration of exhibits and witness testimony. The claimant can represent themselves or they can be represented by a lawyer. A trained OTIS hearings representative will usually be the representative for DHS/OHA but occasionally DOJ will represent DHS/OHA. After the hearing has ended the Administrative Law Judge will review all the evidence and testimony and issue a written order. In most cases, the written order will be sent to OTIS and the accused person within 45 days of the hearing.

Additional Appeals

Depending on the type of order issued, the written order will explain how to request a rehearing, reconsideration, or how to file objections. These appeals must be received or postmarked within 60 days from the date of service of the order. The accused person can also petition the Court of Appeals for review of their case. This must be done within 60 days from the date of service listed on the order.

Who we serve:

We oversee and coordinate abuse investigations throughout the state for:

Adults living in the community with:

- Intellectual disabilities
- Developmental disabilities
- Mental illness

We conduct abuse investigations throughout the state for:

Adults residing in:

- The Oregon State Hospital
- Stabilization and crisis units
- Conflict of interest cases for:
 - County mental health programs
 - Developmental disability programs

Children in:

- Child-caring agencies
 - Residential care
 - Day treatment
 - Proctor foster care
 - Outdoor youth program
 - Homeless and runaway shelters or transitional living programs
 - Adoption agencies
 - Academic and therapeutic boarding schools
 - Office of Developmental Disabilities licensed group homes for children

We partner with others to protect Oregonians who may be at risk of abuse.

We coordinate and conduct abuse investigations. We provide trainings and regulatory oversight of providers. The use of data helps to inform and guide all our work.

Contact us at:

1-855-503-SAFE (7233)
to report abuse.



Office of Training, Investigations and Safety

Phone: 503-945-9495

Fax: 503-945-9893

Follow us on Facebook:

<https://www.facebook.com/OregonOTIS/>

Review our child caring facility licensing webpage:

<https://go.usa.gov/xUm3y>

You can get this document in other languages, large print, braille or a format you prefer. Contact OTIS at 1-800-699-9075. We accept all relay calls or you can dial 711.

MSC 7146 (07/2018)

Office of Training, Investigations and Safety (OTIS)



Our services:

Training investigators

Our experienced team consists of:

- Trainers
- Analysts
- Program coordinators

Our team provides these services:

- Education
- Training
- Consultation

This helps ensure the following investigative practices:

- Timely
- Thorough
- Within legal parameters

Abuse investigations

We receive and screen reports of abuse from:

- Concerned Oregonians
- Community partners
- Mandatory reporters
- State agencies
- Other stakeholders

For Child Caring Agencies, Mental Health and Developmental Disability Services Programs, we investigate reports of:

- Neglect
- Verbal abuse
- Sexual abuse
- Physical abuse
- Other abuse that meets the Oregon Administrative Rule definition

Promoting safety

The Children's Care Licensing Program works in close collaboration with:

- Abuse investigators
- Partners

The program performs the following functions for Child Caring Agencies (CCA):

- Licensing
- Regulation

For children in the care of CCAs, this helps promote their:

- Safety
- Well-being

The Research and Prevention Unit provides data on:

- Trends of abuse
- Prevalence of abuse

Partners in protecting vulnerable Oregonians



Our Partners

We rely on the following partners, without whom this important work could not be done:

- Child Welfare Program
- Aging and People with Disabilities Program
- Office of Developmental Disability Services
- Oregon Health Authority Mental Health Programs
- Governmental regulatory entities
- Law enforcement
- Background Check Unit
- Community care providers
- Federal agencies
- Mandatory reporters of abuse
- All Oregonians who report suspected abuse



Early Learning Council Child Care Safety Portal Ad Hoc Committee Report: August 2019

Committee Charge: Advise 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 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.

The following background materials were provided:

- Question #1 Recommendations with Pros and Cons
- Question #2 Recommendations with Pros and Cons
- Making Child Fatality Information Available in the Child Care Safety Tools and Portal
 - What was the Early Learning Division's past practice regarding when child fatalities were made available on the website?
 - What is the Early Learning Division's Interim Policy regarding sharing child fatality information on the website?
 - What information on fatalities must be reported at the aggregate level according to CCDF requirements?
 - What information on fatalities must be reported at the provider level according to CCDF requirements?
 - If a child is seriously injured or dies in care but health and safety violations are not substantiated, then is it required to be posted prominently on the provider's inspection report?
 - What does ELD display now at the provider level?
 - How has OCC historically learned of child fatalities?
 - What has OCC done to determine whether posting a child's cause of death is feasible and why is it not being recommended?

Report Summary:

The Child Care Safety Portal Ad Hoc Committee of the Early Learning Council met on August 27, 2019 from 3:00 to 5:30 pm. The purpose of the meeting was to consider two questions related to the posting of information on the Child Care Safety Portal and to develop recommendations for each. The two questions were:

1. When should a child fatality be made available on ELD's website?
2. What information about a child fatality should be made available?

Prior to the meeting, the Office of Child Care (OCC) forwarded the Committee members a set of documents that provided (a) background information on each of the two questions and (b) OCC staff recommendations for each of the two questions along with pros and cons of the recommendations. This was in response to a request by the Committee at the May 2019 meeting that OCC provide staff recommendations going forward.

Discussion Outcomes:

The Committee broke into three small groups to analyze the questions presented and the recommendations provided.

Question 1. When should a child fatality be made available on ELD's website?

The staff explained that ELD's interim policy regarding posting child fatalities was that: (1) in situations where ELD receives child fatality information from licensed providers, ELD posts the available factual information within 48 hours of notification, and (2) in situations where ELD receives notification of the fatality from DHS or law enforcement, ELD strives to obtain clearance from those entities so that it can post a child fatality within 48 hours. The staff noted that most of the notifications that aren't from providers are received from DHS. The staff recommendation for this question was to combine the above two policies into one such that OCC would make a child fatality available on ELD's website within 48 hours of ELD's notification, regardless of the source of information.

There was general agreement across the three groups that basic factual information about the fatality should be posted within 48 hours of OCC's notification of the fatality, barring any unforeseen circumstances. This basic factual information would include that a child died at a named facility on a certain date. The Committee needed more clarity around notifying law enforcement and whether there needs to be an exception for an extreme case. Chief Moore offered to reach out to police chiefs and district attorneys around the state to get their feedback on whether the release to the portal of basic factual information about child fatalities would negatively affect criminal investigations or prosecutions. This information will be brought back to the group for further consideration to clarify the recommendation. Finally, one group recommended that whether there was a legal action by OCC and whether an investigation was in process should also be posted within 24 hours.

A general rationale presented for these positions was that OCC should provide child fatality information as soon as possible, but should not overpromise or underestimate the amount of time it would take such that OCC would not be meeting its own standard. Another rationale presented was that OCC should support and not hinder criminal investigations.

Question 2. What information about a child fatality should be made available?

The staff recommendations for this question were that (1) ELD makes available only factual information including: date of death, license number, facility name, owner/provider name, city, zip code, and any other regulated information available as part of the provider's individual page, as well as any health and safety violations, and (2) when no health and safety violations were found as part of the investigation, ELD will add a prominent statement to a provider's history page to indicate that no violations were found and that the information will be made available retroactively.

There was general agreement across the three groups to follow the staff's recommendation but noting that while the basic factual information of the child fatality would be known within 48 hours, the results of OCC's investigation would not be determined until later.

The general rationale presented for these positions was that OCC should post the available information as soon as possible, with the understanding that investigations take time to complete.

Staffed by: Dawn Taylor (ELD), Heidi McGowan (East Consulting and Associates), Angela Rodriguez (ELD), Tami Scott (ELD), Kristyn Keefer (ELD), and Jay Messenger (ELD).

ELC Ad Hoc Child Care Safety Portal Committee

Attendance 8/27/2019

Committee Participants (in alphabetical order by last name)	Perspective or Area of Expertise	Attendance
Bill Baney, DHS Self Sufficiency Deputy Administrator	DHS	Not Present
Kevin Barton	District Attorney	Absent
Chris Lewman	Deputy District Attorney	In Person
Kathleen McDonough	MDT coordinator	In Person
Representative Daniel Bonham	Legislator	Not Present
Martha Brooks, State Director	Fight Crime Invest in Kids Oregon	In Person
Stephanie Fortner	Parent	Virtual
Senator Sara Gelser	Legislator	Not Present
Regan Gray, Child Care Policy Advisor at Family Forward	Parent Advocacy Organization	Virtual
Renee Holmes	Child Care Provider	Not Present
Meg Kirschnick	AFSCME Representative Back-Up	Not Present
Representative John Lively	Legislator	Virtual
Andrea Le	Parent	Not Present
Deena Loughary, DHS Child Safety Manager	DHS Child Welfare – Field Staff	Not Present
Lisa Matos, Environmental Health Specialist at Multnomah County Health Department	Local Registered Environmental Health Specialist/Supervisor	Not Present
Sue Miller, Chair	Early Learning Council	In Person
Jerry Moore, Police Chief	Local Police Chief	In Person
Veronica Ochoa	Parent	Absent
Eva Rippeteau	AFSCME Representative	In Person
Autumn David	AFSCME Representative	Not Present
Jakelinne Salgado, Care Provider Organizer, SEIU Local 503	SEIU Representative	Not Present
Kara Tachikawa	Child Care Provider	Virtual

Shannon Vandehey, CCR&R Director for Marion, Polk, and Yamhill counties	Child Care Resource and Referral Organization	Virtual
Bobbie Weber, Retired Research Associate	Oregon State University	In Person
Staff		
Heidi McGowan, Facilitator	East Consulting & Associates	In Person
Miriam Calderon, Early Learning System Director	Early Learning Division	Not Present
Dawn Taylor, Child Care Director	Early Learning Division, Office of Child Care	In Person
Tamara (Tami) Scott, Field Operations Director	Early Learning Division, Office of Child Care	In Person
Jay Messenger, Legal and Enforcement Director	Early Learning Division, Office of Child Care	In Person
Angela Rodriguez, Operations and Policy Specialist	Early Learning Division	In Person
Jason Sloan, System Design Specialist	Early Learning Division, Office of Child Care	Not Present
Kristyn Keefer, Operations and Policy Analyst	Early Learning Division, Office of Child Care	In Person

Early Learning Council Child Care Safety Portal Ad Hoc Committee: Cumulative Recommendations Summary (through July 2019)

Committee Charge: Advise 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 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.

1. Should the portal display licensed care complaints found invalid? [June]

Recommendation	<ul style="list-style-type: none"> The Committee agrees with the OCC staff recommendation to continue excluding invalid findings from the Portal.
Rationale	<ul style="list-style-type: none"> A rationale offered was that invalid findings would still be available through public records requests.

2. Should the portal display licensed care complaints found unable to substantiate? [June]

Recommendation	<ul style="list-style-type: none"> The Committee was split and did not have initial agreement on the staff recommendation to remove unable to substantiate findings from the Portal. <i>The Committee advised OCC to gather additional clarification from the federal Office of Child Care regarding what, if any, are the CCDF requirements for making available information for complaint visits that do not result in a valid finding. This information will be used to further clarify this recommendation.</i>
Rationale	<ul style="list-style-type: none"> The rationales offered for removing unable to substantiate findings from the Portal included that parents are confused by these findings, providers don't like having something displayed on the Portal that isn't proven, and that unable to substantiate findings can be provided to parents via alternative means such as through a telephone inquiry to OCC or by capturing the data from these findings elsewhere on the ELD website in the form of trends. The rationales offered for keeping unable to substantiate findings on the Portal included that parents want access to everything that is available and the more information the better, a large number of unable to substantiate findings against a provider might trigger a "where there's smoke, there's fire" evaluation by parents, and that because complaint visits are listed on the portal as required by the federal government, even if unable to substantiate findings were not shown on the portal, the numbers would still show on the provider page in the form of the number of complaint visits.

3. How many years of a licensed facility’s history should be represented on the portal? [June]

Recommendation	<ul style="list-style-type: none"> • The agreed upon recommendation was to display monitoring and inspection reports and valid violation findings in the Portal for the past three years plus the current year, then increase to and remain at five years of information plus the current year. • There was also an addition to the recommendation by one group to consider displaying serious violations for ten years.
Rationale	<ul style="list-style-type: none"> • The rationale offered in support of displaying five years of information was that it seemed like the appropriate amount of history necessary for a parent to evaluate a child care provider. However, as noted, one group thought that the Portal should display serious violations for ten years because those types of violations are likely to weight more heavily in a parent’s evaluation of a child care provider.

4. Should the Office of Child Care provide guidelines to child care providers regarding provider responses? [June]

Recommendation	<ul style="list-style-type: none"> • The agreed upon recommendation for the third question was to give providers guidelines for submitting a provider response to a finding.
Rationale	<ul style="list-style-type: none"> • The underlying rationales offered in support of providing guidelines for provider responses included that it would make the process more clear for providers, make it easier for the providers to submit a response, and lead to more focused and professional responses.

5. Should the Portal only show information for licensed programs? [July]

Recommendation	<ul style="list-style-type: none"> • There was general agreement that all the provider information gathered by OCC—licensed care providers, recorded programs, regulated subsidy providers, and illegal care providers—needs to be made available somewhere on the ELD website in an easily understand able format such that the types of care can be readily distinguished by parents. • Further, there was agreement as to the need for the website to be clear about the differences between the types of providers such as by providing definitions of the care types and noting the different levels of oversight OCC exerted by OCC on each type. • The Committee was split as to whether the information should be provided in one search tool (the Portal) or through multiple specialized search tools grouped together as a list of hyperlinks on a single webpage (the Child Care Safety Tools page).
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Rationale	<ul style="list-style-type: none"> The general rationale presented for these positions was that parents should be provided all of the available information, but in a way that is user friendly and easy to understand.
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6. Should the Portal only show information for programs that have current license? [July]

Recommendation	<ul style="list-style-type: none"> There was general agreement across the three groups that some information about programs that do not have a current license should be displayed somewhere on the ELD website with a clear description of why the program's license is not current (e.g., expired, revoked, suspended, etc.). <ul style="list-style-type: none"> There was some agreement that only providers that expired 3 or fewer years ago should be included.
Rationale	<ul style="list-style-type: none"> The general rationale presented for these positions was that without the history provided through the inclusion of programs that no longer have a current license, ELD website users would be denied access to potentially useful information.

7. When should a child fatality be made available on ELD's website? [August]

Recommendation	<ul style="list-style-type: none"> There was general agreement across the three groups that basic factual information about the fatality should be posted within 48 hours of OCC's notification of the fatality, barring any unforeseen circumstances. <i>The Committee needed more clarity around notifying law enforcement and whether there needs to be an exception for an extreme case.</i> <i>Information collected by Chief Moore regarding perspectives from other law enforcement and district attorneys will be brought back to the group for further consideration to clarify the recommendation.</i>
Rationale	<ul style="list-style-type: none"> A general rationale presented for these positions was that OCC should provide child fatality information as soon as possible, but should not overpromise or underestimate the amount of time it would take to receive clearance such that OCC would not be meeting its own standard. Another rationale presented was that OCC should support and not hinder criminal investigations.

8. What information about a child fatality should be made available? And, should it be made available going forward or retroactively? [August]

Recommendation	<ul style="list-style-type: none"> There was general agreement across the three groups to follow the staff's recommendation to 1) post date of death, license number, facility name, owner/provider name, city, zip code, and any other regulated information available as part of the provider's individual page, as well as any health and safety violations, and (2) when no health and safety violations were found as part of the investigation, ELD will add a prominent statement to a provider's
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	<p>history page to indicate that no violations were found and that the information will be made available retroactively.</p> <ul style="list-style-type: none"> • But noting that while the basic factual information of the child fatality would be known within 48 hours, the results of OCC's investigation would not be determined until later.
Rationale	<ul style="list-style-type: none"> • The general rationale presented for these positions was that OCC should post the available information as soon as possible, with the understanding that investigations take time to complete.

9. What information regarding incidences of substantiated child abuse in regulated child care settings should be made available on ELD's website? [September]

Recommendation	<ul style="list-style-type: none"> •
Rationale	<ul style="list-style-type: none"> •