

# General Rules For All Child Care Facilities

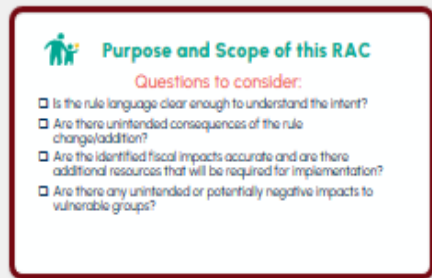
## Rules Advisory Committee #3

### 10.25.23

### 9:00AM- 10:30AM

OCC Staff Present	
Facilitator	Roni Pham
Subject Matter Experts	Katrina Gannon-Peterson and Scott Alto
Notetaker	Allison Delorey

### Welcome and Attendance:

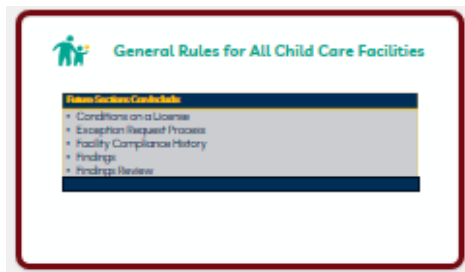


### Purpose and Scope of the RAC:

**Notes:** The make-up of the full RAC participants and review of the Scope and attendance.

No comments

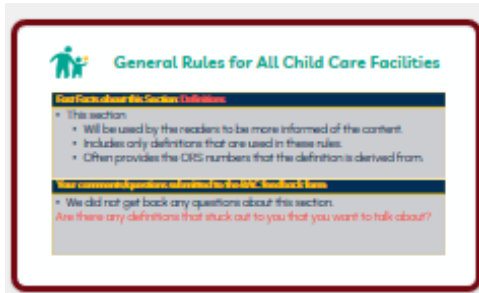
### Group Norms and reminder of the audience for these rules:



**Notes:**

No comments

## Section: Definitions

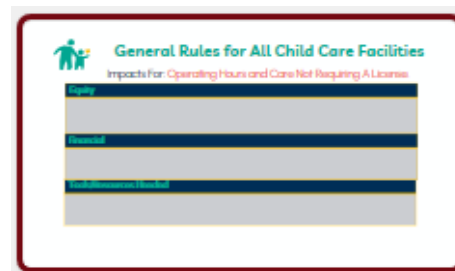
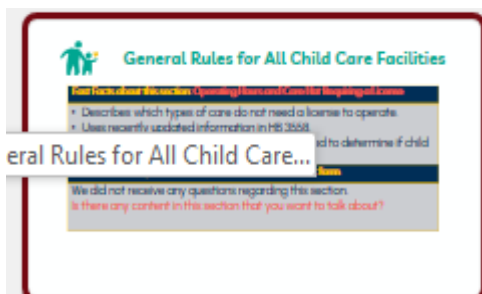


### Notes:

The definition set is to help explain the terms used in these rules.

- A participant thought it might be confusing to know when a rule applies to a type of care. It would have to be specified in that rule to know.
- This rule set doesn't mention that a provider's own children ages 10 and above is not counted in ratios or considered a child care child.
- There was a gap of knowledge within the rules about children from 13 – 15. The rules don't mention if they could volunteer or be part of the child care in any way.
- The group wondered if the words describing special needs could be more equitable.
- Statutes were added to the chat: ORS 329A.250(3) "Child" means a child under 13 years of age or a child under 18 years of age who has special needs or disabilities and requires a level of care that is above normal for the child's age.
- ORS 329A.330 (2) A child care facility holding a registration may care for a maximum of 10 children, excluding the provider's own children if the children are between 10 and 12 years of

## Section: Operating Hours and Care Not Requiring a License



### Notes:

- This section will help to determine when a license is needed or when a program must be operating under a child care license.
- The term babysitter was used in this rule section but there wasn't a definition for it.
- A few participants talked about it is unknown how these rules would impact ERDC requirements.

**This is what we heard from the three RACs on these rules:**

**General Rules for All Child Care Facilities**  
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**Equity**

- It could be inequitable if a CCLD does not know if a complaint was made in good faith.
- Could impact providers who are not able to access union representation and need to hire attorneys.

**Financial**

- There would be a financial impact if programs need to go to court to challenge findings using the burden of proof in the definitions.
- It also costs to be away from your facility to make court appearances. Programs either have to pay substitutes or close down to make court appearances.

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**Unclear/Inconsistent/Not clear**

- It is unclear of how to dispute a claim or potential violation. It's hard to locate the information.
- Union Representation for Contested Case Hearings section Rule #4. Provide clearer information related to the link.

**Notes:**

- It could be inequitable if a CCLD does not know if a complaint was made in good faith.
- Could impact providers who are not able to access union representation and need to hire attorneys.
- There would be a financial impact if programs need to go to court to challenge findings using the burden of proof in the definitions.
- It also costs to be away from your facility to make court appearances. Programs either have to pay substitutes or close down to make court appearances.
- It is unclear of how to dispute a claim or potential violation. It's hard to locate the information.

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**Compliance for Year State**

- I will submit contact information and attendance records today.
- Participants will get an email from Gabriela Hernandez with instructions to follow.

**Other Steps for Implementation**

- There will be a hearing on the rules. Keep your eye out for information.
- The rules will go the Early Learning Council on 12/15/23.

**Thank You For Providing Feedback**