



EARLY LEARNING COUNCIL

April 24, 2024

9:00am – 2:00pm

SUE MILLER
Chair

DAVID BADEN
Deputy Director for Policy &
Program, Oregon Health
Authority

ANDREA BELL
Executive Director, Oregon
Housing and Community
Services

KATY BROOKS

PETER BUCKLEY

BEN CANNON
Director, Higher Education
Coordinating Commission

ALYSSA CHATTERJEE
Early Learning System
Director, Department of
Early Learning and Care

ELIZABETH FARRAR
CAMPBELL

BARRY FORD

ROBIN HILL DUNBAR

MARGARET MILLER, M.D

SOOBIN OH

FARIBORZ PAKSERESHT
Director, Oregon Department
of Human Services

RUBY RAMIREZ

MARIE SIMONDS

DR. CHARLENE WILLIAMS
Deputy Superintendent,
Oregon Department of
Education

Staff
Gaby Hernandez, Interim
Early Learning Council
Administrator

This will be a virtual meeting. Access the [live stream here](#). Please allow up to five minutes past meeting start time for streaming to begin. To sign up to submit verbal or submit written comment please email the Council Administrator at Gabriela.Hernandez@delc.oregon.gov by 5:00pm, Friday, April 19, 2024.

I. **Board Welcome and Roll Call**

Sue Miller, Chair, Early Learning Council

II. **[DEL C Strategic Plan Overview & 2025 Proposed Legislative Concept & Policy Option Package Input](#)**

Alyssa Chatterjee, Early Learning System Director, Department of Early Learning and Care

Kate Denison, Government Affairs Manager, Department of Early Learning and Care

III. **[DEL C ECSEPP Update](#)**

Jon Reeves, Professional Learning Systems Director, Department of Early Learning and Care

Andi Bales Monar, Professional Learning System Specialist, Department of Early Learning and Care

Katrina Miller, LCSW, Infant and Early Childhood Mental Health Specialist, Department of Early Learning and Care

IV. **[ECSEPP Enforcement Overview](#)**

Alicia Gardiner, Child Care Licensing Division Director, Department of Early Learning and Care

V. **Early Learning Hub Update**

Carey McCann, State Services Assistance Director, BUILD

VI. **Break**

VII. **Public Comment**

VIII. **[Child Care Infrastructure Fund Update](#)**

Lindsey Cochran, Child Care Infrastructure Fund Coordinator, Business Oregon

Whitney O'Connell, Early Learning Business Support Coordinator, Department of Early Learning and Care

Danaye Gonzales, Business Systems Implementation Specialist, Department of Early Learning and Care



SUE MILLER
Chair

DAVID BADEN
*Deputy Director for Policy &
Program, Oregon Health
Authority*

ANDREA BELL
*Executive Director, Oregon
Housing and Community
Services*

KATY BROOKS

PETER BUCKLEY

BEN CANNON
*Director, Higher Education
Coordinating Commission*

ALYSSA CHATTERJEE
*Early Learning System
Director, Department of
Early Learning and Care*

ELIZABETH FARRAR
CAMPBELL

BARRY FORD

ROBIN HILL DUNBAR

MARGARET MILLER, M.D

SOOBIN OH

FARIBORZ PAKSERESHT
*Director, Oregon Department
of Human Services*

RUBY RAMIREZ

MARIE SIMONDS

DR. CHARLENE WILLIAMS
*Deputy Superintendent,
Oregon Department of
Education*

Staff
Gaby Hernandez, *Interim
Early Learning Council
Administrator*

IX. **RUO Progress Reporting & Agency Dashboards Introduction**

Gaby Hernandez, ELC Administrator, Department of Early Learning and Care

X. **Update on Federal Changes in the Child Care and Development Fund**

Jordan Pargeter, Child Care Development Fund Administrator, Department of Early Learning and Care

XI. **Administrative Rulemaking**

i. Action:

a. Rules Audit: Rules Repeals

- Child Care Contribution Tax Credit Program Rules
- Dependent Care Planning and Development Program Rules
- Migrant and Seasonal Child Care Program Rules

ii. Briefing:

b. Child Care Resources & Referrals Match
(Permanent) (effective July 1, 2025)

Margie McNabb, Child Care Resource & Referral Coordinator

XII. **Closing & Adjournment**

Sue Miller, Chair, Early Learning Council

**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 Gaby Hernandez at 971-701-3612 or by email at Gabriela.Hernandez@delc.oregon.gov. Requests for accommodation should be made at least 48 hours in advance.*



ELC Roll Call and Vote Recording

Member	Present / Excused / Absent
Sue Miller, Chair	Present
Katy Brooks	Present/ joined late
Peter Buckley	Present
Barry Ford	Present
Elizabeth Farrar Campbell	Present
Robin Hill Dunbar	Present
Dr. Peg Miller	Present
Soobin Oh	Present
Ruby Ramirez	Present/ joined late
Marie Simonds	Present
Alyssa Chatterjee	Present

All other agency directors are excused from today's meeting.



Early Learning Council Vote Recording

Motion (time)	Vote (Y – N – E – A)	Dissent
Katy Brooks: Motion to repeal the following ruleset dated April 24, 2024 that repeals Oregon Administrative Rules 414-700-0000, 414-700-0010, 414-700-0030, and 414-700-0060. Barry Ford: Second	10-0-0-0	<i>n/a</i>
Katy Brooks: Motion to repeal the following ruleset dated April 24, 2024 that repeals Oregon Administrative Rules 414-100-0000, 414-100-0005, 414-100-0010, 414-100-0015, and 414-100-0020. Robin Hill Dunbar: Second	10-0-0-0	<i>n/a</i>
Katy Brooks: Motion to repeal the following ruleset dated April 24, 2024 that repeals Oregon Administrative Rules 414-400-0000, 414-400-0010, 414-400-0020, 414-400-0031, 414-400-0040, 414-4000-0050, 414-400-0060, 414-400-0080, 414-400-0090, 141-400-0095, and 414-400-0100. Soobin Oh: Second	10-0-0-0	



Oregon Department of
**Early Learning
and Care**

DRAFT **DELIC Strategic Plan**

Early Learning Council
April 24, 2024





Plan Development





Plan Development Summary

Plan development inputs include:

- *DELC's Mission, Vision, Values*
- *DELC's DEI Action Plan for a Plan*
- *Raise Up Oregon: A Statewide Early Childhood System Plan*
- *Tribal Consultation on Raise Up Oregon*
- *DELC Community Engagement*
- *DELC Staff Engagement*
- *Governor's Expectations for State Agencies*

First, DELC engaged community partners and agency staff, reviewed existing plans and reports and developed the initial DELC Strategic Plan:

- **8 Goals**
- **29 Objectives**
- **122 Strategies**

DELC then analyzed the staff capacity, funding, and timeline needed to support the DELC Strategic Plan and refined it to ensure the plan is both an ambitious and achievable 5-year plan.

- **6 Goals**
- **24 Objectives**
- **77 Strategies**



Engagement Process

- Engagement started in 2023 and has continued into 2024
- Partners throughout Oregon and DELC staff shared their needs, pain points, and desires through a series of engagement sessions
- Community engagement sessions offered during the day and in the evening
- To date, 14 meetings with families, providers and other partners
- Nearly 100 families have participated
- Nearly 420 partners such as providers, advocates, etc. have participated
- Within DELC, 220 staff participated in the engagement process

Sample of Key Engagement Questions:

1. Thinking about the past year, what do you see as some of DELC's strengths or greatest contributions?
2. What are some of the most urgent needs for children and families that DELC can address?
3. What are some things DELC can do to support early learning and care providers?
4. What does DELC need to do in the next 2-3 years to get closer to achieving our mission and vision?

Input Received From:

- Child Care Providers (all types)
- Family members
- Child Care Resource & Referrals
- Early Childhood Equity Fund Grantees
- Early Learning Equity Engagement Committee
- Early Learning Hubs
- Early Learning Advocates
- Healthy Families Oregon
- Oregon Prenatal to Kindergarten Grantees
- DELC staff



Strategic Plan Engagement Themes

Increase access to coordinated, affordable early learning and care that meets provider, family, and community needs

Increase funding and supports for children with additional learning and emotional needs

Increase authentic engagement with communities through establishing feedback loops and strengthening connections

Support workforce initiatives and equitable career pathways that empower careers in the early learning sector

Streamline and improve DELC's processes, system, and data to decrease complexity and redundancy for staff and partners

Strengthen cross sector relationships with other agencies

Strengthen customer service through increasing consistency, reducing response times, expanding language supports, and increasing collaboration across teams

Expanding resources and program supports for infants and toddlers

Increase provider and partner support, technical assistance, professional development, and compensation

Promote quality, health, and safety of child care in an equitable and transparent manner

Increase transparency through clear policies, procedures, and rules that reflect DELC's Mission, Vision, and Values

Promote growth, belonging, and communication across DELC internal staff



Strategic Plan

Goals, Objectives and Strategies



Keep in mind for discussion

What strategies do you see as the highest priority in each goal area?

What role do you see the Council playing in plan dissemination and implementation?

How might DELC report out on progress?



DELC Strategic Plan Goals

		Alignment to Governor's Office Foundations				
		Customer Service	Prenatal to Two	Improving Coordination and Quality of Existing Services	Expanding Services	Recruiting, Retaining, Supporting the ECE Workforce
1. Access	<i>All families have access to high-quality, culturally responsive, inclusive, developmentally appropriate, and affordable early learning and care that meets their needs.</i>					
2. Tribal Sovereignty/ Government to Government	<i>DELC honors and recognizes the sovereignty of the nine federally recognized Tribal Nations within Oregon and ensures strong government-to-government relationships to benefit Tribal communities.</i>					
3. Infants and Toddlers	<i>All families with infants and toddlers are supported through early learning and care programs that recognize and meet their unique needs.</i>					
4. Early Learning and Child Care Workforce	<i>The early learning and child care workforce is diverse, culturally responsive, high-quality, and well compensated.</i>					
5. Relationships	<i>DELC deepens engagement and increases community empowerment.</i>					
6. Foundations	<i>DELC develops and improves operational foundations to efficiently serve Oregonians.</i>					



DELC Programs and Supports

- All of DELC's programs and supports are included in the plan.
- The plan references core programs, which includes all of the programs that provide direct services to families. Core programs are defined and listed in the section right before the goals, objectives, and activities rather than being listed in full, and by each program name, each time they are referenced.
- The plan also references foundational supports, which includes backbone supports such as the Early Learning Hubs, Child Care Resource and Referral, and Child Care Licensing. As with core programs, these are defined and listed in the section right before the goals, objectives, and activities.



DELC Strategic Plan: Goals, Objectives and Strategies

Goal 1: Access - All families have access to high-quality (culturally responsive, inclusive, developmentally appropriate) and affordable early learning and care that meets their needs.

Objective 1.1 Programs within DELC are expanded and enhanced to meet the needs of and support families.

- 1.1.a Expand access and enhance core program services to better meet family needs.
- 1.1.b Implement strategies to promote awareness of and enrollment in programs that meet families' needs.
- 1.1.c Implement Birth Through Five Literacy plan, including consultation with community.

Objective 1.2 Programs are expanded for families to secure access to high-quality early learning and care.

- 1.2.a Explore eligibility criteria, including expanded income, aligned eligibility criteria (e.g., income, family characteristics, age), and eligibility criteria for core programs.
- 1.2.b Explore which DELC programs could include sliding scale for families with higher incomes.
- 1.2.c Complete and implement Spark quality initiative redesign, including financing, technical assistance, and workforce resources to support implementation.
- 1.2.d Develop and implement a robust quality assurance model for core programs.

Objective 1.3 Licensing provides foundational support for programs, and is clear, accessible, culturally relevant, honoring diversity, equity and inclusion for Oregon children and families.

- 1.3.a Revise Child Care Licensing Division practices to support consistent, equitable, and reasonable enforcement.
- 1.3.b Leverage microcenter pilot to identify and implement more flexible licensing models.
- 1.3.c Streamline licensing inspections by using risk assessments and key indicators to help predict majority compliance and reduce associated risks.
- 1.3.d Develop an intentional referral process with Child Care Resource and Referral to leverage licensing and external partners to monitor quality and promote health and safety compliance.



DELC Strategic Plan: Goals, Objectives and Strategies

Objective 1.4 DELC's administration of programs is flexible, accessible, and not administratively burdensome.

- 1.4.a Streamline, align and simplify administrative requirements across core programs.
- 1.4.b Explore blending funds at the state level to be delivered locally (i.e. single programs with multiple funding streams).
- 1.4.c Create integrated technology tools to promote coordination between licensing and program administration.

Objective 1.5 Communities have the infrastructure they need to mitigate suspension and expulsion activities in early learning and care settings.

- 1.5.a Provide culturally responsive and culturally specific infant and early childhood mental health (IECMH) supports in early learning and care.
- 1.5.b Leverage community expertise and experience in infrastructure development.
- 1.5.c Launch and expand regional suspension and expulsion prevention program supports and statewide entity to provide consistent technical assistance and quality assurance.
- 1.5.d Ensure professional development supports in critical areas such as anti-bias, are available to support the community infrastructure.
- 1.5.e Fully implement the warmline for providers to access suspension and expulsion prevention supports.
- 1.5.f Implement the enforcement of the 2026 ban, with the Child Care Licensing Division providing technical assistance and referral to the prevention program.

Objective 1.6 Availability of early learning and care is increased and strengthened.

- 1.6.a Develop and implement a plan to increase the availability of early learning and care settings throughout Oregon.
- 1.6.b Provide support to providers, during their first five years of operation, to promote their success, including as a business.
- 1.6.c Collaborate with Business Oregon's Child Care Infrastructure Fund for expanded facilities and provide technical assistance to participating programs.



DELC Strategic Plan: Goals, Objectives and Strategies

Goal 2: Tribal Sovereignty - DELC honors and recognizes the sovereignty of the nine federally recognized Tribal Nations within Oregon and ensures strong government-to-government relationships to benefit Tribal communities.

Objective 2.1 Staff have the information and tools they need to support authentic Tribal consultation.

- 2.1.a** Co-develop and implement DELC Tribal Consultation Policy to provide guidance, tools, and expectations for DELC staff.
- 2.1.b** Build internal capacity to support relationships, partnerships, collaboration, and sovereign nation awareness through training and technical assistance for all units.

Objective 2.2 Historical harm is acknowledged, current harm caused by the State of Oregon is reduced, and trust is built by establishing positive relationships.

- 2.2.a** Establish in-person and virtual communications and connections between DELC and Tribal leadership that fosters and elevates ways to honor and respect Tribal and Native community needs.
- 2.2.b** Collect and use data from Tribal communities within the context of historical injustice and discrimination.

Objective 2.3 Funding and programs are designed to meet tribal early learning needs and goals.

- 2.3.a** Develop procurement and contractual timelines and processes that recognize and respect government-to-government relationships and consultation.
- 2.3.b** Co-develop guidance, direction, and capacity for DELC partners (such as Early Learning Hubs, CCR&Rs, etc.) to engage with Tribal Nations on implementation of grants and contracts.
- 2.3.c** Seek the establishment of a dedicated Tribal Early Learning Fund and Tribal set asides within existing funding streams.



DELC Strategic Plan: Goals, Objectives and Strategies

Goal 3: Infants & Toddlers - All families with infants and toddlers are supported through early learning and care programs that recognize and meet their unique needs.

Objective 3.1 Infant and toddler provider and partner support, technical assistance, professional development, and compensation are increased.

- 3.1.a** Coordinate local technical assistance and Infant and Early Childhood Mental Health Consultation supports for infants and toddlers.
- 3.1.b** Ensure access to Infant Toddler Specialists, professional development opportunities, infrastructure funds, shared services, and business acumen supports.
- 3.1.c** Explore the provision of a monetary award for infant toddler professionals who achieve a credential in infant and toddlers.

Objective 3.2 Access to infant and toddler early learning and care programs that honor the unique needs of families is increased.

- 3.2.a** Expand core infant and toddler programs.
- 3.2.b** Explore continuous eligibility for infant, toddler, and preschool-age care to promote continuity of care.
- 3.2.c** Expand access to culturally and linguistically responsive family education and support opportunities.

Objective 3.3 Supports for infants and toddlers experiencing developmental delays and disabilities are increased.

- 3.3.a** Coordinate and partner with Early Intervention to provide more services in early learning and care programs that support infants and toddlers with delays, and disabilities, including for DELC funded programs.
- 3.3.b** Design and fund staffing models in early learning and care programs that support infants/toddlers with delays, complex needs and disabilities.



DELC Strategic Plan: Goals, Objectives and Strategies

Goal 4: Workforce - The early learning and child care workforce is diverse, culturally responsive, high-quality, and well compensated.

Objective 4.1 Multiple accessible pathways exist to enter and grow within the early learning and child care workforce.

- 4.1.a** Examine and address barriers and inefficiencies within the professional learning system such as the early childhood workforce registry and international college transfer.
- 4.1.b** Adopt and implement core competencies for early educators, based on national recommendations.
- 4.1.c** Work with the Higher Education Coordinating Commission to implement access to higher education for early learning and care professionals.
- 4.1.d** Work with Early Learning Hubs, Child Care Resource and Referral Agencies (CCR&Rs), and other community based organizations to identify potential providers, provide training, share best practices, and support recruitment.
- 4.1.e** Develop a recruitment and retention plan, and begin to implement it.

Objective 4.2 The early learning and child care workforce is recognized and compensated as professionals

- 4.2.a** Study, establish and improve salary scale in core programs.
- 4.2.b** Implement Alternative Rate Methodology for Employment Related Day Care.
- 4.2.c** Explore innovative models for addressing the compensation needs of the early learning and child care workforce.

Objective 4.3 All early learning and child care programs have access to professional learning supports.

- 4.3.a** Expand coaching supports to reach core programs, including child care.
- 4.3.b** Expand the Consortium Model to include additional professional learning opportunities across Oregon.
- 4.3.c** Expand the availability of bias management, inclusion, racial identity development, trauma-informed care, social emotional development trainings, in multiple languages and set levels.
- 4.3.d** Expand regionally based Inclusive Partners services statewide.



DELC Strategic Plan: Goals, Objectives and Strategies

Goal 5: Relationships - DELC deepens engagement and increases community empowerment.

Objective 5.1 Community voice is embedded in DELC's policy, implementation and budget decisions.

- 5.1.a** Develop and implement an engagement & partnership plan to strengthen meaningful collaboration with families, providers, and partners.
- 5.1.b** Increase racial, ethnic, linguistic, ability, geographic, family, and provider diversity in DELC's staff and advisory groups to better represent the communities they serve.
- 5.1.c** Expand feedback loops and increase opportunities for families, providers, and partners to inform DELC's policy, implementation, and budget decisions.

Objective 5.2 Cross-sector partnerships in support of aligned service delivery and collaboration are strengthened with other state agencies.

- 5.2.a** Support the Early Learning Council in the implementation of Raise Up Oregon.
- 5.2.b** Learn about family and community engagement and culturally specific partnership approaches of Raise Up Oregon state systems partners and identify opportunities for collaboration.
- 5.2.c** Collaborate with Oregon Housing and Community Services to increase the number of co-located housing and child care facilities.
- 5.2.d** Collaborate with Oregon Department of Human Services on the functionality of Employment Related Day Care to improve accuracy and timeliness of eligibility determinations and payments and make the program more understandable and user-friendly for providers and families.

(Continued on next slide)



DELC Strategic Plan: Goals, Objectives and Strategies

Goal 5: Relationships - DELC deepens engagement and increases community empowerment.

Objective 5.2 Cross-sector partnerships in support of aligned service delivery and collaboration are strengthened
(Continued)

- 5.2.e** Collaborate with Department of Land Conservation and development on local zoning issues to address barriers and seek solutions to make it easier to build or renovate child care facilities.
- 5.2.f** Revise, disseminate and provide professional development for the shared Early Learning and Kindergarten Guidelines with Oregon Department of Education, inclusive of infancy through kindergarten.
- 5.2.g** Collaborate with ODE and DELC partners to facilitate Kindergarten transitions through support for children, families, and educators in early learning and care, Early Intervention/Early Childhood Special Education (EI/ECSE), and kindergarten.
- 5.2.h** Collaborate with the Oregon Health Authority in coordinating home visiting services.

Objective 5.3 Collaboration is supported between DELC and early learning initiatives in county, city, and tribal governments.

- 5.3.a** Coordinate with local governments on early learning initiatives such as Multnomah Preschool for All

Objective 5.4 DELC's communications are accessible, inclusive, and tailored to the unique needs of DELC's customers.

- 5.4.a** Develop tools and processes, and increase website, social media and other engagement for consistent, timely, and relevant information sharing with partners.
- 5.4.d** Increase accessibility of communications by considering reading level and expanding availability in multiple languages.



DELC Strategic Plan: Goals, Objectives and Strategies

Goal 6: Foundations - DELC develops and improves operational foundations to efficiently serve Oregonians.

Objective 6.1 DELC has the structures, systems, and processes to collaborate and operate effectively.

6.1.a Define, publish and maintain formal policies, processes, procedures and service catalogs.

6.1.b Define and maintain governance processes for organizational cooperation and decision-making.

6.1.c Establish foundational technology, data tools, and staff capacity to deliver secure, reliable, accessible, and user-friendly solutions.

Objective 6.2 DELC staff have a sense of belonging, understand how their work connects to other divisions, and are supported in their development.

6.2.a 6.2.a Implement DELC's DEI and Affirmative Action Plans, to cultivate belonging and provide training on inclusive practices and diversify DELC's workforce.

6.2.b 6.2.b Expand leadership development opportunities for DELC staff.

6.2.c 6.2.c Provide feedback loops for DELC staff.

Objective 6.3 DELC staff have the information and tools they need to provide exceptional service to DELC customers.

6.3.a Develop and implement a customer satisfaction survey, leveraging results to improve customer service practices.

6.3.b Establish and implement training and infrastructure to serve customers in an inclusive, cohesive, timely and accurate way, no matter how they contact DELC.



DELC Strategic Plan: Goals, Objectives and Strategies

Goal 6: Foundations - DELC develops and improves operational foundations to efficiently serve Oregonians.

- Objective 6.4** Initiatives are consistently identified and launched that provide better service to Oregon residents and increase accountability to partners.
- 6.4.a** Uphold commitments through consistent and transparent policies and on-time payments for grants and contracts.
 - 6.4.b** Increase accountability to the public through data visualization, accessible through DELC's website, rules, procedures, and technical assistance that align with DELC's Mission, Vision, & Values.
- Objective 6.5** Data is used to inform decisions and high-quality data and research is shared with the public.
- 6.5.a** Collect and expand access to data for decision-making, and maintain dashboards on publicly available data.
 - 6.5.b** Implement a community-responsive, person-centered research agenda including a continuation plan for the Household Survey & Provider Survey.
 - 6.5.c** Build, maintain, and monitor a strategic set of performance metrics to enhance operational excellence.

Keep in mind for discussion

What strategies do you see as the highest priority in each goal area?

What role do you see the Council playing in plan dissemination and implementation?

How might DELC report out on progress?



Strategic Plan Mapped to Raise Up Oregon





Crosswalk: DELC SP & Raise Up Oregon

DELC Strategic Plan	Raise Up Oregon (2024-2028)
Goal 1 - <u>Access</u> - All families have access to high-quality (culturally responsive, inclusive, developmentally appropriate) and affordable early learning and care that meets their needs.	Objective 14 - All families have access to high-quality (culturally responsive, inclusive, developmentally appropriate) and affordable early learning and care that meets their needs.
Objective 1.1 – Programs within DELC are expanded and enhanced to meet the needs of and support families.	Strategy 14.1 – Expand the availability of early learning and care, including workforce, facilities and transportation Strategy 14.2 – Increase state support and investment in quality early learning and care Strategy 14. 9 – Reduce family financial burden for access to early learning and care
Objective 1.2 – Programs are expanded for families to secure access to high-quality early learning and care	Strategy 14.1 – Expand the availability of early learning and care, including workforce, facilities and transportation Strategy 14.2 – Increase state support and investment in quality early learning and care Strategy 14. 9 – Reduce family financial burden for access to early learning and care
Objective 1.3 - Licensing provides foundational support for programs, and is clear, accessible, culturally relevant, honoring diversity, equity and inclusion for Oregon children and families	Strategy 14.6 – Ensure child care licensing and compliance is rooted in equity, facilitates the application approval process, and supports child care providers to be successful in caring for Oregon’s children.



Crosswalk: DELC SP & Raise Up Oregon

DELC Strategic Plan	Raise Up Oregon (2024-2028)
Objective 1.5 - Communities have the infrastructure they need to mitigate suspension and expulsion activities in early learning and care settings	Strategy 14.8 – Prevent suspension and expulsion in early learning and care settings through infant and early childhood mental health consultation and professional development supports
Objective 1.6 - Availability of early learning and care is increased and strengthened	Strategy 14.1 – Expand the availability of early learning and care, including workforce, facilities and transportation Strategy 14.2 – Increase state support and investment in quality early learning and care Strategy 14.9 – Reduce family financial burden for access to early learning and care
Goal 2 - <u>Tribal Sovereignty</u> – DELC Honors and recognizes the sovereignty of the nine federally recognized Tribal Nations within Oregon and ensures strong government-to-government relationships to benefit Tribal communities	Objective 1- Honor and recognizes the sovereignty of the nine federally recognized Tribal Nations within Oregon and ensures strong government-to-government relationships to benefit Tribal communities.
Objective 2.3 - Funding and programs are designed to meet tribal early learning needs and goals.	Strategy 1.4 - Dedicate portions of programmatic funding to ensure tribal nations have access to resources, recognizing and respecting the timelines and processes of the gov-to-gov relationship



Crosswalk: DELC SP & Raise Up Oregon

DELC Strategic Plan	Raise Up Oregon (2024 – 2028)
Goal 3: <u>Infants & Toddlers</u> – All families with infants and toddlers are supported through early learning and care programs that recognize and meet their unique needs.	Objective 14: All families have access to high-quality (culturally responsive, inclusive, developmentally appropriate) and affordable early learning and care that meets their needs.
Objective 3.1 – Infant and toddler provider and partner support, technical assistance professional development, and compensation are increased.	Strategy 14.11 – Compensate and recognize early childhood educators as professionals. Objective 15 – The early childhood workforce is diverse, culturally responsive, high quality, and well compensated.
Objective 3.2 – Access to infant and toddler early learning and care programs that honor the unique needs of families is increased 3.2.a Expand core infant and toddler programs	Strategy 14.2 – Increase state support and investment in quality early learning and care 14.2.1 Expand infant-toddler early learning and care services
Objective 3.3 – Supports for infants and toddlers experiencing development delays and disabilities are increased	Objective 13: Young children with developmental delays and disabilities are identified early and provided with inclusive services to reach their full potential Strategy 13.3 – Increase the number of children with developmental delays and disabilities receiving services in typical early childhood settings



Crosswalk: DELC SP & Raise Up Oregon

DELC Strategic Plan	Raise Up Oregon (2024-2028)
Goal 4 – <u>Workforce</u> – The early learning and child care workforce is diverse, culturally responsive, high-quality, and well compensated.	Objective 15 -The early childhood workforce is diverse, culturally responsive, high quality, and well compensated
Objective 4.1 – Multiple accessible pathways exist to enter and grow within the early learning and child care workforce	Strategy 14.5 – Build pathways to credentials and degrees that recruit and retain a diverse early learning and care workforce Strategy 15.2 - Build pathways to credentials and degrees that recruit and retain a diverse early childhood workforce
Objective 4.2 – The early learning and child care workforce is recognized and compensated as professionals	Strategy 14.11 – Compensate and recognize early childhood educators as professionals
Objective 4.3 – All early learning and child care programs have access to professional learning supports	Strategy 14.4 – Improve professional development opportunities for the full diversity of the early learning and care workforce, inclusive of all settings Strategy 15.1 – Improve professional development opportunities for the full diversity of the early childhood workforce



Crosswalk: DELC SP & Raise Up Oregon

DELC Strategic Plan	Raise Up Oregon (2024 – 2028)
Goal 5 – <u>Relationships</u> – DELC deepens engagement and increases community empowerment	Strategy 2.1 – Align family and community engagement and culturally specific partnership strategies across all six agencies
Objective 5.1 – Community voice is embedded in DELC’s policy, implementation and budget decisions	Strategy 2.1 – Align family and community engagement and culturally specific partnership strategies across all six agencies
Objective 5.2 – Cross-sector partnerships in support of aligned service delivery and collaboration are strengthened with other state agencies	Objective 2 – Multi-agency partnerships are developed at the state and local levels to systematically support improved outcomes and streamlines access for all young children and their families
Objective 5.3 - Collaboration is supported between DELC and early learning initiatives in county, city, and tribal governments	Strategy 2.1 – Align family and community engagement and culturally specific partnership strategies across all six agencies



Oregon Department of
**Early Learning
and Care**

2025 Proposed Legislative Concept and Policy Option Packages





Agency Process

- DELC's Role
- What is an LC?
- What is a POP?



Legislative/Budget Process & Timeline

- Governor Kotek's priorities include improving education outcomes for our youngest learners
 - Executive branch agencies also focus on core priorities
- Collaboration between the Governor's Office, Chief Financial Office(CFO), and agencies.
- 4 Phase Approach
 - 1) Budget and LC Planning Jan – March
 - 2) Pricing and Drafting April – August
 - 3) GRB and Leg Concept Build Out Sept – October
 - 4) Final Decisions Nov – Dec



Legislative Concepts



LC: Dolly Parton Imagination Library

- Summary:
 - During the 2023 session, House Bill 2872 was introduced to establish a statewide Imagination Library program, and directing DELC to contract with a nonprofit organization to partner with and deliver books to local communities. Time ran out in the 2023 session for the bill to pass, but the 2023 legislature approved \$1.7 million in funding for the Imagination Library program.
- Proposal:
 - Reintroduce HB 2872 (2023), with minor adjustments to align with the current contract.



LC: Birth through Five Literacy Plan

- Summary:
 - In 2023, the legislature passed House Bill 3198, creating the Early Literacy Success Initiative, Early Literacy Success Community Grant Program and the Birth Through Five Literacy Plan. The Birth Through Five Literacy Plan is administered by DELC.
- Proposal:
 - Amend ORS 327.839 creating a new Birth to Five Literacy Grant Program to distribute money from the Birth Through Five Literacy Fund, and granting the Early Learning Council rulemaking authority to implement the program.



LC: Licensing Statute Alignment

- Summary:
 - Exceptions. DELC's current authority to grant exceptions to licensing rules only applies to registered family providers.
 - Ratios. The licensing statutes do not include staff-to-child ratio requirements for any provider license type except for Registered Family child care providers.
- Proposal:
 - Exceptions. Aligns the language granting DELC authority to grant provider exceptions for licensing requirements across all provider types.
 - Ratios. Amends ORS 329A.330 to remove age ratios and allow the agency to adjust ratios for Registered Family providers by rule.



LC: ECSEPP Authority

- Summary:
 - In 2021, the Oregon Legislature passed Senate Bill 236, banning suspension and expulsion in early childhood programs effective July 1, 2026, without exception. The 2021 legislature also passed House Bill 2166, establishing the Early Childhood Suspension and Expulsion Prevention Program (ECSEPP) within the Department of Early Learning and Care (DELIC) to provide early childhood providers with access to support services to prevent the suspension and expulsion of children from their programs.
- Proposal:
 - Allow investigation and enforcement of the ban using DELIC's progressive "pyramid model" approach, which begins with regular inspections and educational resources, technical assistance, and referrals to support services such as Child Care Resource and Referral or Inclusive Partners before resorting to sanctions.
 - Allow ELC by rule to provide when a child may be involuntary disenrolled from a facility, as well granting EL general rulemaking authority governing enforcement of the ban.



LC: Tribal Early Learning

Placeholder concept to incorporate the work of the Tribal Advisory Committee.



LC: ERDC Expansion Pause

Placeholder concept to address ERDC capacity and future policy changes.



Policy Option Packages



Recruiting, Retaining, Supporting the Early Childhood and Education Workforce

- Policy Option Packages:
 - Early Childhood Suspension & Expulsion Prevention Program (ECSEPP)
 - Child Care Infrastructure Fund (CCIF) / Workforce Supports
 - HB 2991 Recommendations
 - AFSCME Health Coverage LOA



Expanding Services

- Policy Option Packages:
 - Baby Promise Expansion
 - ERDC
 - Tribal Early Learning Fund
 - Family and Provider Engagement



Improving Quality of Existing Services

- Policy Option Packages:
 - Research
 - Birth Through Five Literacy Expansion
 - Programs
 - Quality Assurance
 - Social Equity Office and DEI Strategic Plan
 - Customer Relationship Management
 - Data Enhancement Project
 - Child Care Licensing Division Staffing
 - Operational Support



Improving Coordination of Existing Services

- Early Learning Council Priority Placeholders
 - Home Visiting System Coordination Center
 - Early Learning Hub Resourcing
- Provider Management Platform (PMP) Expansion
- Awards Management System (AMS) Placeholder
- Workload Management



Continuation of Leveraged Funding

Healthy Families Oregon Database System POP



Key Questions

- Is there anything you were hoping we will ask for?
- What barriers are you hoping we will address?
- As you think about workforce and access to services, what are needs would you like us to focus on?
- Any other feedback?

Contact: kate.denison@delc.oregon.gov



Oregon Department of
**Early Learning
and Care**

Early Childhood Suspension and Expulsion Prevention Program

ELC Presentation

April 24, 2024



Agenda

- Introduction of staff and funded partners
- Advisory committee representation
- Overview of the Early Childhood Suspension & Expulsion Prevention Program
 - The importance of other system partners
- Coordinated Systems of Support
- Training & Technical Assistance and Early Educator Professional Development
- Infant & Early Childhood Mental Health Consultation
 - Central Entity
 - Regional Service Providers
- Research study and evaluation



DELC Core Early Childhood Suspension & Expulsion Prevention Team



Jon Reeves
Professional Learning
System Director



Katrina Miller
Infant & Early Childhood
Mental Health Specialist



Jo'Vonna Giles
Research Analyst



Andi Bales Molnar
Professional Learning
Systems Specialist



Sierra Hake
Professional Learning System
Effectiveness Coordinator



Allison Roberts
Project Manager



Enedina Brambila
Grants Specialist



Koffi Dessou
Social Equity Director



Funded Statewide System Partners

Coalition of Communities of Color

Dr. Andres Lopez

AB Cultural Drivers

Nelda Reyes

Sergio Salazar

Paulina Soto

Oregon Infant Mental Health Association (ORIMHA)

Erin Kinavey-Wennerstrom

Susan Fischer-Maki

Carrie Prechtel

Sondra Stegenga

Nichole Paradis Pangburn

Nicole Alioto

Advisory Group Members

Representation	Number
Parent/Caregiver	2
Child Care Providers	4
Child Care Provider Union	2
Direct Technical Assistance	2
Indirect Technical Assistance	2
Specialized Services	2
Infant Early Childhood Mental Health Consultation (IECMHC)	1
Community Partners	2
Total	17



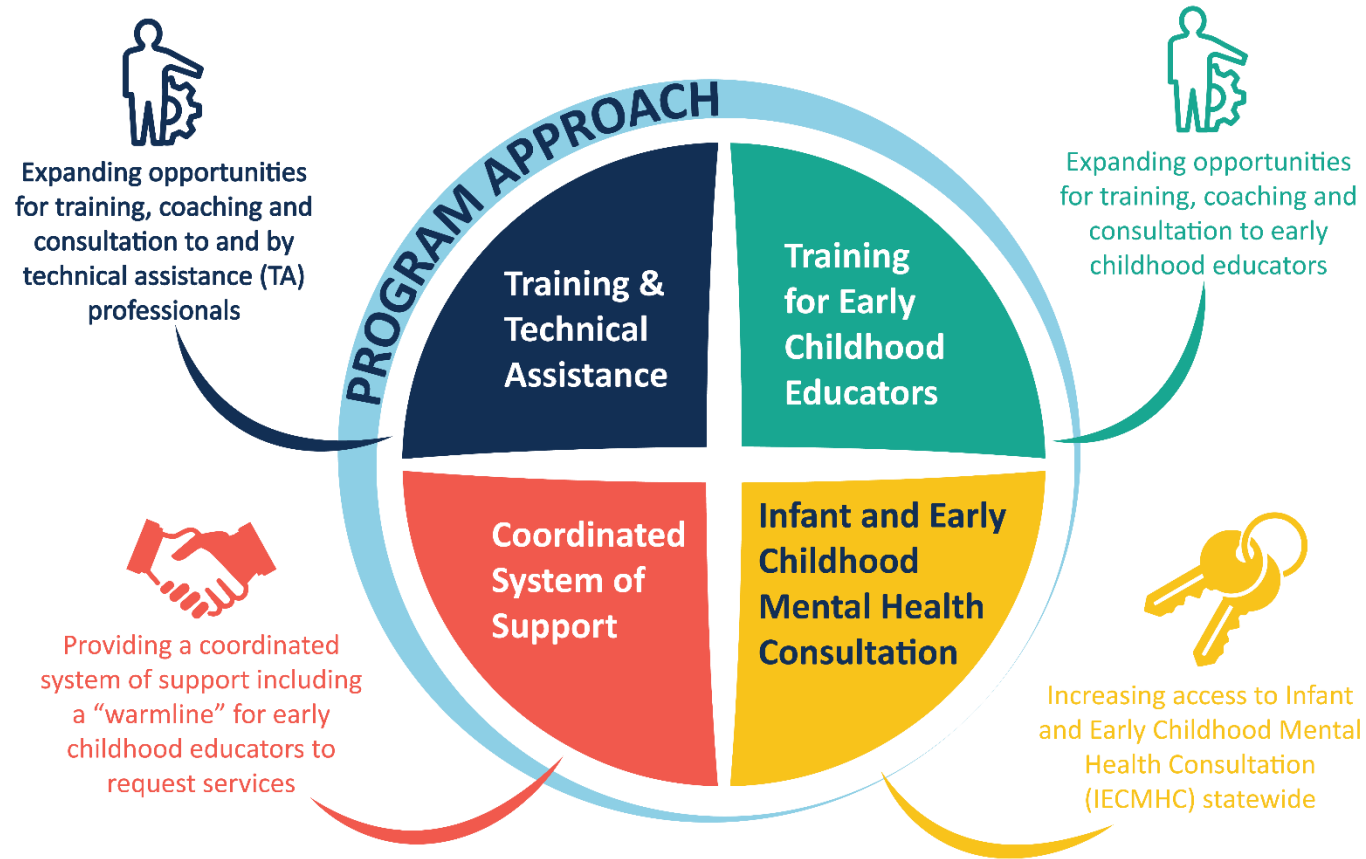
The purpose of the Early Childhood Suspension and Expulsion Prevention Program

- To promote inclusive values, policies, and practices that create opportunities for all Young Children and their families to participate in a broad range of activities and be supported to engage as full members of families, communities, and society; and
- To reduce the use of Suspension, Expulsion, and other forms of Exclusionary practices in early childhood care and education programs and to eliminate disparities in the use of Suspension, Expulsion, and other forms of Exclusionary practices in early childhood care and education programs.



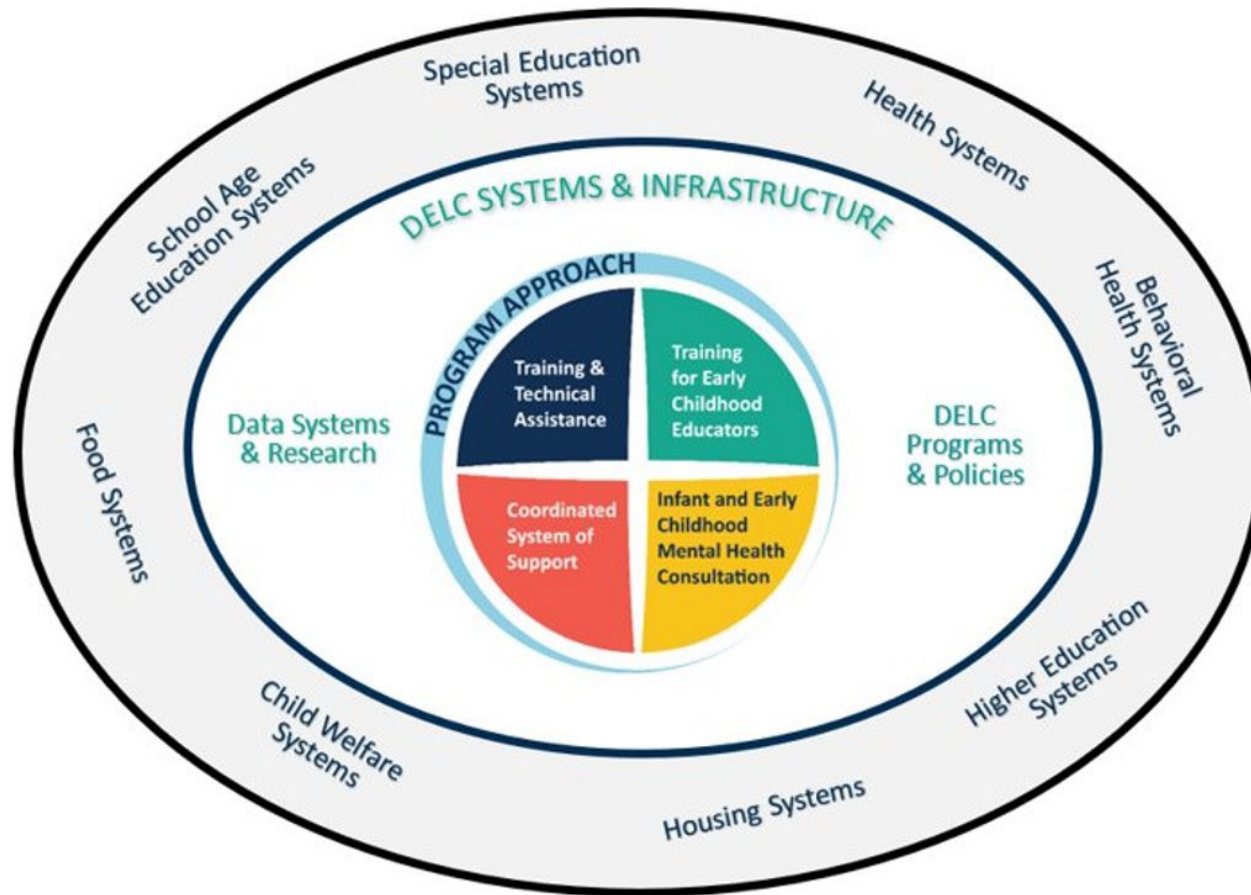


Early Childhood Suspension & Expulsion Prevention Program Approach





Suspension & Expulsion Prevention Requires Cross-System Partnership





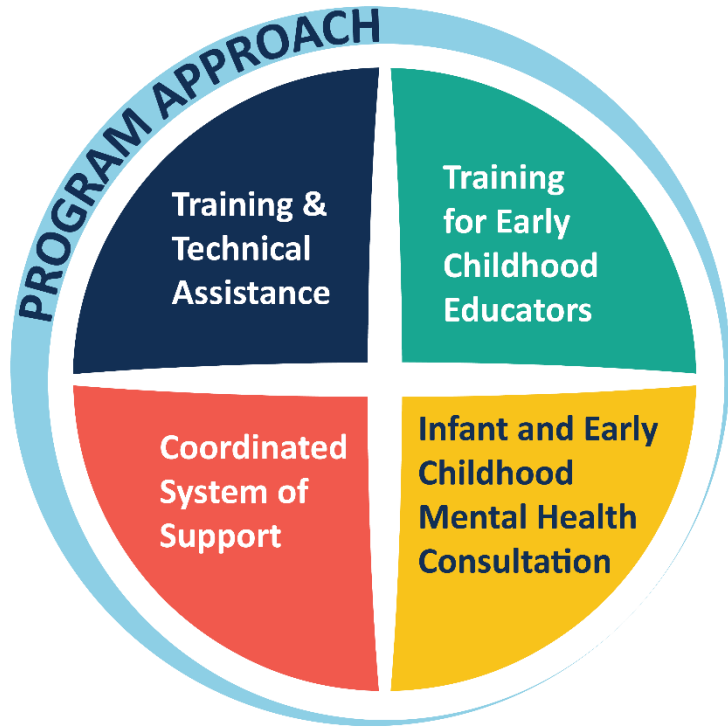
A Coordinated System of Support includes:

- Community Teaming Continuum of Supports
- Warmline
- Support for Families
- Integrated Mental and Behavioral Supports





Coordinated Approach



Coordinated System of Support

- **Warmline:** An online access point for ECE providers to request support.
- **“Behind-the-scenes” coordination:** A process for identifying who will provide the initial response to the request for support.
- **Regional coordination:** Ensuring the right people respond, but not too many. Ensuring that support is seamless and not contradictory.

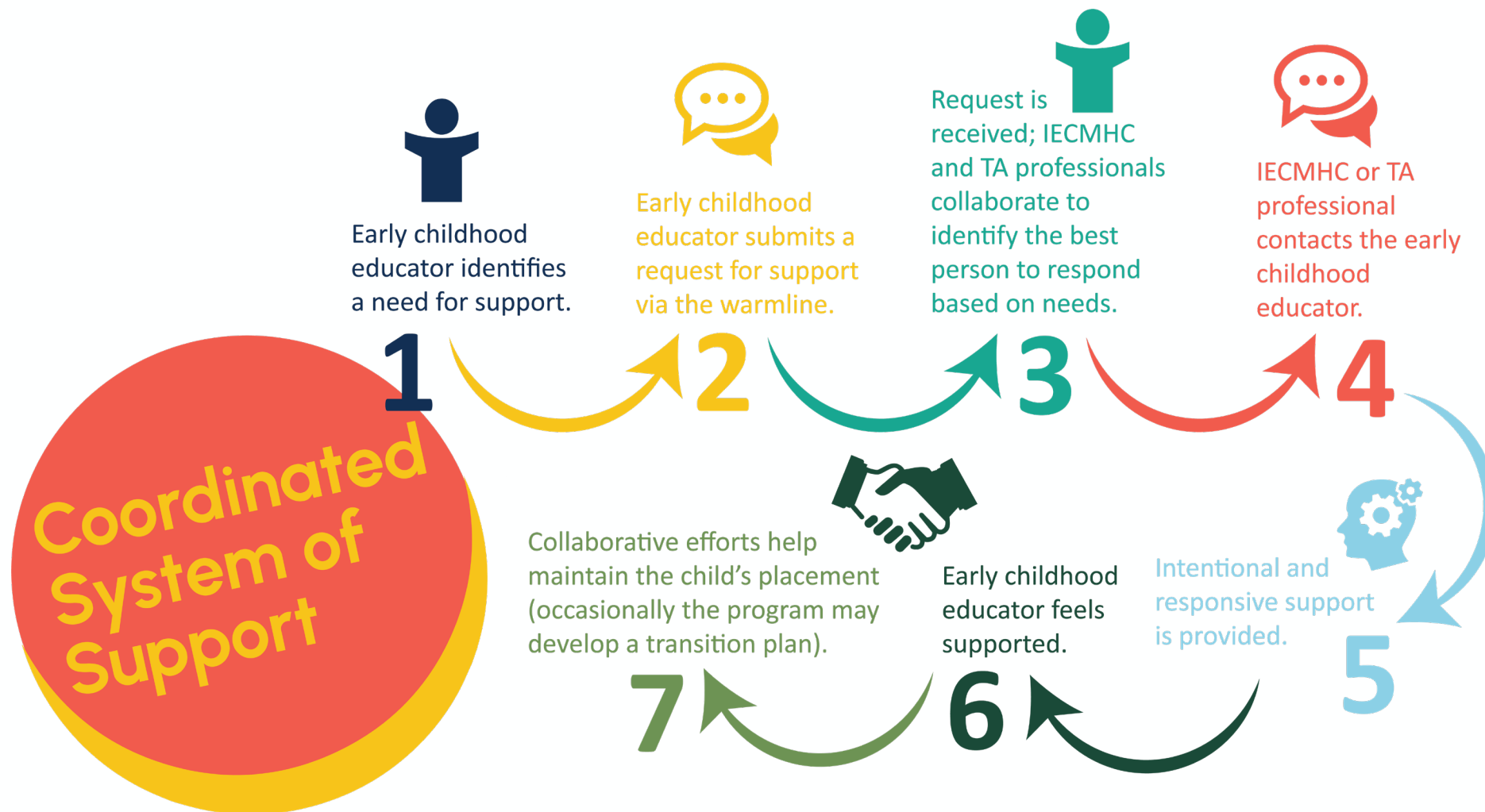


Early Learning and Care Providers Feedback

- **Support Needed**
 - Providers face difficulties accessing necessary support services.
 - Providers bear financial burdens due to overstaffing and high needs.
- **Safety Concerns**
 - Providers express concerns about safety risks for children and staff.
 - Emotional toll on providers from challenging behaviors and concerns related to legal liabilities.
 - Challenges dealing with parental disputes and emotional distress caused by those disputes.
- **Call for State Action**
 - Providers advocate for better support, funding, and mental health services.
 - Encouragement for greater parental responsibility and state protection for providers when parents do not partner.



Coordinated Response to Warmline Requests for Support



What is Community Teaming?



- Community based collaboration, or community teaming, allows for a group of partners and collaborators-to have direct voice and impact into the strategies and systems being developed.
- Community teaming also builds on the community's collective social capital.
- Social capital can be understood as "networks of people and community resources. These peer and other social contacts can provide both instrumental and emotional support to navigate through society's institutions." (Dr. Tara Yasso, 2005)
- Networks include existing partners, including Early Learning Hubs, Child Care Resource and Referral Agencies, and local OECI Community Teams

OECl Pyramid Model Implementation Communities

- Current Community Inclusion Teams
 - Clackamas CIT
 - Multnomah CIT
 - Lincoln CIT
 - Linn-Benton CIT
 - High Desert CIT
- Current Community Leadership Teams implementing the Pyramid Model
 - Eastern Oregon Community Leadership Team
 - Wasco County Community Leadership Team
 - Washington County Community Leadership Team
 - South Coast Community Leadership Team – launching spring 2024



Multi-disciplinary Approach to Prevent Suspension & Expulsion





Potential Partners in a Continuum of Support

Funding Source

Dept of Early
Learning & Care

Oregon Dept of
Education

Other: Federal
or Local

OHA/Medical
Insurance





Professional Learning System Continuum of Supports

Current System – providing tools and training

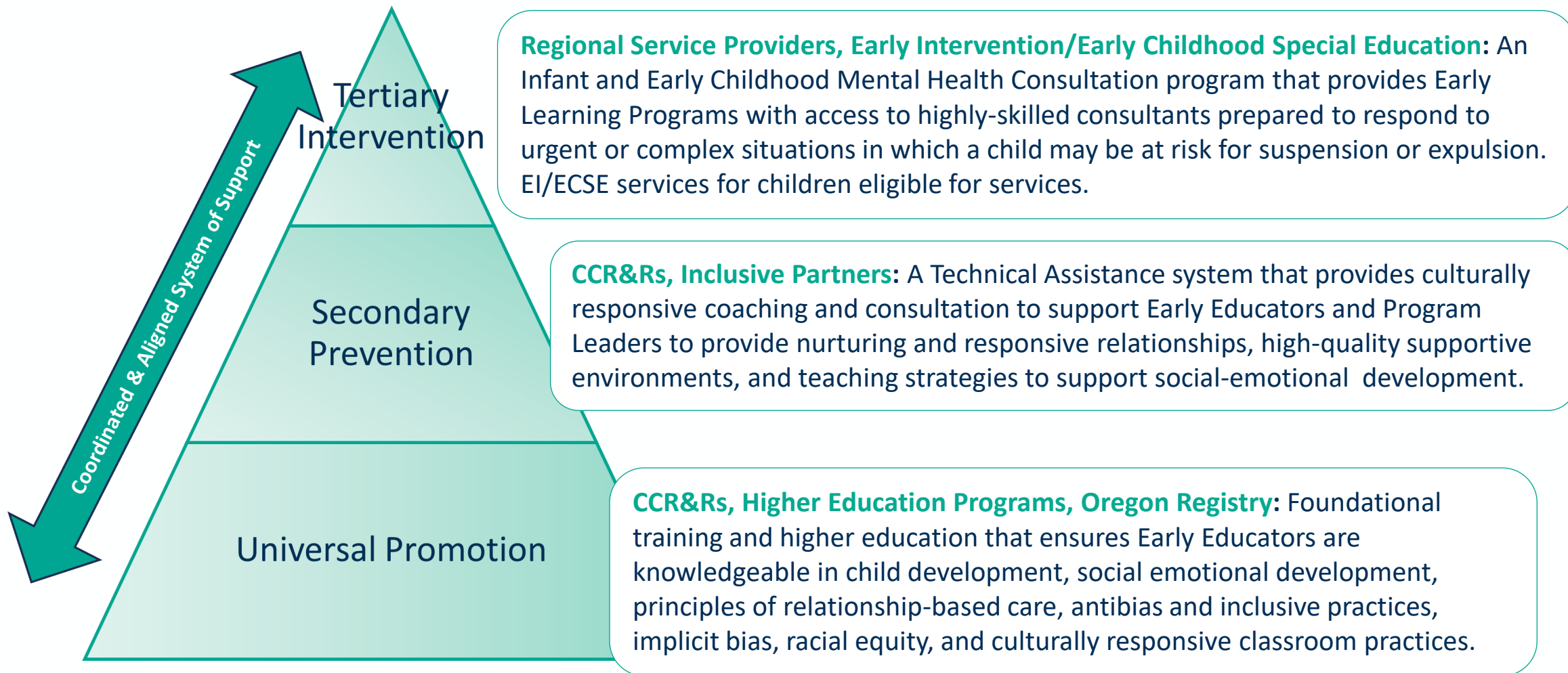
- 15 regional Child Care Resource and Referral organizations have:
 - 70 quality improvement specialists working with 544 early learning and care programs
 - 19 infant toddler specialists working with over 210 early educators
 - 44 coaches and 22 quality specialists working with Preschool Promise and Baby Promise programs

New System Supports

- Adding 15 regionally based Inclusive Partners positions to each CCR&R supporting early learning and care programs to meet the needs of children with disabilities
- Funding regional service providers to hire infant and early childhood mental health consultants, 22 positions throughout the state



Multi-tiered System





Coordinated System of Support Timeline (2024 - 2025)

Community Teaming process development

- Advisory Committee input
- Community partner input

Installment of Regional Inclusive Partner roles

April – Dec. 2024- Identify Needs & Examine Innovations

Community Teaming pilot begins Warmline launches mid-2025

Initial data systems identified
Develop MOUs and process for ROIs

Jan. – June 2025: Acquire Resource and Prepare Organizations

Community Teaming implementation begins

Data system launches

July – Dec. 2025: Acquire Resources, Prepare Organizations & Manage Change



Coordinated System of Support Timeline (2026)

Community Teaming Implementation

- Community Self-Reviews and supports

Warmline Implementation

- Effectiveness and impact evaluation
- Appropriate adjustments to design and implementation

Monitoring of Community Teaming and Warmline

- Adjustments to drivers as needed
- Build understanding of outcomes

Jan. - June 2026: Manage Change & Improvement Cycles

July – Dec 2026: Standard Practice



Training & Technical Assistance and Early Educator Professional Development

- Expanding content skills and competencies
- System delivery of professional development
- Consultation and coaching





Training & Technical Assistance



Training & Technical Assistance

- Who? Anyone who provides training and technical assistance to EC Educators.
- What?
 - Racial equity in TA and in the classroom
 - Awareness and impact of bias
 - Creating a culture of belonging
 - Positive racial identity development
 - Child development, especially social-emotional
 - Pyramid Model training and implementation.
 - Family engagement



Training & Technical Assistance Timeline (2024 - 2025)

T&TA Baseline Inventory project begin

- Identify current level of saturation and investments connecting to root causes in DELC and in communities

T&TA Provider Capacity Building Plan development & initial launch

- Conduct capacity needs assessment
- Identify universal tool kit of TA; connect with ORIMHA, ELSI and TRI to develop supports and professional development
- Expand processes and guidance for use of Training the Trainer sessions

Expansion of Pyramid Model with ELSI and Inclusion Initiative

Funding for Regional Inclusive Partners begins

April – Dec. 2024- Identify Needs & Examine Innovations

Implementation of T&TA Provider Capacity Building Plan

- Coordinated approach to T&TA Provider professional learning through TRI, ELSI, and ORIMHA
- Contract for additional identified TOTs Development of T&TA implementation supports for TA Providers
- Coaching cycles, expansion plan for Coaching Companion, additional resources for asynchronous learning

Development of Program T&TA plan

- T&TA landscape
- Program evaluation tools
- Establish feedback loops for impact evaluation

Jan. – June 2025: Acquire Resources and Prepare Organizations

Community Teaming implementation begins

- Self-reflection cycles and check ins
- Program T&TA plan implementation
- Activation of universal tool kit

Expansion of secondary technical assistance, including consultation and coaching

- Coaching and consultation routines in Focused Child Care Networks, Infant Toddler T&TA
- Expansion of T&TA providers coaching skills, knowledge and competencies
- Alignment with ORO credit for professional learning experiences beyond training hours

July – Dec. 2025: Acquire Resources, Prepare Organizations & Manage Change



Training & Technical Assistance Timeline (2026)

Implementation of Program T&TA Plan

- Evaluation of progress
- Adaptions and revisions

TA Provider annual capacity needs assessment

- Collaboration with TRI and ELSI to address TA Provider capacity gaps and turn over

Monitoring of T&TA implementation for TA Providers and Early Learning Programs

- Adjustments to drivers as needed
- Build understanding of outcomes

Jan. - June 2026: Manage Change & Improvement Cycles

July – Dec 2026: Standard Practice



Training for Early Educators



Training for Early Childhood Educators

- Who? New and experienced ECE providers engaged in ongoing professional learning.
- What?
 - Racial equity in the classroom
 - Awareness and impact of bias
 - Creating a culture of belonging
 - Positive racial identity development
 - Child development, especially social-emotional
 - Pyramid Model practices
 - Family engagement



Foundational Pyramid Model Training

- Training the Trainer Sessions funded by DELC
- Coordination and implementation of sessions by ELSI Inclusion Team funded by ODE
- English Training the Trainer sessions for both Preschool and Infant Toddler have been provided over the last six months
- Spanish Training the Trainer sessions for both Preschool and Infant Toddler launching this week
- Additional Spanish Training the Trainer sessions for both Preschool and Infant Toddler to be scheduled
- Collaboration with OECl and ELSI on Pyramid Model training and implementation supports
- E-modules for programs will become available at no cost in the Fall, through OECl and ELSI





Early Educator Professional Development (2024 - 2025)

Conduct training landscape analysis

- Identify content already being provided in social/emotional, trauma informed, racial equity and positive racial identity development, inclusion and other promising practices that reduce suspension and expulsion
- Identify core training approaches

April – Dec. 2024- Identify Needs & Examine Innovations

T&TA Providers and trainers implement professional development on identified content

- Contract for additional identified TOTs Development of T&TA implementation supports for TA Providers

Ensure trainers are available across the state for each region

Jan. – June 2025: Acquire Resources and Prepare Organizations

Early learning and care programs receive supports as requested

- Training is being provided to early educators on critical topic areas

Expansion of secondary technical assistance, including consultation and coaching

- Coaching and consultation is available to providers that request it

July – Dec. 2025: Acquire Resources, Prepare Organizations & Manage Change



Early Educator Professional Development (2026)

Continued expansion of secondary technical assistance, including consultation and coaching

- Expansion of universal toolkit of foundational supports
- Early Educator Professional annual capacity needs assessment
- Identify and address gaps and needed course corrections
- Collaborate with community partners and CCR&R to develop additional resources and supports

Jan. - June 2026: Manage Change & Improvement Cycles

Monitoring the training and professional development provided

- Adjustments to drivers as needed
- Build understanding of outcomes

July – Dec 2026: Standard Practice



Infant & Early Childhood Mental Health Consultation:

- Central Entity
- Regional Service Providers
- Standards, skills and competencies of IECMHC
- Consultant and T&TA Provider Cross-training





Infant & Early Childhood Mental Health Consultation



Infant and Early Childhood Mental Health Consultation (IECMHC)

- Who? Approximately 22 IECMH Consultants in 15 Regions across Oregon
- What?
 - Consultation at the child-and-family, classroom, and program levels
 - Although the entry-point may be related to an educator's perceived need for support with a specific child, the focus of consultation is on building the capacity of the educator to provide culturally-responsive and inclusive early education that prevents suspension and expulsion
- Structure:
 - Central Entity (aka Center of Excellence)
 - Regional Service Providers



Selection of Regional Service Providers

- Develop one statewide model with enough flexibility for regional variation
- Keep equity at the forefront in the design of the model
- Diversify the IECMHC workforce
 - Short-term and long-term strategies
 - Compensation that reflects the complexity of the IECMHC role
 - Compensation structures that value the lived experience of IECMH Consultants
 - Support for a "Grow Your Own" model
 - Scholarships and collaboration with higher education to increase access to higher education
- Effectively prevent suspension and expulsion and disparities in suspension and expulsion



Photo by Yan Krukau:
<https://www.pexels.com/photo/children-painting-with-water-colors-8612967/>



Regional Service Providers

North Coast:	North Coast CCR&R (NWRESO)
Washington:	Community Action (CCR&R)
Multnomah:	Black Parent Initiative & Center of African Immigrant & Refugee Organization
Clackamas:	Clackamas ESD & ClackCoKids
Marion, Polk, Yamhill:	Willamette ESD
Linn Benton Lincoln:	Family Connections (CCR&R)
Lane:	Early Childhood Hub, Quality Care Connections, and Oregon Community Programs



Regional Service Providers

Southern:	Family Nurturing Center (Relief Nursery)
The Gorge:	Columbia Gorge ESD and Four Rivers Early Learning and Parenting Hub
Central:	Neighbor Impact (CCR&R)
Eastern:	Malheur ESD and Latino Community Center
South Coast:	TBD
South Central:	TBD
Blue Mountain:	TBD
Grant & Harney:	TBD

Request for Applications 2.0 (RFA) for Remaining Regional Service Providers

- Four regions are yet to have a Regional Service Provider identified and funded
- Application process has been simplified
- Organizations selected will enter into the planning stage automatically
- Applications will open soon and be available for close to a month
- Selected organizations will move to contract quickly and join the other regional partners in ongoing planning and the development of their implementation plan





Role of Regional Service Providers

Regional Service Providers (RSPs) are organizations located in each region of Oregon who will provide IECMHC services in their region.

- Phase One: Planning for implementation
 - Establishing relationships with Early Learning System partners to develop a Coordinated System of Support
 - Build understanding of and organizational readiness to implement equity centered IECMHC
- Phase Two: Implementing IECMHC
 - Recruitment and hiring of IECMH Consultants
 - Responding to Warmline requests for support in coordination/collaboration with regional technical assistance partners
 - Delivery of IECMH Consultation to early educators and early learning programs



Center of Excellence in IECMHC

Develop and implement a statewide approach to equity-centered IECMHC

- Standards and guidelines for program administration and delivery of IECMHC
- Workforce development to support the skill development of IECMH Consultants
 - Core training
 - Communities of Practice
 - Reflective/licensure supervision
 - Equity Dialogues and Affinity Spaces
- Develop a variety of strategies and workforce pathways to increase the diversity of the IECMHC workforce





Infant & Early Childhood Mental Health Consultation

- Priorities:
 - Diversifying the workforce and creating pathways into IECMHC
 - Consultation that is explicitly focused on addressing and interrupting bias and preventing suspension and expulsion
 - Consultation that provides support to the child-and-family, avoids blaming or labeling the child or family, facilitates referrals when appropriate, and maintains a focus on building the capacity of the educator to support
- Knowledge & Skills:
 - Consultative stance
 - Reflective practice
 - Racial equity
 - Pyramid Model
 - Impact of trauma on relationships, emotions, and behaviors
 - *What else?*



Central Entity & Regional Service Providers





IECMHC Timeline (2024 - 2025)

Central Entity begins

- Needs assessment of Regional Service Providers
- Communities of Practice with RSPs to develop common standards, competencies, and workforce strategies

Regional Service Providers in planning stage

Community engagement
Participate in developing
Coordinated System of Support

April – Dec. 2024

Central Entity

- Leads iterative development of equity centered implementation supports
- Provides core training and IECMH onboarding for IECMH Consultants
- Provide reflective supervision

Regional Service Providers

- Transition to implementation stage
- Hire IECMH Consultants
- Begin IECMH services

Jan. – June 2025

Central Entity

- Leads Implementation-focused COPs for RSP administrators and IECMH Consultants
- Continue development of core training and onboarding processes
- Provide responsive support to RSPs

Regional Service Providers

- Continue program development
- Provide IECMH to early learning and care providers
- Ongoing collaboration with regional partners

July – Dec. 2025



IECMHC Timeline (2026)

Early Learning Council adopts rules

Central Entity begins

- Needs assessment of Regional Service Providers
- Communities of Practice with RSPs to develop common standards, competencies, and workforce strategies

Regional Service Providers

- Provide IECMHC services to prevent suspension and expulsion

Jan. - June 2026

Ban on suspension and expulsion goes into effect

Central Entity

- Ongoing responsive services to RSPs
- Ongoing iterative program development
- Ongoing iterative CoPs

Regional Service Providers

- Ongoing provision of IECMHC services to prevent suspension and expulsion

July - Dec 2026



Research and Evaluation

Research Justice Institute (RJI) at the Coalition of Communities of Color (CCC)

- The Department of Early Learning and Care (DELC) is partnering with CCC to design and conduct the legislatively mandated research study ([SB 236](#) and [HB 2166](#)) on the use and disparities of use of suspension and expulsion and prevention of suspension and expulsion in early education settings

AB Cultural Drivers

- DELC is working with our Evaluation partners to develop an evaluation system to monitor both outcomes and program satisfaction for continuous quality improvement. As the program develops, we will have more evaluation information.

The research and evaluation partners are prioritizing families and early educators who are part of and serve communities disproportionately impacted by suspension and expulsion, which includes children of color and children experiencing disabilities.



Research Study Components

Baseline of Knowledge Report

CCC researchers are reviewing and synthesizing prior early learning research studies and reports about suspension and expulsion in Oregon's early learning and care settings

Questions the Baseline of Knowledge Report Answers:

- Who does or does not use exclusionary practices in Oregon? Why or why not?
- Who in Oregon is or is not suspended or expelled? Why or why not?
- How can Oregon's early learning and care system better support early educators, families, and young children, with the goal of eliminating the use of exclusionary discipline practices?

Qualitative data collection through engagement with community partners

- Learn from early educator experts who successfully keep children in care
- Collecting new qualitative data from families and early educators in child care settings where suspension and expulsion usage is low

Resource Mapping

- Identify technical assistance resources that providers currently access
- Highlight gaps in resource available to marginalized communities

Questions?





Oregon Department of
**Early Learning
and Care**

Early Childhood Suspension Expulsion Prevention Program Enforcement Overview

Alicia Gardiner, Child Care Licensing Division
Director





Gaps in Statutory Authority to Enforce SB 236

Current ORS 329A.625 is limited to banning the suspension or expulsion of children in child care settings but not the enforcement of that statute in child care statutes.

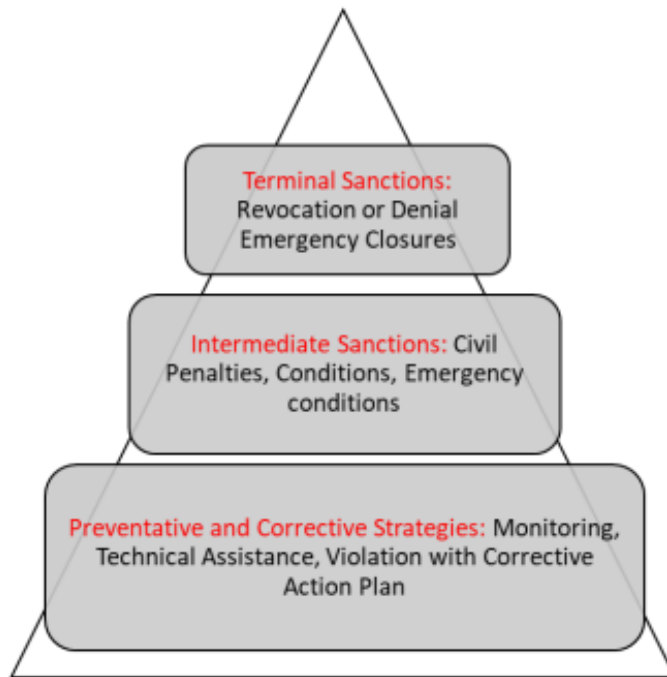
DELC recommends amending statutes to place the ban within the other authorities DELC has for requirements in licensed programs:

- Inspections and monitoring
- Investigations
- Civil Penalties
- Grant the Early Learning Council authority to allow for exceptions

Without statutory amendments to these bills, the requirements will remain symbolic and unenforced.



Progressive Enforcement of Child Care Licensing Rules



"Serious Violation" is defined in rule as:

- Children are in imminent danger
- More children in care than allowed by licensed capacity
- Use of prohibited disciplinary methods
- Children are not being supervised
- Multiple or serious fire, health or safety hazards are present
- Extreme unsanitary conditions are present
- Adults are in the facility who are not enrolled in the Central Background Registry (CBR)
- A facility is providing child care without the appropriate licensure.



Child Care Infrastructure Fund Program

HB 3005

June 2023

Projected Program Timeline

- **November – April 2024 – Public Outreach & Steering Committee Engagement**
- **May 2024 – Sale of first bond (\$25 mil), Notice of Proposed Rule submitted**
- **June 2024 – Application for first round of funding released**
- **Late summer months – Awardees receive funding**
- **Second round to take place in the fall**

Some details to share...

- **First year will be fully grant based**
- **Fixed & immoveable assets**
- **Eligible project types include:**
 - New construction
 - Renovation/repairs and retrofitting
 - Property acquisition
 - Planning projects
- **\$25 million in 2024, \$25 million in 2025**

Round One

- Round one of funding will consist of \$10-12 million and will prioritize culturally specific programs & organizations (up to a certain percentage will be set aside)
- Other prioritization criteria will include: programs expanding or offering infant/toddler slots, programs in most severe child care deserts, programs that accept subsidy, extended hour care
- Geographic distribution and readiness to proceed will also be factors (money must be spent within three years of bond sale)



CCIF Technical Assistance

DELC staff have met weekly with Business Oregon to collaborate and consult about CCIF Technical Assistance planning (December 2023-present)

DELC staff hired to support CCIF Technical Assistance plan and statewide child care business support (January 2024):

Danaye Gonzalez, Business Systems Implementation Specialist

Whitney O'Connell, Early Learning Business Support Coordinator

DELC staff have participated on Business Oregon's CCIF Steering Committee to support CCIF Rules and application (February-April 2024)



CCIF Technical Assistance

DELC is currently in process to execute contracts to deliver Technical Assistance to help support the understanding, application of, and use of CCIF grants with intent to award:

- First Children's Finance – national non-profit with demonstrated success providing TA to child care businesses in several states, including Oregon. Has been working in Oregon for many years to provide business acumen training and Technical Assistance across the state in multiple languages, focusing on all areas of child care business.
- Northwest Native Chamber- regional non-profit with demonstrated success providing Technical Assistance to Native owned businesses and entrepreneurs, through an indigenous approach to collaborative learning and partnership.



CCIF Technical Assistance

Next Steps:

- DELC staff and Business Oregon staff continue to meet weekly to inform and develop Technical Assistance plan for CCIF applicants and recipients.
- Technical Assistance plan with FCF and NWNC will be developed based on the CCIF application requirements and will be implemented in time for the application release (May-June 2024).
- Additional Technical Assistance and business support strategies will be developed to support the specific business needs of the selected applicants (Summer 2024 for Round 1, Fall 2024 for Round 2).



Raise Up Oregon Implementation Tracker

Early Learning Council

04.24.2024





RUOAICT & RUO 2024-2028

As Raise Up Oregon 2024-2028 was being developed, partner agencies indicated which actions throughout the plan were current, planned or aspirational for their agencies.

Currently – tracking progress on the current actions through an internal tracker that DELC developed.

- Updates required monthly by RUOAICT members;
- Progress to Council will be reported in the Fall of 2024;
- Progress Report anticipated publication date – February 2025



What info is being collected?

The Raise Up Oregon tracker is tracking the following:

- Agency's key points of progress to date;
- Is Council support needed for implementation?;
- Are there any issues or barriers you are experiencing with implementation?;
- Is there any community involvement in implementation or collaboration with other sector partners?

Agency Data Dashboards

Submitted by Raise Up Oregon Agency Implementation Coordination Team

Oregon Department of Education	
Dashboard Link	Description
At A Glance Special Education Profiles for School Districts and EI/ECSE Programs	The Early Intervention/Early Childhood Special Education Report displays county-level program data and approved Oregon state targets, as described in the SPP. All of the district-level and county-level program data in the reports have been submitted and validated by each school district or program.
Department of Early Learning and Care	
Dashboard Link	Description
Employment Related Day Care Data Dashboard	Interactive dashboard and shows the significant demand for child care assistance. The dashboard also helps illustrate the broad need for child care across the state with a map that includes information based on county, and waitlist information.
Child Care Licensing Division Program Data	The dashboard will provide valuable information to the public related to licensed child care, including number of licensed facilities by type (Certified Center, Certified Family, Registered Family), number of facilities statewide and at the county level, current licensed capacity, and licensed capacity changes over time, as well as license changes over time.
Oregon Health Authority	
Dashboard Link	Description
Medicaid Enrollment Dashboard	The Medicaid Enrollment Report is an interactive dashboard that allows users to explore data about who is enrolled in Oregon's Medicaid program, which is known as the Oregon Health Plan (OHP). The dashboard is updated each month (typically by the tenth) with current data from the prior month.
CCO Performance Metrics Dashboard	This dashboard accompanies CCO Metrics Annual Reports describing the progress of Oregon's coordinated care organizations (CCOs) on quality measures.
System of Care Data Dashboard	This dashboard displays data for young people involved with child serving systems. It combines data from Child Welfare, the Office of Developmental Disabilities Services, Oregon Health Authority and juvenile justice. Data displays are under development in consultation with the System of Care Advisory Council and state agencies.
Oregon Department of Human Services	
Dashboard Link	Description
Child Welfare Public Reports Page	On this site you will find a lot of information about the children and families our agency serves and how well we are meeting standards for quality services and achieving positive outcomes.
Oregon Housing and Community Services	
Dashboard Link	Description
Oregon Housing County Profiles	The County Profiles aim to tell a more comprehensive story about why Oregon has the kind of housing problems that it does, specifically regarding the lack of affordable housing units, the high cost of buying a home, and high levels of homelessness across the state. The homeless tab shows some data disaggregated by age.



Oregon Department of
**Early Learning
and Care**

Child Care Development Fund (CCDF) Updates

Jordan Pargeter (she/her), CCDF Administrator



Child Care Development Fund (CCDF)

The Child Care and Development Fund (CCDF) is a federal grant from the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Care to State, Territory, and Tribal grantees.

These grantees are referred to as Lead Agencies. CCDF supports Oregon's efforts to provide child care services for low-income families and enhance the quality of child care for all children.

- Employment Related Day Care (ERDC) Program
- Baby Promise Program
- Other Contracted slot programs



Triennial CCDF Plan Submission

- Lead Agencies' CCDF state plans are their applications for federal funds every 3 years.
- The current triennial state plans will expire September 30, 2024.
- Lead Agencies must submit their revised CCDF state plans for submission to federal partners by June 30, 2024. The new CCDF state plan will go into effect October 1, 2024 pending federal approval.
- The draft template Lead Agencies must use to write their CCDF state plans is called the 'CCDF Plan Preprint.'
- These 'plans' will reflect policies in place effective October 1, 2024.





State Plan Draft: Overview

The following slides outline the ten sections of the new state plan, and what general information is covered within each.



State Plan Format and Content

- Section 1: CCDF Administration
- Section 2: Child and Family Eligibility and Enrollment and Continuity of Care
- Section 3: Child Care Affordability
- Section 4: Parental Choice, Equal Access, Payment Rates, & Payment Practices
- Section 5: Health and Safety of Child Care Settings
- Section 6: Support for a Skilled Workforce
- Section 7: Quality Improvement Activities
- Section 8: Lead Agency Coordination and Partnerships to Support Service Delivery
- Section 9: Family Outreach and Consumer Education
- Section 10: Program Integrity & Accountability
- Appendix 1: Lead Agency Implementation Plan

Public Hearing Process

The draft of Oregon's Fiscal Year 2025 – 2027 Child Care Development Fund State Plan will be **available for public comment** from May 1 through June 7, 2024 at: <https://www.oregon.gov/delc/about-us/pages/state-plans.aspx>

To submit **written, formal comments** or to **sign up to provide verbal public comment at the public hearing**, please e-mail jordan.pargeter@delc.oregon.gov

Save the date!

Information Session Webinars:

May 7, 12-1pm: DELC YouTube Live Stream

May 14, 6-7pm: DELC YouTube Live Stream

May 15, 6-7pm: DELC YouTube Live Stream

Public Hearing:

June 5, 6-7pm: DELC YouTube Live Stream*

**with Zoom link for those providing public comment*

Webinars and public hearing will be recorded.



CCDF Final Rule Revision

Federal changes to Child Care Development Fund effective April 30, 2024





CCDF Final Rule Revision

August 2023: Federal OCC released Notice of Proposed Rulemaking on Child Care Development Block Grant and opened for public comment.

April 30, 2024: Final rule published and made effective with considerations from public comment, which includes key policy revisions.

Currently: Oregon is conducting analysis on changes necessary to be compliant with final rule.

June 30, 2024: Required implementation date. States may request a 2-year delayed implementation waiver for required policy elements.

White House Fact Sheet

The final rule has three primary goals:

- Caps child care copayments for working families at no more than 7% of a family's income and encourage states to waive copayments for families at or below 150% of the federal poverty level;
- Improves financial stability for child care providers and incentivizes their participation in the CCDF program by ensuring they are paid on-time and based on program enrollment instead of attendance; and,
- Makes it easier for families to access CCDF by encouraging states to accept online applications for CCDF enrollment and to make siblings of children who already receive the subsidy presumptively eligible for benefits.





Required Changes: In Compliance

Policy Element

Copays must be capped at no more than 7% of a family's income

Lead Agencies must have an online subsidy application

Lead Agencies must make a determination for eligibility of child care staff & not provide results to programs for determination

Classifies any misdemeanor involving child pornography as a disqualifier under CCDF, regardless of whether the crime is classified as violent or non-violent



Required Changes: In Process

Policy Element

Market Rate Study must collect data around providers charging higher than copay amount

Lead Agencies must post aggregate data of total number of children in care by provider type



Required Changes: Not in Compliance

Policy Element

12-month eligibility for new children in the household

Lead Agencies must offer grants and contracts for direct services for infants and toddlers, children with disabilities, and in underserved areas*

Lead Agencies must pay providers based on enrollment, not attendance*

Lead Agencies must pay providers prospectively – prior to services being delivered*

Providers must receive prompt notice of changes to families' eligibility statuses that may impact provider payment*

Lead Agencies may only apply provisional approvals for child care staff when there is a fingerprinted background check on file

***indicates area of partial compliance that still requires system/policy changes to come into full compliance**



Optional Changes

Policy Element

Families may utilize child care for activities outside initial qualifying activities**

Allowance for Lead Agencies to pay providers higher than charged for private pay families*

Flexibility for waived copays up to 150% FPL and for additional populations

Flexibility for presumptive eligibility*

Shared documentation sources across state agencies*

***indicates area of partial implementation that still requires system/policy changes to come into full implementation**

****indicates area of full compliance, no changes needed at this time**



Resources

- Oregon's current CCDF State Plan: [Department of Early Learning and Care : State Plans : About Us : State of Oregon](#)
- CCDF Preprint Template: [Draft Child Care and Development Fund \(CCDF\) Plan for State/Territory \(FFY 2025 - 2027\) \(hhs.gov\)](#)
- CCDF Final Rule: [Federal Register :: Improving Child Care Access, Affordability, and Stability in the Child Care and Development Fund \(CCDF\)](#)
- CCDF Final Rule Fact Sheet (White House): [FACT SHEET: Vice President Harris Announces Actions to Lower Child Care Costs and Support Child Care Providers | The White House](#)
- Contact for questions: jordan.pargeter@delc.oregon.gov



Oregon Department of
**Early Learning
and Care**

DELIC Rulemaking

April 2024





Oregon Department of
**Early Learning
and Care**

Rules Audit: Rule Repeals



Ruleset Repeals

- Child Care Contribution Tax Credit Program
 - OAR 414-700-0000 through 414-700-0060
- Dependent Care Planning and Development Program
 - OAR 414-100-0000 through 414-100-0020
- Migrant and Seasonal Child Care Program
 - OAR 414-400-0000 through 414-400-0100





Oregon Department of
**Early Learning
and Care**

Resource & Referral Network Ruleset: Match Requirement

Margie McNabb, Child Care Resource & Referral
Coordinator



Purpose of the CCR&Rs

Child Care Resource & Referral (CCR&R) Agencies are the Professional Associations for the early learning and care mixed delivery system. There are 15 CCR&Rs in Oregon. In each region, they provide the following services:

- Recruiting more early learning and care programs to meet the needs
- Providing professional development through trainings, consultations, coaching and resources for Early Educators
- Promoting retention to sustain the early care and education field
- Collaborating with Early Learning Hubs and other early learning community partners to comprehensively support the region's families, young children and Early Educators.

Other DELC Funded Programs that meet R&R Definitions

- 211info:
 - Provide Child Care Referrals
- PSU Oregon Registry:
 - Provide professional development and training for the child care workforce through the Career Lattice System (professional development & retention strategies)
- TRI @ WOU Central Coordination:
 - Provide professional development for the CCR&R System: universal, targeted and intensive technical assistance and training (recruitment, retention and professional development strategies)

Timeline of Match Requirements for R&R Entities



Summary of Rulemaking Advisory Committee (RAC) Feedback

Concerns

- Define pass through funds
- Define what is approved for in-kind donations to be match
- 10% match is burdensome; request lower percentage (1%-2%)
- Define core services: what funds are required to be matched
- Options used for match pre-COVID are no longer available

Responses to address/support

- Adding definition to OAR 414-500-0200
- Adding definition to OAR 414-500-0020
- Concerned about going lower given the requirements of other contracts
- Adding definition to OAD 414-500-0200
- Provide TA sessions that help identify new options

Rule Change Proposal: Definitions in 414-500-0020

(3) "Core Services" means the following basic services provided by a Resource & Referral Entity:

- a. Create and maintain a database on provider supply;
- b. Provide consumer education, consultation, and referrals for parents;
- c. Encourage the development of child care resources and provide ongoing **training and** technical assistance to providers;
- d. Provide technical assistance to employers; **or**
- e. Record, analyze, and report data on requests for services.

(10) "Pass-through funds" are funds which the Department passes through to the R&R entity under a grant or a contract to distribute to a child care provider, local government entity, private organization, or nonprofit organization in the form of a grant to provide services for the early learning system.

(11) "Core services funds" are funds that the Department pays to the R&R entity, which the R&R entity uses to provide, or cover the costs of, core services that serve the general population and not targeted to a specific group as outlined in OAR 414-500-0020(3)(a)-(e).

(12) "In-kind contributions" means contributions to project scope other than cash. In-Kind Contributions include, but are not limited to: provision of rent-free space, provision of utilities, provision of custodial services, provision of secretarial services, provision of liability insurance benefits, administrative services, and transportation services.

(13) "Training and Technical Assistance" means professional development that includes, but is not limited to, mentoring, coaching, consultation, advising and peer-to-peer technical assistance.

Revised language 414-500-0030 (2)(j): Administrative Requirements for Resource and Referral Agencies

Provide matching funds **equal to ten percent** of the **core services funds** awarded by the Department or its agent and designee. For purposes of calculating the total funding awarded by the Department, pass-through funds shall be excluded. The matching funds cannot be provided through funding awarded by the Department. The matching funds must be provided through other allowable financial support, including in-kind contributions. Matching funds may be used to directly provide R & R services or to enhance R & R services.

Justifications for 10% Match

- 10% match has been consistent in rule for CCR&Rs prior to COVID-19
- Requiring a match promotes diversified funding streams & encourages community investment in early care and education.
- CCR&Rs have received funds for additional direct service positions; they have not received increased funds to support infrastructure and Inflationary Adjustment since 19-21.
- CCR&Rs provide primarily direct service to Early Educators and Community Collaboration efforts. Administration funds are limited to meet regional needs.



Oregon
Tina Kotek, Governor



700 Summer Street NE #350
Salem, Oregon 97301
DEL.C.Info@delc.oregon.gov
Oregon.gov/delc

MEMORANDUM

To: Early Learning Council Members

From: Crys O'Grady, Legal Affairs Manager
Gabriela Hernandez, Early Learning Council Administrator

Date: April 24, 2024

Re: Notification of Rulemaking Actions & Presentations

Executive Summary: The purpose of this memo is to update the Early Learning Council (ELC) on development of rules, including associated community and partner engagement, which the ELC will be previewing and voting on in upcoming meetings.

The Oregon Department of Early Learning and Care (DEL.C) plans to present **three rulesets** for action in March and **one ruleset** for notice which will be up for vote at the Early Learning Council meeting in May. Please reach out with any questions or concerns about the rulemaking process to Crys O'Grady, Legal Affairs Manager.

The following rulesets will be **voted on** in the April meeting:

- Dependent Care Planning and Development Program Ruleset Repeal
- Migrant and Seasonal Child Care Program Ruleset Repeal
- Child Care Contribution Tax Credit Program Ruleset Repeal

The following ruleset will be **presented** for notice in the April meeting:

- Funding Child Care Resource and Referral Agencies

RULESETS FOR VOTE IN APRIL:

Dependent Care Planning and Development Program Ruleset Repeal

SUMMARY: Before DEL.C was established, the Oregon Employment Department administered the Dependent Care Planning and Development Program in accordance with the Child Care Development Fund Block Grant (CCDBG). This program ruleset set out the design and

The Mission of the Department of Early Learning and Care fosters coordinated, culturally appropriate, and family-centered services that recognize and respect the strengths and needs of all children, families, and early learning and care professionals. Our Vision is that all children, families, early care and education professionals, and communities are supported and empowered to thrive.



administration of child care subsidies before the launch of the Employment Related Day Care (ERDC) program and the launch of the Child Care Resource and Referral Network. The need for these program rules expired in 2017. Any remaining functions of this ruleset are now covered in the ERDC ruleset and CCR&R ruleset.

PROCESS: DELC performed an audit of the agency's entire rule chapter (414-XXX-XXXX) in the fall of 2023 and noted this division as expired. Due the timeliness of the repeal, DELC did not convene a Rulemaking Advisory Committee (RAC). DELC held a public hearing on April 1, 2024. The public comment period was open until 5PM on April 5, 2024. No public comment was received.

NEXT STEPS: The Council will vote on the permanent repeal of the rule language at the April 24, 2024, ELC meeting. If passed, the rules will be permanently repealed upon the date of repeal.

Migrant and Seasonal Child Care Program Ruleset Repeal

SUMMARY: Before DELC was established, the Early Learning Division administered the Migrant and Seasonal Child Care Program with federal funding through the Child Care Development Fund (CCDF). The program served as a seasonal or as-needed "drop-in" use child care in which families could use their child care subsidy.

This program expired in 2017, when the reauthorization of CCDBG mandated that families receiving child care be eligible for subsidy benefits for a full 12 months. The new federal requirements did not allow the agency to administer the program in a way that met the needs of families.

PROCESS: DELC performed an audit of the agency's entire rule chapter (414-XXX-XXXX) in the fall of 2023 and noted this division as expired. Due the timeliness of the repeal, DELC did not convene a Rulemaking Advisory Committee (RAC). DELC held a public hearing on April 1, 2024. The public comment period was open until 5PM on April 5, 2024. No public comment was received.

NEXT STEPS: The Council will vote on the permanent repeal of the rule language at the April 24, 2024, ELC meeting. If passed, the rules will be permanently repealed upon the date of repeal.

Child Care Contribution Tax Credit Program Ruleset Repeal

SUMMARY: Before DELC was established, the Early Learning Division administered the Child Care Contribution Tax Credit Program at the direction of the Oregon Legislature. This program intended to encourage taxpayers to make contributions to the Child Care Licensing Division (CCLD) by providing a financial return on qualified contributions and by soliciting other

The Mission of the Department of Early Learning and Care fosters coordinated, culturally appropriate, and family-centered services that recognize and respect the strengths and needs of all children, families, and early learning and care professionals. Our Vision is that all children, families, early care and education professionals, and communities are supported and empowered to thrive.



contributions. At the direction of the Legislature, this tax credit expired in 2021 and the fund was spent down by the end of 2021.

PROCESS: DELC performed an audit of the agency's entire rule chapter (414-XXX-XXXX) in the fall of 2023 and noted this division as expired. Due the timeliness of the repeal, DELC did not convene a Rulemaking Advisory Committee (RAC). DELC held a public hearing on April 1, 2024. The public comment period was open until 5PM on April 5, 2024. No public comment was received.

NEXT STEPS: The Council will vote on the permanent repeal of the rule language at the April 24, 2024, ELC meeting. If passed, the rules will be permanently repealed upon the date of repeal.

RULESET FOR PRESENTATION & NOTICE IN APRIL:

Funding Child Care Resource and Referral Agencies

SUMMARY: Child Care Resource and Referrals (CCR&Rs) are regional programs funded by DELC to recruit and support early learning and care programs, both home- and center-based. CCR&Rs help expand high quality early learning and care across Oregon by empowering programs with resources and technical assistance. In 2019, HB 3394 was passed and amended the definition of the core services of resource and referral entities in ORS 329A.120 and amended ORS 329A.130 to require that a resource and referral entity must match funds as required by the Early Learning Council by rule. The proposed rule amendments allow DELC to come into alignment with the statutory requirements.

PROCESS: DELC convened a Rules Advisory Committee (RAC) with Resource and Referral entities, child care providers, community-based organizations, and other community members on March 13, 2024. Additionally, a public hearing was held on April 22, 2024 and public comment will be open through the end of April.

EQUITY ANALYSIS: These amendments may have a positive socioeconomic equity impact on families and child care providers in Oregon. This requirement should increase the amount of local funding available to children, families, and child care providers who receive services and support from entities in the resource and referral network.

NEXT STEPS: The Council will review the proposed amended rules at the April 24, 2024 meeting. The Council will vote on permanent updates to the rule language in the May 22, 2024

The Mission of the Department of Early Learning and Care fosters coordinated, culturally appropriate, and family-centered services that recognize and respect the strengths and needs of all children, families, and early learning and care professionals. Our Vision is that all children, families, early care and education professionals, and communities are supported and empowered to thrive.



Oregon

Tina Kotek, Governor



Oregon Department of
**Early Learning
and Care**

700 Summer Street NE #350

Salem, Oregon 97301

ELC meeting. If passed, the rules will be permanently effective on July 1, 2025 in the
Department of Early Learning and Care.

DELCLInfo@delc.oregon.gov

Oregon.gov/delc

*The **Mission** of the Department of Early Learning and Care fosters coordinated, culturally appropriate, and family-centered services that recognize and respect the strengths and needs of all children, families, and early learning and care professionals. **Our Vision** is that all children, families, early care and education professionals, and communities are supported and empowered to thrive.*



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

COUNCIL ACTION REQUEST

Date: April 24, 2024

AGENDA ITEM: Child Care Contribution Tax Credit Program Ruleset Repeal

ACTION: Repeal administrative rules to for the Child Care Contribution Tax Credit Program that expired in 2021, effective April 24, 2024.

ISSUE: Due to expiration of the program in 2021, DELC needs to repeal the ruleset for the Child Care Contribution Tax Credit Program because these rules no longer govern any active program.

BACKGROUND: DELC administered the Child Care Contribution Tax Credit Program from 2004-2021. In 2018, new guidance was released by the IRS that limited a taxpayer's ability to claim a federal charitable deduction for amounts donated when the taxpayer receives a state credit offsetting some or all of the amount donated. Members of the public indicated they stopped contributing due to the legislative reduction to the tax credit that became effective October 5, 2015. Tax payers went from receiving a tax credit of 75 cents for each dollar contributed to 50 cents for each dollar contributed. In 2021, amendments to ORS 329A.700 to 329A.712 were enacted that did not renew the program. The fund was spent down in 2021 and the program expired in 2021.

PROCESS: A public hearing was held on April 1, 2024 and public comment was open until April 5, 2024. DELC did not receive any public comment on this ruleset repeal.

Please see "Proposed Repeal of Oregon Administrative Rule Language for the Child Care Contribution Tax Credit Program" for full rule language text presented for repeal.

PROPOSED DRAFT MOTION:

A) I move to repeal the following ruleset dated April 24, 2024 that repeals Oregon Administrative Rules 414-700-0000, 414-700-0010, 414-700-0030, and 414-700-0060.

CONTACT: Alyssa Chatterjee, Early Learning Systems Director, Department of Early Learning and Care



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

Appendix A: Proposed Repeal of Oregon Administrative Rule Language for the Child Care Contribution Tax Credit Program

~~OAR 414-700-0000: Purpose~~

- ~~(1) The purpose of these rules is provide guidance for administration of the child care contribution tax credit program as authorized in ORS 314.752, 315.213 and 318.031 and Section 10, chapter 682, Oregon Laws 1987, Section 87, chapter 625, Oregon Laws 1989, ORS Chapter 329A.700 to 329A.718 and Chapter 186, Oregon Laws 2017.¶~~
- ~~(2) The intent of the tax credit and use of the contributions are to :¶~~
- ~~(1) Encourage taxpayers to make contributions to the Office of Child Care by providing a financial return on qualified contributions and by soliciting other contributions.¶~~
- ~~(2) Achieve specific and measurable goals for targeted communities and populations.¶~~
- ~~(3) Strengthen the viability and improve the professional development of child care providers.¶ (d) Encourage child care providers or programs to increase the quality of child care.~~

~~Statutory/Other Authority: ORS 329A.706~~

~~Statutes/Other Implemented: ORS 329A.700-329A.718, Chapter 186, 2017 Oregon Laws~~

~~OAR 414-700-0010: Definitions~~

- ~~(1) "Child care provider" means a provider, for compensation, of care, supervision or guidance to a child on a regular basis in a center or in a home other than the child's home. Child care provider does not include a person who is the child's parent, guardian or custodian.¶~~
- ~~(2) "Division" or "ELD" means the Early Learning Division of the Oregon Department of Education.¶ (3) "Office of Child Care" or "OCC" means the Office of Child Care of the Early Learning Division.¶~~
- ~~(4) "Employment Related Day Care program" or "ERDC Program" means a subsidy program within the Oregon Department of Human Services which helps low-income families pay for child care while they are working.¶ (5) "High quality child care" means child care that meets standards for high quality child care established or approved by the Early Learning Council.¶~~
- ~~(1) "Qualified contribution" means a contribution made by a taxpayer to the Office of Child Care for the purpose of promoting high quality child care, and for which an application is submitted for a tax credit certificate.¶~~
- ~~(2) "Tax credit certificate" means a certificate issued by the Office of Child Care to a taxpayer to qualify the taxpayer for a tax credit.~~

~~Statutory/Other Authority: ORS 329A.706~~

~~Statutes/Other Implemented: ORS 329A.700-329A.718, Chapter 186, 2017 Oregon Laws~~

~~OAR 414-700-0030: Distribution of Funds~~

- ~~(1) Child Care providers may apply to receive funds using the application form available from the Division.¶~~
- ~~(2) The Division or its designated entity shall disburse funds to support the professional development activities of eligible child care providers in the state.~~

~~Statutory/Other Authority: ORS 329A.706~~

~~Statutes/Other Implemented: ORS 329A.700-329A.718, Chapter 186, 2017 Oregon Laws~~



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

~~OAR 414-700-0060: Participating Provider Eligibility Requirements~~

~~To be eligible for disbursements, child care providers shall:~~

- ~~(1) Be an individual or supervisor providing direct care to children under the age of 13 for at least 20 hours a week;~~
- ~~(2) Achieve a step 3 or higher on the Oregon Registry; and~~ ~~(3) Be regulated by the Office of Child Care; or~~
- ~~(1) Meet the requirements of the Oregon Department of Human Services to provide care to families under the ERDC program; and~~
- ~~(2) Accept children for whom child care is paid for through Oregon Department of Human Services' ERDC program.~~

~~Statutory/Other Authority: ORS 329A.706~~

~~Statutes/Other Implemented: ORS 329A.700–329A.718, Chapter 186, 2017 Oregon Laws~~



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

COUNCIL ACTION REQUEST

Date: April 24, 2024

AGENDA ITEM: Dependent Care Planning and Development Program Ruleset Repeal

ACTION: Repeal administrative rules to for the Dependent Care Planning and Development Program that expired in 2017, effective April 24, 2024.

ISSUE: Due to expiration of the program in 2017, DELC needs to repeal the ruleset for the Dependent Care Planning and Development Program because these rules no longer govern any active program.

BACKGROUND: DELC administered the Dependent Care Planning and Development Program ruleset. The ruleset set out the design and administration of child care subsidies before the launch of the Employment Related Day Care (ERDC) program and prior to the ruleset outlining the role of the Child Care Resource and Referral Network. This ruleset outlined the administration of the subsidy program when it was in the Oregon Employment Department. The need for these program rules expired in 2017. Any remaining functions of this ruleset are now covered in the ERDC ruleset and CCR&R ruleset.

PROCESS: A public hearing was held on April 1, 2024 and public comment was open until April 5, 2024. DELC did not receive any public comment on this ruleset repeal.

Please see “Proposed Repeal of Oregon Administrative Rule Language for the Dependent Care Planning and Development Program” for full rule language text presented for repeal.

PROPOSED DRAFT MOTION:

A) I move to repeal the following ruleset dated April 24, 2024 that repeals Oregon Administrative Rules 414-100-0000, 414-100-0005, 414-100-0010, 414-100-0015, and 414-100-0020.

CONTACT: Alyssa Chatterjee, Early Learning Systems Director, Department of Early Learning and Care



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

Appendix A: Proposed Repeal of Oregon Administrative Rule Language for the Dependent Care Planning and Development Program

OAR 414-400-0000: Definitions

- (1) ~~"Community Center" mean facilities operated by non-profit community-based organizations for the provision of recreational, social or educational service to the general public.¶~~
 - (2) ~~"Department" means the Employment Department.¶ (3) "Dependent" means:¶~~
 - (1) ~~_____ An individual who has not attained the age of 17 years;¶ (b) An individual who has attained the age of 55 years; or¶ (c) A person with a developmental disability.¶~~
 - (1) ~~"Developmental Disability" means a severe chronic disability which:¶~~
 - (a) ~~Is attributable to a mental or physical impairment or combination of physical and mental impairments;¶ (b) Is manifested before the person attains age 22;¶~~
 - (1) ~~Is likely to continue indefinitely;¶~~
 - (2) ~~Results in substantial functional limitations in three or more of the following areas of major life activity:¶ (A)~~
 - ~~Self-care;¶~~
 - (1) ~~Receptive and expressive language;¶~~
 - (1) ~~Learning;¶ (D) Mobility;¶~~
 - (1) ~~Self-direction;¶~~
 - (2) ~~Capacity for independent living; and¶ (G) Economic self-sufficiency.¶~~
 - (1) ~~Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are individually planned and coordinated.¶~~
 - (1) ~~"Eligible Activities" mean the planning and development activities allowed under these rules.¶~~
 - (2) ~~"Local Education Agency" means a public board of education or other public authority legally constituted within the State for either administrative control or direction of; or to perform a service function for, public elementary or secondary schools as established in the State of Oregon.¶~~
 - (3) ~~"Administrator" means the Administrator of the Child Care Division of the Employment Department.¶ (8)~~
 - ~~"School Age Children" means children aged five through thirteen.¶~~
 - (1) ~~"School Facilities" means classroom and related facilities used for the provision of education.¶~~
 - (2) ~~"Subcontractor" means local public or private, non-profit entities with which Child Care Division subcontracts for operation of the Dependent Care Planning and Development Program.~~
- ~~Statutory/Other Authority: ORS 657A~~
~~Statutes/Other Implemented: ORS~~
~~657A.010~~

OAR 414-400-0005: Administration

- (1) ~~The Child Care Division, Employment Department, has been designated by the Governor as the agency responsible for administering the Dependent Care Program.¶~~
- (2) ~~The Child Care Division shall select subcontractors to administer this program on the basis of proposals received in response to requests for proposals issued by the Child Care Division.¶~~
- (3) ~~The Administrator shall be responsible for development of request for proposals, the process for disseminating such requests and timeframes for submissions of proposals.¶~~



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

- ~~(4) The Administrator shall be responsible for selecting any subcontractors to administer this program and for determining the level of funding available to any such subcontractor.~~

~~Statutory/Other Authority: ORS 657A~~

~~Statutes/Other Implemented: ORS
657A.010~~

OAR 414-400-0010: Eligible Activities

- ~~(1) Dependent Care Grant funds shall be used for the planning, development, establishment, expansion, or improvement of resources and referral systems to provide information concerning the availability, types, costs and locations of dependent care services and for the planning, development, establishment, expansion or improvement of programs to furnish school-age children services before and after school in public or private school facilities or in community centers in communities where school facilities are not available.¶~~
- ~~(2) Forty percent of the Dependent Care Grant funds available to the State will be used to fund eligible activities in relation to dependent care resource and referral systems.¶~~
- ~~(3) Sixty percent of the Dependent Care Grant funds available to the State will be used to fund eligible activities in relation to before and after school care programs for school-age children.¶~~
- ~~(4) Such activities as:¶~~
- ~~(a) Program Operations;¶~~
 - ~~(b) Private Client Subsidies;¶~~
- ~~(1) Subsidizing direct provision of dependent care services; and¶~~
- ~~(2) Construction or renovation are not eligible under the Dependent Care Program. Statutory/Other Authority: ORS 657A~~
- ~~Statutes/Other Implemented: ORS 657A.010~~

OAR 414-400-0015: Requirements

- ~~(1) Prior to undertaking any eligible activity, any subcontractor(s) shall sign a contract with the Child Care Division. That contract shall include, but not be limited to the projected level of funds available for program operations; the activities to be undertaken; the time period during which the contract is in effect; and fiscal, program and audit reporting requirements.¶~~
- ~~(2) Any subcontractor(s) will provide quarterly reports and one final report to the Child Care Division in a format provided by the Child Care Division. Such reports will include information on the types of activities undertaken in the reporting period, the outcome of those activities and expenditures associated with those activities.¶~~
- ~~(3) The Child Care Division will require any subcontractor(s) to utilize funds available through this program to supplement, not replace or duplicate any existing efforts in the area of eligible activities for dependent populations.¶~~
- ~~(4) The Child Care Division will require its information and referral system subcontractors to assist in developing dependent care information and referral systems with an information base which includes:¶~~
- ~~(1) The types of dependent care services provided by individual home, religious organizations, community organizations, employers, private industry, and public and private institutions;¶~~
 - ~~(2) The costs of available dependent care services;¶~~



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

- (3) _____ The locations in which dependent care services are provided;¶ (d) The forms of transportation available to such locations;¶
- (1) The hours during which such dependent care services are available;¶
- (2) _____ The dependents eligible to enroll for such dependent care services; and¶
- (3) Any resource and referral system planned, developed, established, expanded, or improved with amounts paid to a state under the Dependent Care Planning and Development Grant.¶
- (5) The Child Care Division will require school age child day care subcontractor(s) to assist in developing before and after school programs for school-age children which include:¶
- (1) _____ Agreements with local education agencies or community centers for use of facilities, restrictions on such use and schedules for such use;¶
- (2) Involvement of parents in program development and implementation;¶
- (3) _____ Efforts to enroll of racially, ethnically and economically diverse as well as handicapped school-age children in the program;¶
- (4) _____ Compliance with applicable state and local licensing laws and regulations governing child care services for school-age children.
- Statutory/Other Authority: ORS 657A
- Statutes/Other Implemented: ORS 657A.010

OAR 414-400-0015: Fiscal Control/Reporting Requirements/Documentation

- (1) Any Child Care Division subcontractor(s) shall prepare and submit a quarterly and an annual report on its activities under this program. Such reports shall be submitted in a format prescribed and shall include both program and fiscal information.¶
- (2) Program reports shall provide a description of the projects, programs and services assisted through Dependent Care Grant funding and shall include a summary of the services which were provided, the providers of the services, the individuals who receive such services and the progress made toward program goals.¶
- (3) Fiscal reports shall be used to determine whether funds were spent in accordance with State and Federal rules and regulations and shall document the purposes for which funds were spent and the recipients of such funds.¶ (4) Any Child Care Division subcontractors(s) shall provide the Child Care Division an annual audit of program and fiscal transactions carried out under this program within 180 days after the close of the agency fiscal year.
- Statutory/Other Authority: ORS 657A
- Statutes/Other Implemented: ORS 657A.010



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

COUNCIL ACTION REQUEST

Date: April 24, 2024

AGENDA ITEM: Migrant and Seasonal Farmworker Child Care Program Ruleset Repeal

ACTION: Repeal administrative rules to for the Migrant and Seasonal Farmworker Child Care Program that expired in 2017, effective April 24, 2024.

ISSUE: Due to expiration of the program in 2017, DELC needs to repeal the ruleset for the Migrant and Seasonal Farmworker Child Care Program because these rules no longer govern any active program.

BACKGROUND: DELC administered the Migrant and Seasonal Farmworker Child Care Program until 2017. The Migrant and Seasonal Farmworker Child Care Program was funded through the Child Care Development Block Grant (CCDBG) and served as a seasonal or as-needed "drop-in" use child care in which families could use their child care subsidy. This program expired in 2017, when the reauthorization of CCDBG mandated that families receiving child care be eligible for subsidy benefits for a full 12 months. The new federal requirements did not allow the Department to administer the program in a way that met the needs of families.

PROCESS: A public hearing was held on April 1, 2024 and public comment was open until April 5, 2024. DELC did not receive any public comment on this ruleset repeal.

Please see "Proposed Repeal of Oregon Administrative Rule Language for the Migrant and Seasonal Farmworker Child Care Program" for full rule language text presented for repeal.

PROPOSED DRAFT MOTION:

A) I move to repeal the following ruleset dated April 24, 2024 that repeals Oregon Administrative Rules 414-400-0000, 414-400-0010, 414-400-0020, 414-400-0031, 414-400-0040, 414-400-0050, 414-400-0060, 414-400-0080, 414-400-0090, 414-400-0095, and 414-400-0100.

CONTACT: Alyssa Chatterjee, Early Learning Systems Director, Department of Early Learning and Care



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

Appendix A: Proposed Repeal of Oregon Administrative Rule Language for the Migrant and Seasonal Farmworker Child Care Program

OAR 414-400-0000: Purpose

The purpose of these rules is to define key terms, describe eligibility criteria, and rate payment policies related to Early Learning Division (ELD) Migrant and Seasonal Child Care Program. Expenditures by ELD under these rules are subject to availability of state and federal funds, as applicable, and are subject to immediate curtailment by ELD if the necessary state or federal authorizations or funding are curtailed.

Statutory/Other Authority: ORS 657A

Statutes/Other Implemented: ORS
657A.010

OAR 414-400-0010: Definitions

- (1) "Agricultural Labor" means:¶
- (a) Any activity related to crop production, including soil preparation, planting, cultivating, crop protection or harvesting, preparing crops for market, irrigation work, operating farm machinery, or general farm work; or¶
 - (b) Any activity directly related to the processing of crops, including freezing, canning and drying; or¶
 - (c) Any activity directly related to the cultivation of trees and shrubs, or tree farming including wreath making.¶
 - (d) Labor that does not fall under "Agricultural Labor" includes, but is not limited to: landscaping, fishing, reforestation, and animal husbandry.¶
- (2) "Authorized Absence" means the temporary absence from the facility by a child who is expected to return to care.¶
- (3) "Available to care for children" means not working, attending or enrolled in school, and being physically and emotionally capable of caring for children.¶
- (4) "Contractor" means the non-profit or other type of organization that does outreach to and performs administrative functions for Migrant and Seasonal farmworkers families seeking child care financial assistance.¶ (5) "Early Learning Division (ELD) Special Populations" means the child care subsidy program administered by the Oregon Department of Education, Early Learning Division.¶
- (1) "Employment Related Day Care (ERDC)" means the child care subsidy program administered by the Oregon Department of Human Services.¶
- (2) "Migrant Family" means:¶
- (1) A family who is employed in farm labor as defined in "Agricultural Labor;" and¶
 - (2) An entire family that moves their residence for the purpose of employment in Agricultural Labor, and the move or moves result in either:¶
 - (1) ——— An absence of at least two months from the geographical service area, or¶ (B) A cumulative total of at least 150 miles.¶
 - (3) "Seasonal Family" is a family:¶
 - (1) Whose wage earners make their living from agricultural labor on a seasonal basis in the same area as their residence; and¶
 - (2) That has fit the definition of a "Migrant family" within the last 36 months; and¶ (c) That has settled, or is in the process of settling, from migrant status, and¶
 - (d) Is not employed in agricultural labor year round by the same employer. Statutory/Other Authority: ORS 329A
- Statutes/Other Implemented: ORS 329A.010



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

OAR 414-400-0020: Eligibility Criteria

- ~~(1) Migrant family eligibility criteria include:¶¶~~
 - ~~(a) The Migrant family wage earners make their living doing farm labor as defined in "Agricultural Labor"; and¶¶~~
 - ~~(b) Are residing in Oregon; and¶¶~~
- ~~(1) The parents are working in, or reporting for, agricultural labor in Oregon which they expect to be available at the time of reporting; and¶¶~~
- ~~(2) At least 50 percent of the family income for the preceding 12 months was earned from agricultural labor; and¶¶ (c) The family earns 185 percent or less of the current Federal Poverty Level; and¶¶~~
- ~~(1) The entire family moves their residence at least once in twelve months for the purpose of employment in agricultural labor; and¶¶~~
- ~~(2) There is no capable family member in the household who is 18 years of age or older available to provide child care.¶¶~~
- ~~(2) Seasonal Family eligibility criteria includes:¶¶~~
 - ~~(a) The seasonal wage earners make their living doing agricultural labor; and¶¶~~
 - ~~(b) Are residing in Oregon; and¶¶~~
- ~~(1) At least one parent is currently working in agricultural labor; and¶¶~~
- ~~(2) At least 50 percent of the family income for the preceding 12 months was earned from such work; and¶¶ (c) The family earns 185 percent or less of the current Federal Poverty Level; and¶¶~~
- ~~(1) At the time of application as a Seasonal Family, has fit the definition of a Migrant Family within the last 36 months; and¶¶~~
- ~~(2) There is no capable family member in the household who is 18 years of age or older available to provide child care.~~

Statutory/Other Authority: ORS 329A
Statutes/Other Implemented: ORS 329A.010

OAR 414-400-0031: Eligibility Verification

- ~~(1) To accommodate the immediate need for child care by Migrant Families and to be eligible for ELD subsidized child care benefits, Migrant Family clients must do all of the following:¶¶~~
 - ~~(1) Apply for the ELD Special Populations subsidy program using forms provided by the ELD and document: Applicant's family size and membership, current and previous places of residence, employment history and family income for the past 12 months. The income that determines family co-pay shall be for the 12 full months just prior to application, or for the most recent tax year, and shall be for all wage earners age 18 and above in the family membership.¶¶~~
 - ~~(2) An ELD subsidy program application shall be completed or updated, and eligibility factors must be verified by the Contractor for all of the following: Contractor's intake staff must ask for and review documents that verify income, employment, entire family movement and current residence in Oregon.¶¶~~
 - ~~(3) Contractor files must contain copies of documents or a record verifying documents were viewed.¶¶~~
 - ~~(4) The ELD may verify any factors affecting eligibility or benefit when they are considered questionable.¶¶~~
 - ~~(5) If reported information or information on the application is questionable or if it is inconsistent, the following conditions may apply:¶¶~~
 - ~~(1) ELD may deny an application, or¶¶~~
 - ~~(2) Immediately end ongoing benefits to the Migrant Family when acceptable verification is not provided, or if inconsistencies cannot be resolved; and¶¶~~
 - ~~(3) Require the Contractor to reimburse the ELD for a portion or all of the subsidies that were paid for child care that were paid in error.¶¶~~
 - ~~(6) A Migrant Family will be notified by the Contractor in writing at least ten business days prior to the end of the 12 months' eligibility or if funds are no longer available.¶¶~~



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

- (7) Verification provided for one federal program may be used as verification for all ELD programs in which the Migrant Family participates.¶
- (2) To be eligible for the ELD subsidy program, Seasonal Families must do all of the following:¶
- (1) Apply for the Department of Human Services ERDC program and follow all eligibility, determination, and copayment rules.¶
- (2) If applicant does not qualify for or is put on the reservation list for the ERDC program, the Seasonal Family may apply for the ELD Special Populations subsidy program. On forms provided by the ELD, applicant will document:¶
- (1) Applicant's family size and membership, current and previous places of residence, employment history and family income for the past 12 months; and¶
- (2) Verification of the family qualifying for Migrant Family status within the past 36 months at time of application.¶
- (3) The income that determines family co-pay shall be for the 12 full months just prior to application, or for the most recent tax year, and shall be for all wage earners age 18 and above in the family membership group.¶
- (4) An application shall be completed or updated and eligibility factors must be verified by the Contractor for all of the following:¶
- (1) Contractor intake staff must ask for and review documents that verify income, employment, and current residence in Oregon; and¶
- (2) Contractor files must contain copies of documents or a record verifying documents were viewed.¶
- (5) The ELD may verify any factors affecting eligibility or benefit when they are considered questionable.¶
- (6) If reported information or information on the application is questionable or if it is inconsistent, the following conditions may apply:¶
- (1) The Early Learning Division may deny an application, or¶
- (2) Immediately end ongoing benefits to the Seasonal Family when acceptable verification is not provided or if inconsistencies cannot be resolved, or¶
- (3) Require the Contractor to reimburse the ELD for a portion or all of benefits that have been paid for child care that has been paid in error.¶
- (7) A Seasonal Family will be notified by the Contractor in writing at least ten days prior to the end of the 12-month eligibility, or if funds are no longer available.¶
- (1) Verification provided for one program may be used as verification for all Early Learning Division programs in which the client participates.
Statutory/Other Authority: ORS 329A
Statutes/Other Implemented: ORS 329A.010

OAR 414-400-0040: Payment Process

Early Learning Division payment is subject to CCD established eligibility conditions described in these rules.¶

(1) ELD will pay only for child care authorized by the ELD.¶

- (1) Payment is made to providers who are registered or certified and hold a valid child care subsidy contract with the ELD.¶
- (2) If a child is in child care when the service plan is made, payment shall be made only from the date the service is authorized.¶
- (3) ELD will make payments for temporary absence if required by the provider, subject to the following requirements and limits:¶
- (1) The provider must use the same policy for both ELD and non-ELD child care subsidy families;¶ (b) The child must be expected to continue in child care with the same provider after the absence;¶



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

- ~~(1) ELD will make payment for actual absence(s) not to exceed a total of five (5) working days in any calendar month, not to exceed 40 hours of authorized absences per month; and¶¶~~
- ~~(2) Absence days, or portions thereof, will include on the time(s) for which child care has been authorized by ELD.~~
Statutory/Other Authority: ORS 329A
Statutes/Other Implemented: ORS 329A.010

OAR 414-400-0050: Billing Method

- ~~(1) ELD payments for child care are made by check to the Contractor or provider on the behalf of the client after all care for the month has been given.¶¶~~
- ~~(2) The invoice is to be submitted by the Contractor or provider on forms approved by the ELD.¶¶~~
- ~~(3) Registered and Certified family child care and Certified Center providers must bill at an hourly rate not to exceed the total authorized.~~
Statutory/Other Authority: ORS 329A
Statutes/Other Implemented: ORS 329A.010

OAR 414-400-0060: Determining Child Care Rates for Payment

- ~~(1) The maximum rates the ELD pays for Migrant and Seasonal child care are determined by the most recent Oregon Department of Human Services (DHS) market rate survey and will be furnished upon request.¶¶~~
- ~~(2) ELD will pay the provider's rates within the (DHS) maximums as specified in the provider contract with ELD.¶¶~~
- ~~(3) Rates charged to ELD for child care services may not exceed rates charged for comparable services to non-subsidy children.¶¶~~
- ~~(4) The provider shall not ask the family for, or accept directly or indirectly, any additional payment for care provided to an ELD subsidy eligible family other than those in section (2) of this rule.¶¶~~
- ~~(5) Families are subject to copayments according to DHS copayment standards.¶¶~~
- ~~(1) During the first month, or part thereof, of child care, all Migrant and Seasonal Families will be charged the minimum copayment.¶¶~~
- ~~(2) When all children in a family receive three or fewer hours a day of children, the minimum copayment will apply.¶¶~~
- ~~(3) For the ELD subsidy program, the copayment for each Seasonal Family will be determined based on 50 percent of the DHS copayment for the family size and monthly income. Monthly income shall be determined by dividing the annual family income by 12.¶¶~~
- ~~(4) The family shall be informed of their copayment when they apply and their copayment shall be included in writing on the client application.¶¶~~
- ~~(5) The Contractor is responsible to collect the copayment.¶¶~~
- ~~(6) The Contractor may choose not to collect the copayment from the family, but the copayment must be deducted from the amount billed to the ELD before ELD is billed.¶¶~~
- ~~(6) Copayment Subsidies: For Seasonal Families that have been determined eligible for the ERDC program, the ELD Special Populations program will reimburse the Contractor for 50 percent of the copayment required to be paid by the family to receive the ERDC child care subsidy.¶¶~~
- ~~(1) Contractor will invoice the ELD monthly for the copayment reimbursement, and will provide documentation that show the required payment for the Seasonal family.¶¶~~
- ~~(2) The subsidized copayment amount will be disbursed by the ELD directly to the child care provider or to the Contractor for payment to the child care provider.¶¶~~



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

- (3) ELD subsidized copayments are meant to ease the financial burden on Seasonal Families seeking child care subsidy. ~~Neither the Contractor nor the child care provider shall charge an applicant family any fees or copayments that have already been paid on behalf of the applicant family to the provider by ELD.~~
- (7) In-home Care. Minimum wage for care in a child's own home is governed by the state minimum wage law. ~~It may not be negotiated to a lower rate. Overtime at one and one half times the regular rate must be paid for all hours worked in excess of 40 hours in a work week (seven sequential days). Overtime shall not be paid to a provider who lives in the child's home.~~
- Statutory/Other Authority: ORS 329A
Statutes/Other Implemented: ORS 329A.010

OAR 414-400-0080: Exception

- (1) ~~Specific exception to any section of these rules may be granted for good and just cause by the Child Care Division. The exception must be requested in writing, and show how the intent of the rule will be met to the Early Learning Division.~~
- (2) ~~No exception will be granted which may jeopardize the health, safety, and well-being of any child in care.~~
- (3) ~~All exceptions must be submitted in writing to the Child Care Division, and remain there on file. The granting of an exception shall not constitute a precedent for any other provider or client.~~
- Statutory/Other Authority: ORS 329A
Statutes/Other Implemented: ORS 329A.010

OAR 414-400-0090: Parent Complaints

- (1) ~~All Contractors for the Migrant and Seasonal Farmworker child care services program shall establish a process by which families may present a grievance or complaint regarding child care services.~~
- (2) ~~Records of all complaints shall be maintained and the ELD must be notified in writing of all grievance and complaints within ten (10) working days of receipt by the Contractor.~~
- Statutory/Other Authority: ORS 329A
Statutes/Other Implemented: ORS 329A.010

OAR 414-400-0095: Mandatory Reporter

As required by Oregon Revised Statutes (ORS) 419B.005 through 419B.050, Contractor must immediately inform either the local office of the Department of Human Services (DHS) or a law enforcement agency when they have reasonable cause to believe any child with whom the Contractor comes in contact has suffered abuse, or any person with whom the Contractor comes in contact has abused a child. Oregon Law recognizes child abuse to be physical injury; neglect or maltreatment; sexual abuse and sexual exploitation; threat of harm; mental injury; and child selling. Report must be made immediately upon awareness of the incident.

Statutory/Other Authority: ORS 329A
Statutes/Other Implemented: ORS 329A.010

OAR 414-400-0100: Limits on Disclosure



Early Learning Council

February 28, 2024

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

- ~~(1) No employee or volunteer of the ELD, or other agency, may disclose information about clients except as stated in OAR 412-001-0100 through 412-001-0170, or at the direction of a court of competent jurisdiction, or upon advice of the Attorney General.~~
- ~~(2) The ELD may disclose information in order to administer its programs and provide services when it is in the best interest of the applicant's family, unless specifically forbidden by statutes, these rules or by court order. Reasons for disclosure include, but are not limited to, providing information to: A social service agency, service provider or agency of State Office for Children and Families for the purpose of arranging appropriate child care services for the applicant's family.~~
- ~~Statutory/Other Authority: ORS 329A~~
~~Statutes/Other Implemented: ORS 329A.010~~