



# Oregon

Tina Kotek, Governor



Oregon Department of  
**Early Learning  
and Care**

700 Summer Street NE #350

Salem, Oregon 97301

[DELC.Info@delc.oregon.gov](mailto:DELC.Info@delc.oregon.gov)

[Oregon.gov/delc](http://Oregon.gov/delc)

Greetings Rulemaking Advisory Committee Participants,

Thank you for sharing your time and expertise with us through the Employment Related Day Care (ERDC) Rules Advisory Committee (RAC). You will be providing input on the proposed changes to the administrative rules pertaining to Employment Related Day Care (ERDC). There will be one meeting which will be held via Zoom.

### **Meeting Preparation:**

To support a productive conversation, we kindly ask that you review the draft rule language prior to the meeting. Your perspective and insights are important, and taking time to read through the materials in advance will help ensure thoughtful discussion during our time together.

### **Compensation:**

Committee members will receive **\$50 per meeting** in recognition of the time and thoughtful input you are providing. Additional information about compensation will be shared at the RAC meeting.

### **Dates and time for the RAC:**

Wednesday, January 14<sup>th</sup>, 2026, from 6:00 PM – 7:00 PM

Join ZoomGov Meeting:

<https://www.zoomgov.com/j/1600670346?pwd=SHroI5saHg49aTmdxaj6lhNjHnabx5.1>

- Meeting ID: 160 067 0346
- Passcode: 164551

## **Agenda**

| Topic   | Time    |
|---|---------|
| 1. Welcome and Attendance   | 5 mins  |
| 2. Review Group Norms   | 5 mins  |
| 3. Overview of OAR Updates Effective March 1, 2026:<br>• 414-175-0002; Definitions<br>• 414-175-0011; Certification Period<br>• 414-175-0015; Eligibility Group Structure<br>• 414-175-0023; Requirement to Establish a Child Care Need and Hours Authorizations* | 40 mins |

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**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.



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|  |        |
|--|--------|
| <ul style="list-style-type: none"><li>414-175-0040; Prospective Eligibility and Budgeting</li><li>414-175-0050; Income Limits and Copay Amounts</li><li>414-175-0070; Effective Dates</li><li>414-175-0075; Child Care Provider Eligibility Standards, Payment Rates, Payment Limits, and Payable Hours</li><li>414-175-0076; High Needs Child Care Payments</li><li>414-175-0080; Eligibility of Child Care Providers</li></ul> |        |
| 4. Closing Comments <ul style="list-style-type: none"><li>Reimbursement Process Reminder</li><li>Public Comment and Hearing Reminder</li></ul>   | 5 mins |

## RAC Committee Roster

| Name                  | Organization/Affiliation       | Region<br>(City or County) |
|-----------------------|--------------------------------|----------------------------|
| Gellelyn Montiel      | Child Care Provider            | Tigard                     |
| Jasmine Green         | Child Care Provider            | Bonanza                    |
| Liz Salinas           | Child Care Provider            | Salem                      |
| Amy Hanna             | Child Care Provider            | Eugene                     |
| Kim Huling            | Child Care Provider            | Freewater                  |
| Amanda Hurley         | Family                         | St. Helens                 |
| Mellie Bukovsky-Reyes | Family                         | Yachats                    |
| Marchel Kaleikini     | Family/Advocacy Organization   | Hillsboro                  |
| Anneliese Sheahan     | Union-CCPT L132                | Gladstone                  |
| Lisa Duffield         | Union-CCPT L132                | Beaverton                  |
| Natasha Ilys          | 211 Info                       | Portland                   |
| Jennifer Hook         | Child Care Resource & Referral | Hermiston                  |
| Rayanna Van Dine      | Child Care Resource & Referral | La Grande                  |
| Molly McLaughlin      | Early Learning Hub             | Medford                    |
| Mercedes Elizalde     | Community Based Organization   | Portland                   |
| Jill Johnson          | Community Based Organization   | Eugene                     |

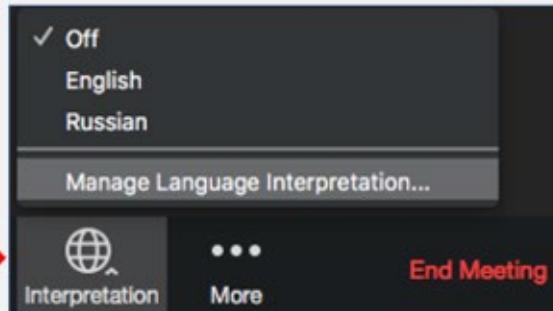
If you have questions, please reach out to **Jennifer Heras**, [jennifer.j.heras@delc.oregon.gov](mailto:jennifer.j.heras@delc.oregon.gov)

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# Interpretation Available:

- Click the globe icon to select your language. You can find it in the bottom right corner.
- Presione el ícono del mundo para seleccionar su idioma. Lo puede encontrar en la esquina derecha de su pantalla.
- Чтобы выбрать нужный язык, нажмите на значок с изображением глобуса в правом нижнем углу экрана.



**Rename your participant icon with your first and last name.** You can do that one of **two** ways:

- Click on the participants icon on the bottom of your screen.
- At the top right, your participant name will appear.
- Hover over your name and click on the 3 dots to the right and click rename.
- Right mouse click on the screen to get a short menu. Choose rename.



**Accessing Zoom from a phone App:**  
**Rename your participant icon with your first and last name.**  
On the Zoom in-meeting controls, tap Participants  
Tap your name, then tap rename

Other controls:  
\*6 Mute/Unmute  
\*9 Raise/Lower hands

# Agenda

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- Welcome and Attendance
- Review of Group Norms
- Overview of proposed OAR Updates  
Effective March 1, 2026
- Review of Next Steps and Timeline
- Closing Comments and Thank You





Oregon Department of  
**Early Learning  
and Care**

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**Proposed Rule Changes for  
Employment Related  
Day Care (ERDC)**

January 2026



# Group Norms

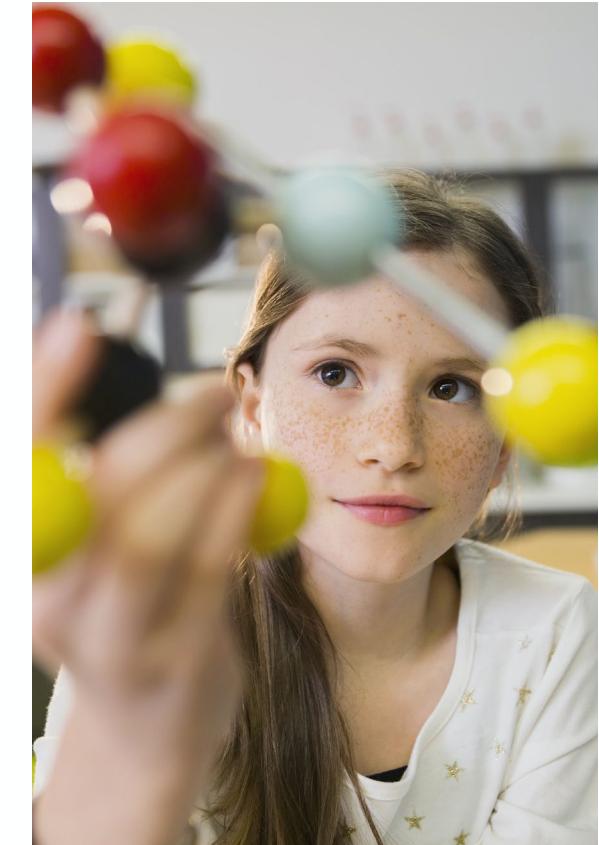
- Bring an equity-driven perspective and approach
- Center children, families, and early learning professionals
- Stay curious and welcome other points of view
- Seek first to understand, then to be understood
- Stay present
- Be respectful with your words
- Be aware of the power and privilege within this group
- Start and stop on time



# Summary of Proposed Rule Changes

Effective date of changes: March 1, 2026

- 414-175-0002; Definitions
- 414-175-0011; Certification Period
- 414-175-0015; Eligibility Group Structure
- 414-175-0023; Requirement to Establish a Child Care Need and Hours Authorizations
- 414-175-0040; Prospective Eligibility and Budgeting
- 414-175-0050; Income Limits and Copay Amounts
- 414-175-0070; Effective Dates
- 414-175-0075; Child Care Provider Eligibility Standards, Payment Rates, Payment Limits, and Payable Hours
- 414-175-0076; High Needs Child Care Payments
- 414-175-0080; Eligibility of Child Care Providers



# 414-175-0002: Definitions

## Purpose/Background

- OAR 414-175-0002 outlines definitions for the ERDC ruleset.

## Reason for Change

- Removes outdated term “custodial parents,” and replaces it with “caretaker” to align with current ERDC terminology. Clarifies the definition of “farmland” to specify it applies only to land leased or rented for income, not property used in a business owned by someone in the filing group.

## Impacts of Change

- Updating terminology better aligns definitions with current policy intent, improving consistency across the ruleset. Clarification of “farmland” helps prevent misinterpretation and inconsistent treatment of income.



# 414-175-0011: Certification Period



## Purpose/Background

- OAR 414-175-0011 outlines how long a certification period is, when it can be extended, and when a case can close during the certification period.

## Reason for Change

- This change adds additional reasons a case may close mid-certification, so all closure criteria are contained in one rule rather than spread across multiple sections.

## Impacts of Change

- Criteria for mid-certification case closures were scattered across multiple rules, making it difficult for staff to locate requirements and apply them consistently. Consolidating these criteria into one rule helps to improve clarity and reduces the risk of improper payment errors.



# 414-175-0015: Eligibility Group Structure

## Purpose/Background

- OAR 414-175-0015 defines the five Eligibility Determination Groups (EDGs): from largest to smallest these are *household*, *filing*, *financial*, *need*, and *benefit* groups. It specifies who belongs to each group, how their inclusion affects program eligibility, whose assets are evaluated, which financial and non-financial information is considered, and who qualifies to receive ERDC benefits.

## Reason for Change

- Removes the outdated term “Caretaker relative” and replaces it with “caretaker” to align with current ERDC terminology.

## Impacts of Change

- “Caretaker relative” is no longer the correct program term and conflicted with other rules that already use “caretaker.” Updating it ensures terminology is consistent across ruleset.



# 414-175-0023: Requirement to Establish a Child Care Need and Hours Authorization



## Purpose/Background

- OAR 414-175-0023 outlines the criteria for determining a family's need for child care and authorized hours. The rule also clarifies when child care costs are covered and how authorized hours are calculated.

## Reason for Change

- Restores language outlining when ERDC may pay for care during distance learning and adds updated OCC rule numbers. This language was previously amended in March 2025 but was inadvertently removed during the July 2025 updates.

## Impacts of Change

- The accidental removal of distance-learning payment guidance and updated OCC rule references caused gaps in policy and confusion. Restoring and updating the language help to ensure correct application of ERDC rules and alignment with OCC classifications.



# 414-175-0040: Prospective Eligibility and Budgeting

## Purpose/Background

- OAR 414-175-0040 outlines how we budget income for the ERDC program.

## Reason for Change

- Clarifies that when a person with income is added to an existing ERDC filing group, their income is not counted for the remainder of the certification period.

## Impacts of Change

- This update aligns ERDC policy with federal requirements, provides clear guidance for staff, and helps prevent unintended benefit reductions.



# 414-175-0050: Income Limits and Copay Amounts

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## Purpose/Background

- OAR 414-175-0050 outlines the monthly income limits for ERDC and the required monthly copay per family size and income.

## Reason for Change

- This change is needed to update income limits and copay charts that reflect the 2026 Federal Poverty Levels (FPL).

## Impacts of Change

- Federal Poverty Levels (FPL) change annually and revising the limits to reflect 2026 FPL ensures ERDC eligibility determinations and copay calculations remain accurate and aligned with federal requirements.



# 414-175-0070: Effective Dates

## Purpose/Background

- OAR 414-175-0070 outlines effective dates for start dates, end dates and when changes go into effective for the ERDC program.

## Reason for Change

- Removes language describing when a copay may increase after adding a new person with income during a certification period, as that income is no longer counted under updated policy.

## Impacts of Change

- Because newly added income is no longer countable during a certification period, the prior copay-increase language became outdated and conflicted with other rule changes. Removing it helps prevents incorrect copay increases and supports consistency across the ruleset.



# 414-175-0075: Child Care Provider Eligibility Standards, Payment Rates, Payment Limits, and Payable Hours



## Purpose/Background

- OAR 414-175-0076 outlines the eligibility standards, payment rates, limits and payable hours for families and child care providers.

## Reason for Change

- Restores language that was inadvertently removed during the July 2025 update, ensuring Outdoor Nature-Based Programs are paid at the certified center rate as originally intended. It also updates child care provider payment rates for centers and licensed family providers to reflect current rate structures.

## Impacts of Change

- Restoring the removed language ensures Outdoor Nature-Based Programs are paid at the certified center rate, aligning payments with previously adopted policy. Additionally, increasing provider rate for centers and licensed family providers reflects updated rate structures and supports accurate, consistent reimbursement across provider types.

# 414-175-0076: High Needs Child Care Payments



## Purpose/Background

- OAR 414-175-0076 outlines eligibility criteria and calculation method for additional child care payments for children with high needs under the ERDC program. It ensures that families and providers receive appropriate support when caring for children who require extra supervision or specialized care due to physical, mental, or behavioral conditions, using a standardized process for determining both eligibility and payment amounts.

## Reason for Change

- Adds private therapies and behavioral or mental health services as additional ways a child may qualify for high-needs payments.

## Impacts of Change

- Additional qualifying ways were already used in practice but were missing from the rule. Including them in rule language aligns policy with current program operations, helps ensure clarity for staff and providers, and supports equitable access to high-needs payments for eligible children.



# 414-175-0080: Eligibility of Child Care Providers



## Purpose/Background

- OAR 414-175-00800 sets the eligibility standards for child care providers who participate in the ERDC program. The rule is to ensure that children are cared for in safe environments by qualified providers who meet health, safety, and background requirements.

## Reason for Change

- Replaces “caretaker relative” with “caretaker”. Additionally, the rule change clarifies that DELC may approve a provider caring for a child in the child’s home if enrolled in the Central Background Registry (CBR).

## Impacts of Change

- Updating terminology reduces inconsistency across the ruleset and aligns with current policy language. Clarifying that providers may be approved to care for children in the child’s home under CBR enrollment provides clear guidance for staff and supports safe care practices.



# Next Steps and Timeline



|   |   |
|---|---|
| ERDC Rules Presented to Early Learning Council (ELC) for Review | January 28, 2026                        |
| ERDC RAC Meeting <span style="color: yellow;">★</span>          | January 14, 2026                        |
| Public Hearing: ERDC Rules                                      | February 2, 2026<br>(5:00 PM – 6:00 PM) |
| Public Comment Period Ends                                      | February 6, 2026<br>(5:00 PM)           |
| ERDC Rules Presented to Early Learning Council (ELC) for Vote   | February 25, 2026                       |
| Rule Changes Effective Date<br>(if passed by ELC)               | March 1, 2026                           |

