

Created by CH on 8/16/13

Temporary

OREGON DEPARTMENT OF EDUCATION YOUTH DEVELOPMENT DIVISION

DIVISION 1

PROCEDURAL RULES AND DEFINITIONS

423-001-0000

Notice of Proposed Rule

(1) Except when adopting temporary rules pursuant to ORS 183.335(5), the ~~Oregon Commission on Children and Families~~ **Youth Development Council**, prior to the adoption, amendment or repeal of any administrative rule under ORS Chapter 183, will give notice of the proposed action so interested citizens have a reasonable opportunity to be informed and to comment.

(2) The ~~Oregon Commission on Children and Families~~ **Youth Development Council** will routinely send notices of proposed rule actions at least 28 days before the effective date of the rule to:

~~(a) All Local Commissions on children and families;~~

~~(b)~~ (a) All Boards of County Commissioners;

(b) All Tribal Councils;

(c) Persons on the ~~Agency's~~ **Division's** mailing list established pursuant to ORS 183.335(7);

(d) Anyone who requests such notices;

(e) The Secretary of State, for publication in the Secretary's Bulletin;

(f) The Associated Press, and the Capitol Press Room; and

(g) Other persons, agencies, or organizations that the ~~Oregon Commission on Children and Families~~ **Youth Development Council** believes to have an interest in a particular rule or rule action.

(3) The ~~Oregon Commission on Children and Families~~ **Youth Development Council** will send copies of the proposed rule to the legislators specified in ORS 183.335(14) at least 49 days before the effective date of the rule.

(4) ~~The Oregon Commission on Children and Families~~ **Youth Development Council** will send copies of the proposed rule to interested persons as requested.

(5) When copies of rules or proposed rules are mailed, the Agency may charge fees to defray costs of one or more of the following:

(a) Maintenance of mailing lists;

(b) Materials; and

(c) Printing, handling and mailing of materials.

Stat. Auth.: Section 4, chapter 623, Oregon Laws 2013 (Enrolled House Bill 3231)

Stat. Implemented: Chapter 623, Oregon Laws 2013 (Enrolled House Bill 3231)

423-001-0005

Model Rules of Procedure

The Model Rules of Procedure under the Administrative Procedure Act promulgated by the Attorney General effective ~~March 27, 2000~~ **January 1, 2012** are hereby adopted as the rules of procedure of ~~the Oregon Commission on Children and Families~~ **Youth Development Council**.

Stat. Auth.: Section 4, chapter 623, Oregon Laws 2013 (Enrolled House Bill 3231)

Stat. Implemented: Chapter 623, Oregon Laws 2013 (Enrolled House Bill 3231)

423-001-0006

Definitions

As used in OAR chapter 423:

(1) 'Best practice' or "proven practice of effectiveness" means evidence-based programs, practice-based programs, core components, and principles that have been shown to reliably produce measurable and sustainable improvements in productivity, efficiency, or effectiveness.

(2) 'Board of County Commissioners' means the governing body of a county as defined in ORS 203.030 and includes a County Court as defined in ORS 203.111.

(3) 'Budget allocation' means an allocation of funds from the Youth Development Council to a County or Tribe.

(4) 'Budget distribution' means a budget created by County or Tribe staff in a format prescribed by the Division. The budget distribution demonstrates, by grant stream, the projected budget for all activities proposed by the County or Tribe and approved by the Board of County Commissioners or Tribal Council.

(4) ~~"Agency"~~ **Council** means the ~~State Commission~~ **Youth Development Council** acting through the staff of the ~~Oregon Commission on Children and Families~~ **Youth Development Division** as defined in ~~ORS 417.735(6)~~ Chapter 623 Oregon Laws 2013 (Enrolled HB3231).

(5) **'County'** means a county or two or more counties, which have combined to provide services to children, youth and families.

(6) **'Direct costs'** means those costs that can be identified specifically and directly with a particular program or project, such as a particular federal grant or a direct activity or program of the organization.

(7) **'Direct Services'** means those services provided directly to a child or family or group of children or families to maintain or enhance their well-being by a community based organization.

(8) **'Division'** means the Youth Development Division as defined in Chapter 623 Oregon Laws 2013 (Enrolled HB3231).

~~(2) "Basic capacity" means an allocation to Local Commissions that provides for the basic functions of a Local Commission office which include the following functions:~~

~~(a) Managing resources (includes general office support, fiscal and budget management, program evaluation, and staff development);~~

~~(b) Facilitation and coordination of meetings and forums;~~

~~(c) Coordinated, comprehensive planning in accordance with ORS 417.775; and~~

~~(d) The provision of technical assistance to their communities.~~

(9) **'Expended'** means the payment of goods delivered or services rendered or liquidation of an obligation.

(10) **'Indirect Costs'** means those costs that have been incurred for common or joint purposes and cannot be readily identified with or directly allocated to a particular program or project of the organization. Examples of indirect costs include building and equipment depreciation, rent and facilities maintenance costs, general and administrative expenses, and personnel administration and accounting where those costs are distributed to projects or programs through a formula or cost allocation method.

(11) **'Innovative program or practice'** means a program or practice that demonstrates success when outcomes are evaluated over time and draws on research-based principles and ideas from best programs and practices.

(12) **'Layperson'** means a person whose primary income is not derived from offering direct service to children and youth or from administering a program for children or youth.

(13) **'Provider'** means a program or service that has been approved for funding by the County or Tribe and the Board of County Commissioners or Tribal Council.

(14) 'Provider allocation' means those funds awarded by a County or Tribe to a public or private entity or person to achieve an outcome.

(15) 'Tribal Council' means the governing body of a Tribe as defined in ORS 182.162.

(16) 'Tribe' means a federally recognized Indian tribe in Oregon as defined in ORS 182.162.

~~(3) "Best practice" or "proven practice of effectiveness" means research based or evidence based programs, core components, and principles that have been shown to reliably produce measurable and sustainable improvements in productivity, efficiency, or effectiveness.~~

~~(4) "BOCC" or "Board of County Commissioners" means the governing body of a county as defined in ORS 203.030 and includes a county court as defined in ORS 203.111.~~

~~(5) "Budget allocation" means an allocation of funds from the State Commission to the Board of County Commissioners pursuant to an Intergovernmental Agreement per ORS 417.705 through 417.797 and 419A.170.~~

~~(6) "Budget distribution" means a budget created by Local Commission staff in a format prescribed by the Agency. The budget distribution demonstrates, by grant stream, the projected budget for all activities proposed by the Local Commission and approved by the Board of County Commissioners.~~

~~(7) "Collaborative funding process" means allowing all interested parties to have an opportunity to participate in a funding process intended to use resources in the most effective and efficient manner based on the local coordinated, comprehensive plan.~~

~~(8) "Community mobilization" means government and private efforts to increase community awareness and to facilitate the active participation of citizens and organizations in projects and issues that will have positive impact on the well-being of children, families and communities.~~

~~(9) "County" means a county or two or more counties, which have combined to provide services to children, youth and families under ORS 417.705 to 417.797 and 419A.170.~~

~~(10) "Direct costs" means those costs that can be identified specifically and directly with a particular program or project, such as a particular federal grant or a direct activity or program of the organization.~~

~~(11) "Direct Services" means those services provided directly to a child or family or group of children or families to maintain or enhance their well-being. Direct services do not include services that are contracted out to other parties pursuant to ORS 417.775-417.787 or being the fiscal agent of pass through funds.~~

~~(12) "Early Childhood System Planning" means planning developed to describe the system, process and services that families can voluntarily access and that is part of and consistent with the Local Plan. The planning includes goals and strategies to achieve the early childhood benchmarks and intermediate outcomes.~~

~~(13) "Expended" means the payment of goods delivered or services rendered or liquidation of an obligation.~~

(14) "Indirect Costs" means those costs that have been incurred for common or joint purposes and cannot be readily identified with or directly allocated to a particular program or project of the organization. Examples of indirect costs include building and equipment depreciation, rent and facilities maintenance costs, general and administrative expenses, and personnel administration and accounting where those costs are distributed to projects or programs through a formula or cost allocation method.

(15) "Initiatives" means those time limited activities that a Local Commission undertakes to promote community mobilization.

(16) "Innovative program or practice" means a program or practice that demonstrates success when outcomes are evaluated over time and draws on research based principles and ideas from best programs and practices.

(17) "Layperson" means a person whose primary income is not derived from offering direct service to children and youth or from administering a program for children or youth.

(18) "Local Commission" means a local commission on children and families appointed pursuant to ORS 417.760.

(19) "Local Plan" means the local coordinated, comprehensive plan for children and families that is developed pursuant to ORS 417.775 and includes identification of connections in state and local planning processes and provisions for a local continuum of social supports. The Local Plan includes planning for the early childhood system, alcohol and drug prevention and treatment, and high risk juvenile crime prevention, and references mental health and public health service plans.

(20) "Locally invested funds" includes Children, Youth and Families, Great Start and Youth Investment grant streams.

(21) "Oregon Commission on Children and Families (OCCF)" means the totality of the service system described in ORS 417.705 to 417.797, and 419A.170, including the State Commission on Children and Families (417.730), the State Commission appointed director and staff (417.735), the local commissions on children and families (417.760) and specific program areas.

(22) "Partners for Children and Families" means the formal collaboration among state agencies and affected local agencies that works to combine planning and data requirements and coordinate policies and the provision of services to children and families.

(23) "Perinatal" means the period on or around the time of childbirth.

(24) "Primary health care" for purposes of Healthy Start means linkage and referral to health care resources and assisting families to establish a medical home for primary health care.

(25) "Prenatal" means the period of time from conception to the onset of labor.

(26) "Provider" means a program or service described in ORS 417.705 through 417.797 and 419A.17 that has been approved for funding by the Local Commission and the Board of County Commissioners.

(27) "Provider allocation" means those funds awarded by a county to a public or private agency or person to achieve an outcome within the county's Local Plan.

~~(28) "State Commission" means the Oregon Commission on Children and Families' appointed members established pursuant to 417.730.~~

~~(29) "Services for children and families" does not include services provided by the Department of Education or school districts that are related to curriculum or instructional programs as defined in ORS 417.705.~~

Stat. Auth.: Section 4, chapter 623, Oregon Laws 2013 (Enrolled House Bill 3231)

Stat. Implemented: Chapter 623, Oregon Laws 2013 (Enrolled House Bill 3231)