

Oregon Commission for Child Care  
November 30<sup>th</sup>, 07  
Roth's IGA Hospitality Center

Attendees: Stephanie Swan, Katie Larive, Deborah Murray, Randy Fishfader, Lynne England, Nina Roll,

Partners and Guests: Heidi McGowan, Teresa Stevenson, Beth Unverzagt, Kathleen Hynes, Tom Olsen, Kitty Lake, Henry from ccd, Marily McManni, Ruth Leah, Mike Hillman, Desiree Johnson, Chris Cumming, Rebeccah Harris, David Laughlin, Abby, Jeannie Suikonen

Child Care Division:

Tom said he would give time to parents who were here.

David Laughlin: Parents found out that there were many complaints that were made by employees of Storybook station. Seems that complaints went to the CCD and were found to be invalid yet we never were told. It makes me angry not have known. Children were being held down for naps, children have to stay on the mats for 4 hrs and if they had to wake up. There is some sort of communication issue. We can't be an advocate for our child if we don't know what is happening. I understand that we can call in and find out but if we don't know what is happening. It's a parents responsibility to make sure their child is safe. Is there a problem, have you seen this before?

Tom explained the way the process works is that CCD investigates all complaints and they are registered whether found valid or invalid. Parents can call to find out. CCD does not have a list of children enrolled in centers. Tom noted we have considered posting complaints on line. There are some issues with that. Providers don't necessarily agree with that and there are some confidentiality. Tom said he would like to use this times to figure out how to do this better and get information in the hands of parents. If the complaints arrive where children are at risk of safety.

David said what is the complaint process, the last thing that occurred is something serious enough that it was called into the child abuse hotline. I don't understand if the information we would like to have it. Tom would like

Rebecca Harris said that her child had several of the complaints. Why didn't I know about this yet my sons name was on the records who is 2.5 and yet he isn't going to come home and tell. The complaints were found valid and I should have known about that. Employees made the complaints regarding incidences with my son.

Deborah clarified that employees at the site made complaints to the CCD yet didn't tell you as parents. David explained that the employees were afraid the owner would sue them for slander.

Rebeccah said they are trying to find out where this broke down and how to fix it. Deborah talked about mandatory reporters. Rebeccah said she wants to understand what

It was noted that child abuse is required for providers yet only once. Providers need to understand the complaint process, how to communicate to CCD and DHS. We as providers don't want to be hurt in the process but we are.

Randy noted that part of the gap here that we need to resolve

Providers shouldn't be hearing "I'm sorry, I'll put it on a tracking list." As an employee I wasn't told what to do. I'm not saying CCD did anything wrong but we need to be educated as provides about what to do to stop this. Providers need education.

Chris Cummings noted that the staff at CCD did not report everything to DHS. Not every complaint is investigated. Henry was helpful but if I'm told by the case manager that. It seems like there is a case for liability.

Tom noted he has been there 10 yrs and this is the first time I've seen this happen. Our staff are well trained. We thought we had safe guards for all of this and apparently there are gaps.

Rebecca asked if CCD is allowed to contact parents and the Licensing specialists said they were not allowed to contact parents.

Kathleen explained that after Jan. 1<sup>st</sup> DHS can investigate vs. which was previously referred to law enforcement. DHS has very strong confidentiality rules and can't say anything about child abuse investigations. CCD can talk about regulatory issues but not about the child abuse investigation. Regarding that you can't say the name of the child. Rebecah noted that if a child has had an incidence against them found valid, the parent should be contacted. Kitty noted this is not the norm, usually a parent calls with a complaint vs. an employee. Kitty does not recall a case when information was swirling about a child and the parent was involved to call and you have absolutely every right to be upset. I know of no prohibition that prevents CCD from calling the parent. This is a piece that needs to be added.

Nina asked as staff why you didn't talk to the parents. Rebecca said previous employees had a very large fear of being sued for slander. Katie asked how long it has been closed down.

Randy said one of the areas we need to tackle is the gap between these investigations going on and parents being informed. For parents to figure out that they need to call or even know that they can. This is a gap we need to figure out. If these of this nature.

David suggested if a complaint is found to valid then a letter should be posted in the center. If a child has a complaint found valid done against them, then the parent should be notified. Chris added that the director should require all of the parents sign it and facilities should be shut down if they don't comply. Perhaps there is room for an Oregon administrative rule for parents and employees of who to call.

Parents need to know if the license says temporary they need to understand why it is. Henry confirmed that temporary are not necessarily red flags and are part of a renewal process. It's a good idea to ask about it but most are for little scraggly things.

Lynne affirmed that it is not front and center about how to go about complaints which is something that could be addressed in the training or posted in facilities similar to wage and hour laws that is very available and very clear so that any employee, even if it is an aid, know what to do. Lynn noted that seems to be a gap as well. Henry said that annually the licensing specialists have annual reviews that include discussion of child abuse. If we identify that those conversations are not occurring then that is a hole we can plug. Providers are required to put on their reader board that the inspection report is available to them. David affirmed that parents don't look at the parent board.

Jeannie Suikonen noted that we are required as providers to keep lists of children in care. What if the powers that be could send out information to parents if a complaint is found valid? David said from a conversation to Kathleen is that they get so many complaints. Chris said that is where requiring the provider to notify parents. Nina said that to help parents be better informed but maybe there needs to be some form of requirement that centers give to parents with an information sheet about their rights and what they could do to check. Nina said the R&R's give this to parents who call about child care with a script that includes asking these types of questions. Jeanne said that we are required to have policies posted. Nina said putting it in the hands of parents is different.

Katie asked if other states require this to be included as mandatory. Mike added that there are other licensing agencies in the state that have a system of licensing and complaints that perhaps the commission can look at these and model after this. For example, TSPC have a whole web site devoted to the posting of complaints.

Deborah said there are things in place about making this information available but what I'm hearing from the parents that unless there is some kind of indicator or suspicion to spend time looking into this. What I'm hearing that if there is a valid complaint then there is a responsibility on the state side to communicate to the parents. The state has a responsibility to reach out to parents when there is a complaint that is found valid. You don't want this to occur if it is not found valid but if found valid there seems to be a responsibility. Lynne noted there should be some stratification of the severity of notifications. Katie noted child and safety.

Providers need education on what to do. Henry said a challenge is the threshold of abuse is defined by DHS. Rebecca said if DHS does not know of them they can't make a judgement. What is the criteria to refer something to DHS? Henry said that we try to make decisions based upon history. Rebecca said the complaint was found valid impacting my child it did not get called into DHS. Henry said the recollection of events is that.

Abby said it sounds like there are systems in place. I've heard 4 things:

1. if a complaint is made involving your child that the parent should be notified.
2. if complaint is found valid, all parents should be notified in center
3. providers need some notice about responsibility and rights as a reporter and clarification on liability
4. parents and providers should be notified about rights if they are not satisfied with ccd.

Jeannie said as a family child care provider it is really tricky if someone calls about something unfounded, for example a neighbor who is not happy that I have a child care business, and all parents are notified would end my child care business.

Lynned asked Tom about any ideas of next steps:

There are things we've discussed for a number of months:

1. putting valid complaints on line
2. require providers to post valid complaints
3. Tom said we've tried to educate parents but it doesn't get out to parents such as the 5 steps of finding quality child care but people don't get them. We've ran tv but until it becomes personal. 'we have a moto in the child care division' if we are doing something stupid or that isn't fair we'll fix it' This is the 1<sup>st</sup> time in 10 years we've had this occur and we need your help. Oregon is not a pro regulatory state so we may ask you to testify at a rule hearing. We haven't seen this type of situation where things broke down to this point because we do have things in place to address these things.

Jeanne noted that it would be great if you guys could start a parent advocacy group. Jeanne said this is why Oregon has this commission because everybody cares about what happens to children and we are blazing new trail so let's prove it works.

David asked if

Depending on what happens on the outcome the investigation. Kathleen said we are left with our regulation yet based on the history of her compliance record and she were to apply for a child care license there is a likelihood that we would not approve her license. Rebeccahs asked about her daughter, but Kathleen confirmed that she is on a similar level as the owner. Rebeccah asked if she would work at another center? Kathleen said she would have to be approved in the criminal history section. What about DHS subsidy? Kathleen said she is in the suspended criminal history so she is not receiving DHS subsidy?

Is there any criminal liability? Chris said it depends on the extent of their evaluation and will give the report to the police.

Nina noted that she could provide exempt care in her home. It was asked how to prevent her from volunteering in a school and Kathleen noted that

Tom said this will result in some change, I promise you that.

Tom said we ask the Commission to advise us, it's really nice to have this external body so we'll work closely with the Commission.

Nina would like to recommend that we requiring child abuse and neglect more then one time. Just like CPR, you need an update on this. Teresa noted that when we send out a reminder on criminal history registry every 2 yrs that we include information on mandatory reporting.

Randy said this has been really eye opening, when I read things in the paper, I just assume that parents have been neglectful, this was very eye opening to see that these are parents that were trying to do the best that they could be about their child's situation yet there was a gap beyond their responsibility.

Animal Rules: Kathleen – See attached sheet “Proposed Revisions to Rules Governing Animals in Homes”

This is for your information about the upcoming rule change. This issue was brought to you by parents as well of a child that got ill. Kitty made some changes, providers gave input and did not want to be responsible for providing information to parents. Going forward, this will be included in rule books.

15 passenger van – Kathleen

Approximately 60 to 65 vans using 15 passenger vans in Oregon. Oregon has not said there is a need for special licenses. The national safety transportation has said 15 passenger vans are three times more likely to roll over. Oregon transportation said if there are restraints in vehicles they are required to be used but if there are not seat belts they are not required to put them in.

What are other states doing? Ohio gave facilities 6 yrs to comply.

If we did go through this there would be a rule change hearing.

Has there been a van that has been rolled over in child care.

Lynne said she like the Ohio rule. Katie and Nina said we should do something now. Seat belts need to be in there now. Katie said 6 yrs is too long. I had no idea that these are not safe until Tom brought this to the Commission. Discussion brought about a recommendation of 3 years. Kathleen said Oregon does not require seat belts. Tom recommended adding in that if you want the grace period then you are required to put in seat belts. Deborah would like to add in to assist centers, perhaps through low interest loans, to help centers make the change so that it doesn't penalize parents or programs.

Sonja asked if this would cover school age programs if they are licensed? Yes.

Motion: Lynne recommended, Randy second

Lynne recommended going forward with going with the Ohio model with a shorter time frame and including seat belts.

Tom asked if the unions have any resources to assist providers with low interest rates.

Community Forums: Heidi

Heidi shared the common themes from the Salem forum. Deborah noted that Elana from raised this in their ECE meeting last week.

Merillee Haas has a mailing list

Beth has a big mailing

Deborah has a commitment from the school district to get information out

Next Steps:

Heidi to get flyer complete and to Commissioners and local CCF's within next two weeks

Mailings will occur through the Commission office utilizing the R&R data base,

Merilee's from OAEYC and Beth from Oregon Ask, and we'll ask the local CCF's to mail a flyer through their systems

Katie will make contact with the Medford area CCF regarding April forum

The Virtual Degree Program – Sonja

Now 11 of the community colleges will accept step 7 on the Oregon registry towards credit for a 2 yr degree. Took 2.5 yrs with 75 folks around Oregon who launched this project by only 2 face to face meetings and conference calls.

Deborah asked if there plans for including the directors certificate. Sonja said that is a natural fit.

School Age Video – Beth

Version 1 – older school age

Version 2 – workforce (support the workforce)

Version 3 – inspire learning

Beth introduced Alissa who is a volunteer vista working as one of the 3 vista's in Oregon.

Beth said they will be doing some data collection from funding recently received from Spirit Mountain and NW Regional Lab will be doing the data collection. The data will give us a picture of what is happening in counties for school age care. Beth is working to develop a strategic policy group for after school care in Oregon. Goal is for data to be collected by January/februray.

Oregon Ask now has a contract with ESD to provide technical assistance and training for 21<sup>st</sup> century. 21<sup>st</sup> century funding provides funding for school districts to provider after school care but the challenge is that we don't have a definition of after school programs. Oregon Ask will provide support, act as an advisory to the grant process. 41 grantees in Oregon. The training opportunities they need are the same training needs in school age or child care. Beth said that the training will be open to other providers not receiving 21<sup>st</sup> century funding.

Nina asked if Oregon ask if working with 4 – H, Beth said the Oregon State university leader in on Oregon Ask’s council.

Deborah talked about local school districts needing space so programs such as Peninsula that rent from schools are being told there won’t be space. The ED of CHIF will be attending the Mott conference.

Beth will email the document that is how other states are definiing school age care and Teresa will send it out to the commission.

Sonja announced the child care contribution tax credit is able to accept donations of stock.

Strategy Retreat –  
Work session