

OAR 414-150-0050

414-150-0050 Purpose

(1) The purpose of these rules is to set forth standards to be followed when entering into contracts with programs to provide child care services to targeted population clients.

(2) These rules implement elements of Oregon's Block Grant Plan for funds received under the federal Child Care and Development **Block Grant Act** of 1990, and **Chapter 45, Code of Federal Regulations, Parts 98 and 99**.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency.]

OAR 414-150-0055

414-150-0055 Definitions

(1) "Block Grant" means federal Child Care and Development Block Grant.

(2) "Block Grant Plan" means the Oregon Plan approved by the Department of Health and Human Services for child care and related programs funded by the Block Grant.

(3) "CCR&R" means Child Care Resource and Referral Agency.

(4) "Administrator" means the Administrator of the Child Care Division of the Employment Department.

(5) "CCCF" means the County Commission for Children and Families.

(6) "Department" means the Employment Department of the State of Oregon.

(7) "Parent" means parent, custodian or guardian who exercises care and custody of a child.

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(8) “Program” means community or school-based teen parent education program, or licensed women-specific alcohol and drug treatment program.

(9) “Provider” means a person who is responsible for direct child care, supervision of children, and guidance of children in an approved child care setting.

(10) “Special Needs Child” means a child under the age of 18 who requires a level of care over and above the norm for his/her age due to a physical, developmental, behavioral, mental or medical disability.

(11) “Teen Parent” means a parenting or pregnant adolescent who is attending high school or participating in an approved high school completion program.

OAR 414-150-0060

414-150-0060 Administration

(1) The Child Care Division, of the Employment Department, is the designated state agency responsible for administration of the Block Grant.

(2) The Child Care Division Administrator is responsible for coordination of Block Grant programs in Oregon and for the administration of child care services for targeted populations described by these rules.

OAR 414-150-0070

414-150-0070 Targeted Populations

(1) The Contracted Child Care Program is established for specific low income populations having demonstrable need for child care services.

(2) Targeted populations eligible for assistance under the Contracted Child Care Program include the following groups:

(a) Teen Parent. To be eligible for services the teen parent must be attending high school or participating in an approved high school completion program sponsored by a local school district, community college, or certified private school, and the parent requires child care in order to attend and complete a program leading to GED or high school diploma;

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(b) Parent(s) Receiving Treatment for Substance Abuse. The parent has custody of a child considered by the State to be at-risk of neglect or abuse resulting from parental misuse and/or abuse of drugs or alcohol. The parent must be participating in a state licensed and/or approved treatment program in order to receive contracted child care. Child care services shall be provided at the facility site where the parent is undergoing supervised treatment and counseling for substance abuse, or at a nearby facility under supervision of a State licensed and/or approved treatment program;

(c) Parent(s) with Children Enrolled in School-based Child Development Programs. Child care services under this category will be limited to child development centers that have been approved by the Department of Education in accordance with provisions of ORS Chapter 871.

OAR 414-150-0080

414-150-0080 Eligibility for Contracted Services

(1) To be eligible for Contracted Child Care Services the following standards shall apply:

(a) The child receiving services must be under 13 years of age, or a child with special needs under the age of 18 who requires a level of care over and above the norm for his/her age;

(b) Parental income must be below 75 percent of the state median income. Under the Block Grant, median income will be based on information reported in the Federal Register, Department of Health and Human Services;

(c) The child being placed for services is residing with a parent or parents who are either employed, attending job training, or participating in an approved educational program; or participating in an alcohol/drug treatment program;

(d) A parent making application for assistance must be a current resident of Oregon.

(2) The determination of income shall be based on a review of all parental income for the preceding 12 months prior to application for child care service.

(3) Review and calculation of income for teen parent(s) shall be limited to the teen parent(s) income only and not include income received by other members of the same household.

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OAR 414-150-0090

414-150-0090 Funding Allocations

(1) Federal funds for the Block Grant program will be awarded by the Administrator to approved A&D programs, to school districts for school-based programs and to counties for community-based programs. County allocations will be based on targeted population need and availability of funds.

(2) After annual appropriations for the Block Grant are awarded to the state, the Administrator will allocate funds as provided in section (1) of this rule and forward this information to the local CCCF where funds are assigned.

(3) The CCCF shall have 60 days from receipt of the allocation to advise the Administrator of its intent to participate in the planning and the process for selecting programs to contract for available child care funds within the county.

OAR 414-150-0100

414-150-0100 Area Planning and Provider Selection Procedure

(1) It is the intent of the Department that comprehensive child care planning for targeted populations be conducted through existing local planning processes. The Department encourages county CCCFs to coordinate and facilitate plan development for the Contracted Child Care Program.

(2) In planning for child care services for targeted populations the following guidelines are established by the Department to assist local CCCFs in formulating strategies that address child care needs in the area:

(a) A work group shall be convened by CCCF to achieve the widest possible coordination with ongoing child care activities in the county. The work group should be selected from the following interests with effort made to insure that a member represents only one area:

(A) Adult and Family Services Division;

(B) Local Schools (staff or school board);

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(C) JOBS Program Contractor;

(D) Child Care Provider;

(E) A&D Provider;

(F) Mental Health;

(G) Child Care Resource and Referral;

(H) Teen Parent Service Providers (school-based and community-based programs);

(I) Health Division;

(J) Local A&D Advisory Committee;

(K) Consumer.

(b) In areas where comparable work groups or planning committees on child care already exist, CCCFs are encouraged to use locally established processes to meet standards of this guideline;

(c) The CCCF will be expected to evaluate the status of child care in the area and recommend goals for service improvements. Planning statements should be developed that address the following elements:

(A) Description of the present condition of services within the county for the targeted populations;

(B) Identification of the optimal availability and condition of child care for the targeted populations in future years;

(C) A two-year Action Plan setting forth the direction the community wishes to take in achieving the goals listed in the optimum statement; more specifically:

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(i) A method for using available contracted child care slots including program identification;

(ii) Recommended options and steps for plan implementation; and

(iii) Delineation of responsibilities for carrying out the planning goals.

(d) The CCCF must review all recommendations received from the work group and submit to the Department's Child Care Division the approved planning statements and recommendations for community-based teen parent and A&D treatment programs. CCCFs are encouraged to integrate the adopted planning statements into local Comprehensive Plans.

(3) In the process of selecting programs or contracted services, CCCF and Department shall follow acceptable procurement practices and comply with state and federal contracting requirements. The principal processes to be followed for equal treatment and full and open competition requirements are described in **45 CFR Part 74**, the **Federal Acquisition Regulations (FAR), Part 6**, and ORS Chapter 279. All documentation concerning the program selection process shall be maintained by the CCCF for a period of at least three years or until 90 days after all pending matters are closed, whichever is later, and made available to the Department's Child Care Division upon request.

(4) The Department Child Care Division shall have final responsibility for developing a contract with recommended programs as outlined in OAR 414-150-0120.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency.]

OAR 414-150-0110

414-150-0110 Application for Services

(1) Families that qualify under targeted population criteria and eligibility standards of this rule shall make application for child care services directly through a contracting program. Application must be made on a Child Care Division approved form and signed by both parent and program. In completing the application, the parent shall be required to declare information on:

(a) Parents and dependent members of the household;

(b) Place of residence;

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(c) Employment status of parents;

(d) Participation in job training, substance abuse treatment, or enrollment in school programs; and

(e) Parent income.

(2) The Administrator shall send notification regarding contracted programs to CCR&R agencies located throughout the state. Parents seeking assistance may contact local resource and referral agencies for information on programs having a service contract for child care.

(3) Child care slots for targeted populations are limited in all regions of the state, and shall, therefore, be assigned to parents on a first-come, first-served basis. The parent signature date on the application form will be used as the basis for determining priority of access to service.

(4) Eligibility for continuing child care services shall be subject to redetermination by the program at the end of every six-month service period. Parents are responsible for notifying the program whenever a change of circumstance occurs that may affect their eligibility status.

OAR 414-150-0120

414-150-0120 Service Standards

(1) Prior to accepting a child for care under these rules, the program shall sign a contract with the Department's Child Care Division. The contract shall include, but is not limited to, the following provisions:

(a) Term of the contract;

(b) Description of services;

(c) Facility and service standards;

(d) Program responsibilities;

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(e) Payment for services; and

(f) Compliance with appropriate state and federal regulations.

(2) A program or a provider certified by Child Care Division (CCD) for operation of a child care center shall be in compliance with the standards defined in OAR 414-300-0000 through 414-300-0410.

(3) A program or a provider certified by CCD for operation of a certified family child care home shall be in compliance with the standards defined in OAR 414-350-0000 through 414-350-0400.

(4) A registered family child care provider shall be registered with CCD and meet requirements of OAR 414-205-0000 through 414-205-0170.

(5) If a program or a provider is operating a child care facility that is specifically excluded by Oregon law from state certification requirements under ORS 657A.250 - 657A.290, the standards for service shall be defined by the Department's Child Care Division in the agreement. The CCD may require information regarding the status of certification. The Department will require a criminal record check of all providers and caregivers through the Oregon State Police Law Enforcement Data System per ORS 181.537.

OAR 414-150-0130

414-150-0130 Payment for Services

(1) The CCD shall establish payment rates allowable for the Contracted Child Care Program, and make this information available to the public on request.

(2) Payment for contracted child care shall be made directly to the program by the Department after services for the month have been rendered. Forward funding, not to exceed ten percent of the total contract amount, may be allowed at the discretion of the CCD.

(3) To receive payment, the program shall submit an invoice to the Department on a CCD approved form.

(4) The rate of payment to the program shall be stated in the agreement.

Current through rules published in the Oregon Bulletin dated April 1, 2014

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(5) The program shall be responsible for collection of any copayments from the parent. Copayment will be determined from the AFS Employment Related Day Care Copayment Standard established in OAR 461-155-0150. Families having income below Oregon's poverty level, based on published U.S. Department of Health and Human Services (HHS) information, shall be exempt from the copayment standard.