



**STATE OF OREGON
POSITION DESCRIPTION**

Position Revised Date:
10/28/2020

This position is:

- ☒ Classified
☐ Unclassified
☐ Executive Service
☐ Mgmt Svc – Supervisory
☐ Mgmt Svc – Managerial
☐ Mgmt Svc - Confidential

Agency: Department of Education

Facility:

☐ New ☒ Revised

SECTION 1. POSITION INFORMATION

a. Classification Title: <u>Compliance Specialist 2</u>	b. Classification No: <u>C5247</u>
c. Effective Date: _____	d. Position No: <u>2115083</u>
e. Working Title: <u>Investigative and Licensing Specialist</u>	f. Agency No: <u>58100</u>
g. Section Title: <u>Office of Child Care</u>	h. Budget Auth No: _____
i. Employee Name: _____	j. Repr. Code: <u>OAS</u>
k. Work Location (City – County): <u>Salem</u>	
l. Supervisor Name (Optional): <u>Jennifer Mason, Investigations Manager</u>	
m. Position: <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Seasonal <input type="checkbox"/> Limited Duration <input type="checkbox"/> Academic Year <input checked="" type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Intermittent <input type="checkbox"/> Job Share	
n. FLSA: <input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Non-Exempt	o. Eligible for Overtime: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Exempt: <input type="checkbox"/> Executive <input type="checkbox"/> Professional <input type="checkbox"/> Administrative	

SECTION 2. PROGRAM AND POSITION INFORMATION

a. Describe the program in which this position exists. Include program purpose, who's affected, size, and scope. Include relationship to agency mission.

The Early Learning Division (ELD) is a division of the Oregon Department of Education. Its mission is to support all of Oregon's young children and families to learn and thrive. ELD values equity, dedication, integrity, and collective wisdom making a positive impact to benefit Oregon's children and families.

The ELD is responsible for oversight of a statewide early care and education service delivery system. This work includes administration of state and federal early care and education programs such as state preschool, home visiting, Relief Nurseries, Early Learning Hubs, and professional learning for early childhood professionals. The Early Learning Council, a Governor-appointed public board charged with coordinating a cross-sector system at the state level to improve kindergarten readiness, serves as the policy-making body for the ELD.

As Oregon's child care agency, the ELD is also responsible for the design and implementation of the state's child care work. This includes the licensing program, professional development, and quality improvement (Spark) along with responsibilities for the development and implementation of the state's child care plan pursuant to the federal Child Care and Development Fund (CCDF). Staff members are located in a central office in Salem and in field offices in various parts of the state.

The Office of Child Care has the following core duties: regulatory oversight (licensing) of child care facilities, supporting child care providers through technical assistance and professional development, and providing information to both providers and parents. The Child Care Unit licenses certified child care centers and certified and registered family child care homes as required by state law. The Child Care Unit conducts background checks on individuals associated with child care facilities and determines whether the individual is suitable for enrollment in the Central Background Registry. The Child Care Unit also assesses complaints on child care facilities. Licensing is a consumer protection program that assures facilities and workers meet minimum health and safety standards.

b. Describe the primary purpose of this position, and how it functions within this program. Complete this statement. The primary purpose of this position is to:

The primary purpose of the position is to promote the health, safety, and well-being of children in childcare facilities through licensing. Staff conduct unannounced monitoring visits, assess complaint allegations against licensed facilities and allegations of possible illegal care against unlicensed facilities, conduct tandem investigations with Department of Human Services (DHS) on child protective services cases and in conjunction with the legal and compliance unit, take legal action against facilities. Staff apply complex federal, state, and local statutes, codes, rules, and policies related to childcare licensing. Licensing Specialists, Special Investigators provide technical assistance to providers and facility staff to aid in compliance with regulations and provide consultation and resource information on state quality initiatives intended to improve child outcomes. There is considerable contact with collateral agencies such as the DHS and law enforcement and the public.

The position serves one or more counties. This position ensures that Child Care licensing functions are carried out in conjunction with ELD equity policies and practices.

SECTION 3. DESCRIPTION OF DUTIES

List the major duties of the position. State the percentage of time for each duty. Mark "N" for new duties, "R" for revised duties or "NC" for no change in duties. Indicate whether the duty is an "Essential" (E) or "Non-Essential" (NE) function.

% of Time	N/R/NC	E/NE	DUTIES
Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".			
75	R	E	Licensing: Enforcement Actions a) Child abuse investigations: In conjunction with DHS, conduct tandem investigations on child care facilities when there are allegations of child abuse or neglect. Communicate and partner with law enforcement agencies as needed.

			<ul style="list-style-type: none"> b) Sanctions: Consult with the investigations manager and the Legal and Enforcement Director regarding potential legal actions such as civil penalties, suspensions, revocations, and denials. c) Prepare legally sufficient cases with accurate documentation both in writing and in the database to support legal action when needed. d) Testify at contested case hearing regarding investigations and findings. e) Illegal Operations: Investigate illegal, unlicensed child care operations and take required action under statute, rule, and policy. Provide technical assistance as needed. These investigations may require working with other regulatory agencies that have jurisdiction over the facility in order to bring the facility into compliance with laws, codes, and rules. It may involve working with the Legal and Enforcement Director, law enforcement, DHS, and/or the Department of Justice attorneys, if further legal action is necessary. f) Licensed Operations: Assess complaints on certified and registered child care businesses. Take timely and appropriate regulatory action when the facility is not in compliance. Develop corrective action plans with facility operators, as needed, to reduce risk to the health, safety, and well-being of children. Recommend escalating regulatory actions where hazardous conditions are found that may constitute a threat to health and safety of children. g) Verify compliance for licensed facilities for compliance with rules and/or conditions of operation. h) Conduct follow-up visits as required. i) Review facility documentation to determine compliance with statute and rule. Analyze information obtained through interviews, observation, investigation, monitoring visits and complaint visits to determine compliance with regulations and need for corrective action. When standards are not met, determine the degree of risk to the health, safety and well-being of children. Develop and verify implementation of appropriate corrective action steps. j) Respond to urgent and emergency situations on-site at child care businesses, and make decisions which may immediately impact children, families and business operators.
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			<p>k) Write according to professional standards.</p> <p>l) Have an understanding of public records law and maintain all public records as required by law.</p> <p>m) Maintain a thorough historical record in OCC's data system by documenting a variety of contact types including, but not limited to, complaints, interviews, compliance verification visits, phone contacts, emails, photos and texts.</p> <p>n) Capture, retrieve, and maintain accurate data.</p> <p>o) Maintain desk files and archiving.</p>
15	N	E	<p>Licensing: Monitoring:</p> <p>a) Monitor licensed facilities for compliance with rules and/or conditions of operation.</p> <p>b) Conduct follow-up visits as required. This is done on an unannounced or scheduled basis.</p> <p>c) Review facility documentation to determine compliance with statute and rule. Analyze information obtained through interviews, observation, investigation, monitoring visits and complaint visits to determine compliance with regulations and need for corrective action. When standards are not met, determine the degree of risk to the health, safety and well-being of children. Develop and verify implementation of appropriate corrective action steps.</p> <p>d) Respond to urgent and emergency situations on-site at child care businesses, and make decisions which may immediately impact children, families and business operators.</p> <p>e) Write according to professional standards.</p> <p>f) Have an understanding of public records law and maintain all public records as required by law.</p> <p>g) Maintain a thorough historical record in OCC's data system by documenting a variety of contact types including, but not limited to, licensing visits, complaints, monitoring visits, phone contacts, terms, conditions, and exceptions.</p> <p>h) Capture, retrieve, and maintain accurate data.</p> <p>i) Maintain desk files and archiving.</p>
5	NC	E	<p>Technology and Computer Use:</p> <p>a) Maintain e-mail communication and current calendar system using agency's system.</p> <p>b) Research work related topics to maintain current knowledge of child care and investigations trends.</p>

5	NC	NE	<p>Other Duties as assigned or requested.</p> <p>Other duties may include but not limited to:</p> <ul style="list-style-type: none"> a) Attend unit, OCC, and department meetings and trainings. b) Manage and/or work on special projects or committees and participate in licensing policy development as requested by OCC management. c) Manage short, medium and long term projects including participation on various local and state work groups focusing on child care and licensing. d) Attend conferences and workshops to enhance skills. e) Participate in child care regulatory trainings. f) Office management duties e.g. incoming and outgoing mail, car maintenance logs/mileage reporting, use of copy and fax machines, and phone system.
At all Times	N	E	<p><u>Commitment to Equity</u></p> <p>In addition to the cultivation of equitable practices across all aspects of your position description</p> <ul style="list-style-type: none"> a) Learn and apply knowledge and skills to interrupt systemic oppression. b) Participate and engage in efforts to further Early Learning Division wide efforts to develop and implement the Equity Breakthrough Team work plans. c) Have knowledge of and apply tools, such as the Equity Lens, Culturally Responsive Community Engagement tool, etc., to all the work to ensure that the shared vision and mission of the Early Learning Division is clearly articulated in all the work produced.
All of the Time	N	E	<p>Consistently treats customers, stakeholders, partners, vendors and co-workers with dignity and respect. Creates and maintains a work environment that is welcoming and respectful of diversity. Sets clear guidelines and models expected professional behaviors.</p>

SECTION 4. WORKING CONDITIONS

Describe any on-going working conditions. Include any physical, sensory, and environmental demands. State the frequency of exposure to these conditions.

In addition to OCC field office and other community business offices, the person in this position must travel to child care facilities in rural and urban settings. This position may also require statewide travel on very short notice. The position requires extensive work outside the field office, traveling to child care sites.

This position may come into contact with individuals who may be angry or frustrated. Depending on geographic location, occasional overnight travel is required. The work is both indoors and outdoors when evaluating the premises of a facility. Field work presents potential hazards such as inclement weather and hostile animals. In addition, there may be unknown danger such as drugs, firearms, and confrontational individuals.

This position is a Monday-Friday, 8-5 (or a regular Monday-Friday 8 hour equivalent.) This position requires flexibility to the stated schedule when work demands occur at odd hours and must be available to respond to emergencies when necessary.

This job may require an individual to work outside a regular work schedule and frequently requires adjustments to break times.

Office environment requires daily use of computer or data systems and web based applications to perform daily functions and services including the time system, car reservations, and the OCC intranet site.

SECTION 5. GUIDELINES

a. List any established guidelines used in this position, such as state or federal laws or regulations, policies, manuals, or desk procedures.

ORS 329A.250-460 and 329A.990 - 992; Administrative Rules governing standards for child care centers, certified and registered family child care homes, and regulated subsidy homes. Department of Education and OCC policies and procedures regarding regulatory responsibilities; protective service reporting law; knowledge of the USDA food subsidy program; state health division and the state fire marshal regulations and codes; OCC desk procedures; state and federal confidentiality policies regarding child protective services; state law regarding public records and access to information; policy and procedure manuals of professional organizations pertinent to child care, e.g. APHA "National Health and Safety Performance Standards", NAEYC "Developmentally Appropriate Practice", Administrative Procedures Act and Open Records Laws.

b. How are these guidelines used?

These guidelines provide the parameters for conducting licensing functions; (1) to determine degree of compliance with statutes and administrative rules for providing safe, nurturing care and protection of children who spend a majority of their waking hours in out-of-home care facilities; (2) to promote equal and fair treatment of child care business operators; (3) to offer technical assistance with regard to safe and appropriate practices and procedures; and (4) to develop corrective action plans when needed.

Oregon Equity Lens
Early Learning Council policies and procedures
Oregon State and Federal Civil Rights Laws and Regulations
Department of Education policies and procedures

SECTION 6. WORK CONTACTS

With whom, outside of co-workers in this work unit, must the employee in this position regularly come in contact?

Who Contacted	How	Purpose	How Often?
Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".			
Applicants and Child Care Businesses, Potential Applicants/Providers	Phone/In person/ Writing	Determine compliance; provide technical assistance	Daily
USDA Food Sponsors	Phone/In person/ Writing	Share information	Monthly
Business/Community /Parents/Child Care Partners	Phone/In person/ Writing	Provide/share information/coordination of services	Monthly
City and County Regulatory Agencies	Phone/In person Writing	Determine compliance	Monthly
OCC Central Office	Phone/In person/Writing	Coordination, determine compliance	Daily
General Public	Phone/In person/Writing	Information	Weekly
Law Enforcement/DHS	Phone/In person/Writing	Determine safety of children and facility compliance	Weekly

SECTION 7. POSITION RELATED DECISION MAKING

Describe the typical decisions of this position. Explain the direct effect of these decisions.

An Investigative Specialist makes decisions daily that influence the quality, safety, and availability of child care in Oregon. An Investigative Specialist works independently on-site without immediate supervision or opportunity for immediate consultation. Staff are stationed statewide. Decisions are made within the context of competing demands of child care constituents: parents of minor children, child care businesses, and the community. Decisions are made regarding whether the child care facility meets the requirements for safe and developmentally appropriate child care. Decisions may address appropriate guidance and discipline practices, health and safety practices, nutrition, materials and equipment, and supervision practices.

In conjunction with the legal and compliance team, an Investigative Specialist makes recommendations on courses of legal action. They may recommend suspension, denial, or revocation of a license. Decisions are made based on observations, interviews, and review of records to determine compliance with statutes and rules. Regulation may include corrective action plans, civil penalties, suspension, denial or revocation of the license. Sanctions could result in a contested case hearing.

A licensing specialist makes decisions daily that impact the quality, safety, and availability of child care in Oregon. A licensing specialist works independently on-site without immediate supervision or opportunity for immediate consultation. Staff are stationed statewide. Decisions are made within

the context of competing demands of child care constituents: parents of minor children, child care businesses and the community. Decisions are made regarding whether the child care facility meets the requirements for safe and developmentally appropriate child care. Decisions may address appropriate discipline practices, health and safety practices, nutrition, materials and equipment, space planning, and review of staff training and qualifications. Licensing specialist may review floor plans and calculate the capacity of the facility which may affect staffing requirements and potential income.

A licensing specialist decides whether to issue a temporary or regular license and the conditions on the license. A licensing specialist may recommend suspension, denial or revocation of a license. Decisions are made based on observations, interviews and review of records to determine compliance with statutes and rules. Regulation may include corrective action plans, civil penalties, suspension, denial or revocation of the license. Sanctions could result in a contested case hearing.

Child care certification and registration applies to facilities operated by private business, private party providers, and nonprofit agencies. This position has the responsibility to regulate child care facilities regarding the health and safety conditions surrounding children in care. The interpretations of statutes and administrative rules made by the licensing staff affects the health and safety of more than 48,000 children in Oregon, staff and operators, and the community at large.

SECTION 8. REVIEW OF WORK

Who reviews the work of the position?

Classification Title	Position Number	How	How Often	Purpose of Review
Investigations Manager		Observation, in person reviews, paperwork review	ongoing	Determine accuracy and timeliness of work for investigations
Investigations Manager		Supervisory consultations	ongoing	Guidance, support and consistency in regulation for investigations
Investigations Manager		Yearly formal evaluations	annually	Career growth, identify opportunities for development for investigations
Regional Manager		Observation, in person reviews, paperwork review	ongoing	Determine accuracy and timeliness of work for licensing
Regional Manager		Supervisory consultations	ongoing	Guidance, support and consistency in

Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".

				regulation for licensing
Regional Manager		Yearly formal evaluations	annually	Career growth, identify opportunities for development for licensing

SECTION 9. OVERSIGHT FUNCTIONS

THIS SECTION IS FOR SUPERVISORY POSITIONS ONLY

a. How many employees are directly supervised by this position? _____

How many employees are supervised through a subordinate supervisor? _____

b. Which of the following activities does this position do?

☐ Plan work

☐ Assigns work

☐ Approves work

☐ Responds to grievances

☐ Disciplines and rewards

☐ Coordinates schedules

☐ Hires and discharges

☐ Recommends hiring

☐ Gives input for performance evaluations

☐ Prepares & signs performance evaluations

SECTION 10. ADDITIONAL POSITION-RELATED INFORMATION

ADDITIONAL REQUIREMENTS: List any knowledge and skills needed at time of hire that are not already required in the classification specification:

This is a sensitive position that deals with the safety and well-being of children and the stability of child care businesses. The individual in this position must possess knowledge of investigations, child development, early childhood education and health and safety requirements. A bachelor's degree in a field related to investigations or child development is preferred. The individual must have the ability to work with hostile, angry individuals and must have de-escalation skills. Investigative Specialists and Licensing Specialists prioritize a heavy workload with frequently changing demands and exercise problem solving, mediation, and conflict management skills daily.

To the community at large, investigative specialists represent the agency and are asked to mediate and provide information as well as to interpret statutes and administrative rules. The investigations team must be able to make decisions independently without immediate consultation. Certification and registration impact the safety, health, and development of children.

Investigative Specialists are expected to consistently treat customers, stakeholders, partners and coworkers with dignity and respect.

As a condition of employment, the individual in this position will be subject to both Child Protective Services and Criminal History checks, including FBI fingerprinting, and will be required to be enrolled in the Central Background Registry. Adverse background data may be grounds for immediate disqualification.

This is a bilingual position. The person in this position must read, write and speak Spanish fluently and will:

- 1. Work with monolingual Spanish speaking individuals**
- 2. Be available and responsive to assist other staff in working with Spanish speaking individuals**
- 3. Take on other Spanish language duties and requested, i.e. proof reading correspondence, translating basic documents and answering phone calls.**

BUDGET AUTHORITY: If this position has authority to commit agency operating money, indicate the following:

Operating Area	Biennial Amount (\$00000.00)	Fund Type
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Note: If additional rows of the below table are needed, place curser at end of a row (outside table) and hit "Enter".

SECTION 11. ORGANIZATIONAL CHART

Attach a current organizational chart. Be sure the following information is shown on the chart for each position: classification title, classification number, salary range, employee name and position number.

SECTION 12. SIGNATURES

Employee Signature

Date

Supervisor Signature

Date

Appointing Authority Signature

Date