



STATE OF OREGON
POSITION DESCRIPTION

Position Revised Date:
9/19/2024

Agency: Department of Early Learning & Care

Facility: Programs - DELC

New Revised

This position is:

- Classified
Unclassified
Executive Service
Mgmt Svc - Supervisory
Mgmt Svc - Managerial
Mgmt Svc - Confidential

SECTION 1. POSITION INFORMATION

a. Classification Title: Compliance & Regulatory Manger 2
b. Classification No: X7144
c. Effective Date: 7/1/2023
d. Position No: 2115090
e. Working Title: Enforcement Operations Director
f. Agency No: 58800
g. Section Title: Child Care Licensing Division
h. Budget Auth No:
i. Employee Name: Vacant
j. Repr. Code: MMS
k. Work Location (City - County): Salem - Marion
l. Supervisor Name: Alicia Gardiner
m. Position: Permanent Full-Time Seasonal Part-Time Limited Duration Intermittent Academic Year Job Share
n. FLSA: Exempt Non-Exempt If Exempt: Executive Professional Administrative Computer
o. Eligible for Overtime: Yes No

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 Department of Early Learning and Care (DELC) is a new Oregon state agency that supports the development and well-being of all Oregon children and ensures families in every corner of the state have access to high-quality early learning and care. DELC also supports child care professionals by providing technical assistance, professional development opportunities, business services, licensing, grants and other resources. DELC was created by the Oregon Legislature in 2021 to unify and strengthen Oregon's early learning system. On July 1, 2023, DELC was established, bringing together the Oregon Early Learning Division (from the Department of Education) and the Employment Related Day Care (ERDC) program (from the Department of Human Services).

The mission of the Oregon Department of Early Learning and Care (DELC) is to foster coordinated, culturally appropriate and family-centered services that recognize and respect the needs of all children, families and early learning and care professionals. Our vision is that children, families, early care and education professionals and communities are supported and empowered to thrive.

The Child Care Licensing Division (CCLD) is a part of DELC and provides oversight and regulation of child care services provided in Oregon. In that role CCLD is responsible for the design and implementation of the state's child care regulatory system. This includes the licensing program, compliance and facility visitation, enforcement, and professional and technical assistance.

The Central Office unit of CCLD is responsible for enforcing compliance with child care laws to ensure the safety and protection of children in licensed child care facilities and address legal actions in unlawful care scenarios. The unit manages a broad range of enforcement actions, from background check denials to license revocations and court orders, ensuring that providers meet regulatory standards.

The unit conducts investigations, prepares findings, issues legal notices, and coordinates civil actions. It also manages the Central Background Registry, ensuring that background checks are conducted accurately and efficiently. The Customer Service and Intake units are also under its purview, handling public inquiries, processing applications, and ensuring that complaints and other inquiries are prioritized and addressed promptly.

The unit collaborates closely with the Oregon Department of Human Services (ODHS) and law enforcement agencies on joint investigations, particularly in cases of child abuse within licensed child care programs, ensuring effective coordination and communication. Additionally, the unit works with field operations staff to manage complaints as well as complex problem-solving issues related to policy, practice and rule interpretation and ensure timely resolution.

In addition to enforcement duties, the unit is responsible for developing and implementing systems to track enforcement activities, retain evidence, and ensure the thoroughness of legal actions. It also plays a key role in developing policy recommendations and legislative proposals aimed at strengthening oversight and compliance within Oregon's child care system.

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 Enforcement Operations Director (EOD) oversees the Central Office Units and other enforcement personnel including an enforcement officer, investigators, compliance specialists, support staff. This positions are responsible for receiving complaints, investigating alleged violations of child care statutes and administrative rules, and taking enforcement actions related to Oregon Child Care provider laws and administrative rules. This role also oversees the Central Background Registry (CBR), ensuring accurate and timely background checks, as well as the Customer Service and Intake units to handle inquiries, process applications, and address inquiries and complaints efficiently.

The EOD oversees the daily operations of CCLD's Central Office's units, making policy recommendations and advising DELC's Director(s) on enforcement, investigatory matters, and compliance activities. As the liaison with the Department of Justice, the EOD ensures that legal actions comply with the Oregon Administrative Procedures Act (APA) and uphold legal standards, while prioritizing child safety.

In addition to regulatory advice, the EOD provides oversight of all central office functions, works closely with regional managers, the Field Operations Director, and central office Managers to ensure consistent, timely and coordinated decisions across the state, including ensuring coordinated enforcement actions. The EOD also engages with CCLD staff, public and private agencies, other state agencies, child care providers, and the general public, fostering effective communication and alignment with the agency's goals of protecting children and guiding providers.

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 |
|-----------|--------|------|--------|
|-----------|--------|------|--------|

35% R – E - Central Office Management and Supervision

- Provide leadership and strategic direction to managers and policy staff overseeing the customer service and intake unit, the background unit, investigations, Regulated Subsidy Enforcement, and compliance units.
- Plan, assign, and review the work of staff and managers. Identify staffing needs based on CCLD goals and recommend or make hiring decisions.
- Ensure consistent and timely decision-making between supervised units; oversee and direct investigations, background, customer service, intake, and compliance units through direct supervision and regular reviews with managers and policy staff.
- Develop and oversee communication strategies to ensure effective workflow across all supervised units. Coordinate with CCLD senior leadership to disseminate information division-wide.
- Implement and monitor processes to streamline communication and information sharing between units.
- Enhance data-driven decision-making, assignment tracking, and key performance measures in the Central Office. Ensure central office Managers have necessary data and reporting to support data-driven decision-making, workforce management, and establish and maintain key performance measures in the central office.
- Ensure that unit managers align their operations with the agency’s mission, vision, and values.
- Establish appropriate job duties, expectations, and roles for managers, and develop the management team in alignment with DAS Manager competencies.
- Evaluate the performance of unit managers, providing constructive feedback to ensure continuous improvement. Prepare performance-based quarterly and annual goals, and conduct performance appraisals, including trial service evaluations.
- Resolve personnel issues, including complaints and formal grievances at the first level, and provide continuous coaching, supervision, and career development for employees.
- Assess job-related training needs of staff, providing or arranging appropriate instruction and professional development opportunities.
- Foster collaboration and communication between unit managers to ensure cohesive and coordinated efforts in achieving agency goals.
- Manage the CCLD central office program budget, approving expenditures, planning for future needs, and preparing legislative documentation.
- Develop and maintain relationships with partnering agencies that directly impact child care regulation work.

30% R – E - Regulatory Oversight

- Ensure child care licensing services are carried out within federal and state laws, rules, and agency policies, achieving determined statewide outcomes and child safety.
- Review and approve high profile administrative orders, including contested case notices, default orders, and final orders, on behalf of the agency.
- Oversee complex and sensitive investigation and enforcement actions related to the Central Background Registry and child care facilities.
- Analyze enforcement actions to ensure sound decision-making, policy use, and consistency across workflows.
- Lead and facilitate second-level finding review panels.

- Ensure proper documentation and recording of complaint-based visitations, findings, and enforcement actions.
- Oversee background check processes for efficiency, accuracy, and compliance with relevant laws and policies.
- Stay informed of emerging issues, changes, and trends in child care laws, investigatory, and enforcement practices.
- Develop and execute regulatory strategies and implementation plans for new programs, resolving statutory and regulatory issues.
- May act as a lay representative in contested case hearings or tort claims.
- Coordinate tort claim reviews with appropriate staff.
- Provide subject matter expertise in the development of administrative rules and drafting legislative proposals.
- Coordinate with compliance staff to refine equitable and consistent regulatory practices and maintain manuals across supervised units.
- Support and implement all licensing decisions from Legal Counsel and the Child Care Director.
- Evaluate state and federal legislation to advise and recommend statute and rule changes.
- Represent the agency on external committees, work groups, and with other agencies on policies and practices involving environmental health, building codes, and other related areas.
- Participate in national and regional licensing learning communities.

30 R – E - Strategic Leadership

- Collaborate with CCLD and DELC Senior Leadership to develop and execute short and long-term goals to advance agency objectives.
- Promote a culture of continuous improvement, innovation, and excellence within CCLD Central Office and DELC.
- Engage and model behaviors that promote a positive, inclusive, and supportive work environment.
- Align regulatory strategies with the agency’s mission and vision, monitoring industry trends to ensure regulatory excellence.
- Coordinate the work of the CCLD Central Office with other divisions and programs within DELC, to ensure consistency in approach and alignment with overall agency goals.
- Provide leadership in developing organizational policies and procedures that support effective regulatory oversight.
- Engage with interested parties, including the public, industry representatives, and government officials, to communicate the agency’s goals and values.
- Participate in developing strategic plans to enhance the performance and efficiency of CCLD Central Office, ensuring alignment with overall agency goals.
- Foster an environment that promotes employee career development within all units.
- Utilize data and feedback to identify areas for improvement and implement solutions for enhanced overall performance.
- Observe and analyze changing service needs, delivery, and resource requirements to ensure practices and services are responsible, timely, and consistent statewide.
- Act as a liaison to managers and CO staff, supporting shared decision-making on issues.
- Lead and participate in geographic, unit, department, and initiative team meetings as appropriate.
- Participate in bargaining with non-state childcare provider tables.

5% R – NE - Other duties as assigned

AT ALL TIMES - Commitment to Equity

Equity Lens: Designs and/or asks sets of questions to identify and eliminate disparate results-outputs, outcomes, impacts- of policies, programs, and practices for underserved/under-represented community members*

Equitable Workplace: Demonstrates cultural consciousness, commitment, and behavior, to improving an inclusive workplace climate for everyone.

Equitable Results: Produces results, i.e., outputs, outcomes, or impacts from programs and decisions toward closing disparities for under-represented community members* and improving results for everyone.

* *Underserved/Under-represented community members: e.g., people of color; people with disabilities; LGBTQ+, etc.; and new immigrant populations.*

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.

Normal office work environment. Typically requires evening and/or weekend work. Requires a valid driver's license and a satisfactory driving record or the ability to provide an acceptable alternative method of transportation. Occasional in/out-of-state travel occurs. Work must often be accomplished within demanding time-sensitive constraints. Work is FLSA-exempt and frequently exceeds a 40-hour work week. May work with individuals that are upset or irate concerning enforcement actions (or inactions) around child care providers.

Requires a high volume of customer service. It is essential that you provide good customer service at all times as anything less adversely affects the public perception of the agency. You must be courteous and professional in all your interactions. While customers at times can be difficult to deal with, you need to conduct yourself in a manner that is respectful and courteous to every customer.

It is your responsibility to communicate effectively and be able to articulate and exchange information with internal and external partners. Communication must be in a positive and solutions-oriented manner.

Attention to detail and accuracy is essential in this position.

Regular and consistent attendance is an essential function for this position.

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.

CCLD Enforcement:

Oregon Revised Statutes Chapters 329A
Oregon Administrative Rules for Oregon Child Care, Chapter 414
Oregon Revised Statutes Chapter 183, relating to contested administrative hearings
Oregon Revised Statutes Chapter 192, Public Records
CCLD database system
CBR background database
Central Office Unit Manuals

Management

Legislative Fiscal Office and Department of Administrative Services budget guidelines; Oregon Accounting Manual; Collective Bargaining Agreements;
All Statewide policies and procedures (State Procurement, Human Resources, Risk and Safety, Fleet, Facilities, PEBB and EAP, etc.) protocols and procedures

b. How are these guidelines used?

Enforcement: To ensure that children are protected and safe within provided child care facilities and that investigations and legal actions are timely and effective and comply with legal standards for investigations and administrative actions.

Management: To ensure that DELC/CCLD operational practices are consistent with applicable statutes, rules, regulations, contracts and best practices.

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".

| | | | |
|---|--|---|-----------|
| Oregon Department of Justice, Private attorneys, Parents, State and local law enforcement, Provider Union representatives, District Attorneys, State agencies | mail; in writing, enforcement actions; meetings; formal investigative interviews and depositions; administrative hearings; civil and criminal court trials | issues; negotiate settlements; coordinate enforcement strategies and actions; review investigations and determine course of action; inform, sanction and sanction violators; develop enforcement policy | As Needed |
| Compliance and licensing staff and regional managers DELC executive staff | In Person, Email, Memo, Phone | Consult, inform, provide guidance and review/revise work | As Needed |
| | | | |

SECTION 7. POSITION RELATED DECISION MAKING

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

Enforcement Operations Director develops strategy for half of the Child Care Licensing Division, and makes difficult decisions related to organizational health across units, weighing pros and cons and assessing resources and priorities in coordination with the CCLD Director. This role also makes decisions, in consultation with the staff, other managers and Director of Child Care, and legal counsel regarding whether and how to proceed with investigations and enforcement cases.

This director role also has to make decisions on ensuring the reporting units are in federal compliance, state compliance, ensuring processes and workflows are moving consistently, ensuring staff are developed, manuals are updated, communication is strong across teams

This director makes high profile or difficult decisions related to child care program licensure or central background registry enrollment.

In addition, this role makes hiring decisions, work assignments and disciplinary actions affect efficiency, effectiveness, productivity and morale.

SECTION 8. REVIEW OF WORK

Who reviews the work of the position?

| Classification Title | Position Number | How | How Often | Purpose of Review |
|-----------------------------|------------------------|------------|------------------|--------------------------|
|-----------------------------|------------------------|------------|------------------|--------------------------|

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

| | | | | |
|---|---------|--|--------------|---------------------------|
| Child Care Licensing Division (CCLD) Director | 0003793 | Observation, customer and staff feedback, evaluation of work product and relationships | Continuously | To Evaluate Effectiveness |
| | | Written Evaluation | Quarterly | Performance Appraisal |
| | | | | |

SECTION 9. OVERSIGHT FUNCTIONS THIS SECTION IS FOR SUPERVISORY POSITIONS ONLY

a. How many employees are directly supervised by this position? 8

How many employees are supervised through a subordinate supervisor? _____

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

- | | |
|---|--|
| <input checked="" type="checkbox"/> Plan work | <input checked="" type="checkbox"/> Coordinates schedules |
| <input checked="" type="checkbox"/> Assigns work | <input checked="" type="checkbox"/> Hires and discharges |
| <input checked="" type="checkbox"/> Approves work | <input checked="" type="checkbox"/> Recommends hiring |
| <input checked="" type="checkbox"/> Responds to grievances | <input checked="" type="checkbox"/> Gives input for performance evaluations |
| <input checked="" type="checkbox"/> Disciplines and rewards | <input checked="" type="checkbox"/> 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:

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 (CBR). Adverse background data may be grounds for immediate disqualification.

The Enforcement Operations Director manages, supervises and directs the enforcement unit of the CCLD. This responsibility requires the incumbent to maintain a high level of expertise in the licensing systems of CCLD and in Child Care laws and administrative rules and have a thorough working knowledge of Oregon administrative procedures.

The Enforcement Operations Director supervises managers of investigations, background unit, customer service, compliance unit, enforcement officers, policy staff and support personnel. This person must have excellent leadership, communication and analytical skills, and the ability to effectively manage professional

staff. Essential personal qualities include a high degree of objectivity when enforcing the laws subject to DELC and CCLD’s regulatory authority.

The Enforcement Operations Director is authorized to speak for and negotiate settlements on behalf of the agency in enforcement matters. The person in this position must be adept at speaking objectively and diplomatic with the media; other public officials; the general public; legislators; and, state, local, and federal law enforcement officials.

This position is required to be enrolled in the Central Background Registry.

A valid Oregon driver license and a satisfactory driving record, or the ability to provide a satisfactory alternate mode of transportation.

As a Management Service position, the following Affirmative Action / Diversity Responsibilities are inherent to this position:

- Review and follow Affirmative Action plan strategies.
- Consider affirmative action goals in hire, transfer, promotion, and selection decisions.
- Hold employees accountable to demonstrating respectful workplace behaviors.
- Include information in employees Performance, Accountability and Feedback (PAF) review that solicits feedback from employees on inclusivity in the workplace.

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

| Operating Area | Biennial Amount (\$00000.00) | Fund Type |
|---|------------------------------|-----------|
| <i>Note: If additional rows of the below table are needed, place curser at end of a row (outside table) and hit “Enter”.</i> | | |
| Operating Area | | CCDF |
| Child Care Licensing Division – Enforcement | \$750,000.00 | CCDF |
| | | |
| | | |
| | | |
| | | |

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