

HB 4165-6  
(LC 159)  
2/8/12 (HRL/ps)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4165**

1 On page 1 of the printed bill, line 3, after "315.259," insert "329.007," and  
2 after "329.156," insert "329.157,".

3 On page 2, line 19, delete "for purposes of the federal Head Start  
4 program" and insert "as required by the federal Head Start Act".

5 In line 22, after "services" insert a period and delete the rest of the line.

6 On page 3, line 1, delete "nonvoting,".

7 In line 2, after "council" delete the rest of the line and line 3 and insert  
8 "as required by the federal Head Start Act".

9 Delete lines 15 through 45.

10 On page 4, delete lines 1 through 9 and insert:

11 "**SECTION 5.** Section 4, chapter 519, Oregon Laws 2011, as amended by  
12 section 3 of this 2012 Act, is amended to read:

13 "**Sec. 4.** (1) The Early Learning Council is established. [*The council shall*  
14 *function under the direction and control of the Oregon Education Investment*  
15 *Board established by section 1, chapter 519, Oregon Laws 2011.*]

16 "(2) The council is established to [*assist the board in overseeing*] **oversee**  
17 a unified system of early learning services for the purpose of ensuring that  
18 children enter school ready to learn. The Early Learning Council shall en-  
19 sure that children enter school ready to learn by:

20 "(a) Serving as the state advisory council as required by the federal Head  
21 Start Act, as provided by section 7 of this 2012 Act.

22 "(b) Implementing and overseeing a system that coordinates the delivery

1 of early learning services.

2 “(c) Overseeing the Oregon Early Learning System created by ORS  
3 417.727.

4 “(3)(a) The council consists of nine voting members who are appointed by  
5 the Governor for a term of four years and serve at the pleasure of the Gov-  
6 ernor. A person appointed under this subsection may not be appointed to  
7 serve more than two consecutive full terms as a council member.

8 “(b) When determining whom to appoint to the council under this sub-  
9 section, the Governor shall:

10 “[~~(A)~~] *Ensure that at least one of the members is an appointed member of*  
11 *the Oregon Education Investment Board;*]

12 “[~~(B)~~] (A) Ensure that each congressional district of this state is repres-  
13 ented by at least one member of the council;

14 “[~~(C)~~] (B) [*For a member who is not an appointed member of the Oregon*  
15 *Education Investment Board,*] Ensure that [*the*] **each** member meets the fol-  
16 lowing qualifications:

17 “(i) Demonstrates leadership skills in civics or the member’s profession;

18 “(ii) To the greatest extent practicable, contributes to the council’s rep-  
19 resentation of the geographic, ethnic, gender, racial and economic diversity  
20 of this state;

21 “(iii) Contributes to the council’s expertise, knowledge and experience in  
22 early childhood development, early childhood care, early childhood educa-  
23 tion, family financial stability, populations disproportionately burdened by  
24 poor education outcomes and outcome-based best practices; and

25 “(iv) Is not a state officer or employee; and

26 “[~~(D)~~] (C) Solicit recommendations from the Speaker of the House of  
27 Representatives for at least two members and from the President of the  
28 Senate for at least two members.

29 “(4) In addition to the members appointed under subsection (3) of this  
30 section, the Governor shall appoint ex officio members who represent the

1 state agencies or other entities that are required to be represented on a state  
2 advisory council as required by the federal Head Start Act.

3 “(5) The activities of the council shall be directed and supervised by the  
4 Early Learning System Director, who is appointed by the Governor and  
5 serves at the pleasure of the Governor.

6 “(6) In accordance with applicable provisions of ORS chapter 183, the  
7 council may adopt rules necessary for the administration of the laws that the  
8 council is charged with administering.”

9 In line 12, delete “for purposes of” and insert “as required by”.

10 In line 13, delete “program” and insert “Act”.

11 In line 44, after “director” delete the rest of the line.

12 In line 45, delete “Head Start program” and insert “of the Head Start  
13 State Collaboration Office for Oregon”.

14 On page 5, delete lines 2 through 45 and delete pages 6 and 7.

15 On page 8, delete lines 1 through 38 and insert:

16 **“SECTION 8.** Section 7 of this 2012 Act is amended to read:

17 **“Sec. 7.** (1) As the state advisory council as required by the federal Head  
18 Start Act, the Early Learning Council shall:

19 “(a) Conduct a periodic statewide needs assessment concerning the quality  
20 and availability of early childhood education and development programs and  
21 services for children from birth to school entry, including an assessment of  
22 the availability of high-quality prekindergarten services for low-income  
23 children in this state.

24 “(b) Identify opportunities for, and barriers to, collaboration and coordi-  
25 nation among federally-funded and state-funded child care and early child-  
26 hood education and development programs and services, including  
27 collaboration and coordination among state agencies responsible for admin-  
28 istering those programs and services.

29 “(c) Develop recommendations for increasing the overall participation of  
30 children in existing federal, state and local early childhood education and

1 development programs and services, including outreach to underrepresented  
2 and special populations.

3 “(d) Develop recommendations for establishing a unified data collection  
4 system for public early childhood education and development programs and  
5 services throughout this state.

6 “(e) Develop recommendations regarding statewide professional develop-  
7 ment and career advancement plans for providers of early childhood educa-  
8 tion and development programs and services in this state.

9 “(f) Assess the capacity and effectiveness of two-year and four-year public  
10 and private institutions of higher education in this state in supporting the  
11 development of early childhood educators, including the extent to which the  
12 institutions have articulation agreements, professional development and ca-  
13 reer advancement plans, and internships or other training opportunities that  
14 allow students to spend time with students enrolled in the federal Head Start  
15 program or another prekindergarten program. The assessment conducted un-  
16 der this paragraph shall be conducted in coordination with appropriate  
17 higher education governance bodies[ *as determined by the Oregon Education*  
18 *Investment Board*].

19 “(g) Make recommendations for improvements in state early learning  
20 standards and undertake efforts to develop high-quality comprehensive early  
21 learning standards when appropriate.

22 “(2) The council shall hold public hearings and provide an opportunity for  
23 public comment in relation to the actions described in subsection (1) of this  
24 section.

25 “(3) The council shall submit an annual statewide strategic report ad-  
26 dressing the activities described in subsection (1) of this section to the di-  
27 rector of the Head Start State Collaboration Office for Oregon, [*the Oregon*  
28 *Education Investment Board*,] the Legislative Assembly and the Governor.

29 **“SECTION 9. The amendments to section 7 of this 2012 Act by sec-**  
30 **tion 8 of this 2012 Act become operative March 15, 2016.**

1       **“SECTION 10. The Early Learning Council established by section**  
2 **4, chapter 519, Oregon Laws 2011, shall submit a report to the presiding**  
3 **officers of the Legislative Assembly by January 10, 2013. The report**  
4 **must include:**

5       **“(1) Proposals for how community-based coordinators of early**  
6 **learning services will:**

7       **“(a) Receive state funds and allocate those funds to early learning**  
8 **service providers.**

9       **“(b) Be administered by the Early Learning Council.**

10       **“(c) Engage, interact with and fund early learning services.**

11       **“(d) Be governed locally.**

12       **“(2) A detailed budget plan for administering and funding the**  
13 **community-based coordinators of early learning services.**

14       **“NOTE:** Section 11 was deleted by amendment. Subsequent sections were  
15 not renumbered.

16       **“SECTION 12. ORS 417.705 is amended to read:**

17       **“417.705. As used in ORS 417.705 to 417.800:**

18       ***“[(1) ‘Community mobilization’ means government and private efforts to***  
19 ***increase community awareness and facilitate the active participation of citizens***  
20 ***and organizations in projects and issues that will have positive impact on the***  
21 ***well-being of children, families and communities.]***

22       ***“[(2) ‘Efficiency’ means a measurable indicator of the amount of resources***  
23 ***required to produce an output.]***

24       ***“[(3) ‘High-level outcome’ means the Oregon benchmarks adopted by the***  
25 ***Oregon Progress Board and any other measurable indicators of societal well-***  
26 ***being.]***

27       ***“[(4) ‘Intermediate outcome’ means a measurable indicator of the effort by***  
28 ***an agency or other entity toward achieving a high-level outcome target.]***

29       ***“[(5) ‘Local commission’ means a local commission on children and families***  
30 ***established pursuant to ORS 417.760.]***

1       “[(6) ‘Local coordinated comprehensive plan’ or ‘local plan’ means a local  
2 coordinated comprehensive plan for children and families that is developed  
3 pursuant to ORS 417.775 through a process coordinated and led by a local  
4 commission and that consists of:]

5       “[(a) A community plan that identifies the community’s needs, strengths,  
6 goals, priorities and strategies for:]

7       “[(A) Creating positive outcomes for children and families;]

8       “[(B) Community mobilization;]

9       “[(C) Coordinating programs, strategies and services for children who are  
10 0 through 18 years of age and their families among community groups, gov-  
11 ernment agencies, private providers and other parties; and]

12       “[(D) Addressing the needs of target populations; and]

13       “[(b) The service plans listed in ORS 417.775 (6) that designate specific  
14 services for the target populations identified in the community plan.]

15       “[(7)] (1) ‘Outcome’ means the measure of a desired result.

16       “[(8) ‘Output’ means the amount or frequency of products or services deliv-  
17 ered by an agency or other entity.]

18       “[(9) ‘Performance measure’ includes outcomes, outputs and efficiencies that  
19 indicate how well an agency or other entity is carrying out its mission and  
20 achieving its goals.]

21       “[(10)] (2) ‘Services for children and families’ does not include services  
22 provided by the Department of Education or school districts that are related  
23 to curriculum or instructional programs.

24       “[(11) ‘State commission’ means the State Commission on Children and  
25 Families established under ORS 417.730.]

26       “[(12)] (3) ‘Target’ means a specific level of achievement desired for a  
27 specific time, expressed numerically.

28       “**SECTION 13.** ORS 417.710 is amended to read:

29       “417.710. Subject to the availability of funds therefor and the specific  
30 provisions of ORS 417.705 to 417.800 and 419A.170, it is the purpose of ORS

1 417.705 to 417.800 and 419A.170 to:

2 “(1) Authorize the [*State Commission on Children and Families*] **Early**  
3 **Learning Council** to set statewide guidelines for the planning, coordination  
4 and delivery of services for children and families in conjunction with other  
5 state agencies and other planning bodies;

6 “[~~(2)~~] *Vest in local commissions on children and families the authority to*  
7 *distribute state and federal funds allocated to the local commissions to super-*  
8 *vis* services or to purchase services for children and families in the local area  
9 and to supervise the development of the local coordinated comprehensive  
10 plan;]

11 “[~~(3)~~] (2) Provide a process for comprehensive local planning for services  
12 for children and families to provide local services that are consistent with  
13 statewide guidelines;

14 “[~~(4)~~] (3) Retain in the state the responsibility for funding of services for  
15 children and families through a combination of local, state and federal  
16 funding, including the leveraging of public and private funds available under  
17 ORS 417.705 to 417.800 and 419A.170; and

18 “[~~(5)~~] (4) Retain state supervision of child protection and other services  
19 that should be uniform throughout the state and that are necessarily the  
20 state’s responsibility.

21 “**SECTION 14.** ORS 417.725 is amended to read:

22 “417.725. [(1)] Key elements of the service system developed and imple-  
23 mented under ORS 417.705 to 417.800 and 419A.170 are:

24 “[~~(a)~~] (1) A two-to-seven-year incremental implementation process with  
25 measurable outcomes;

26 “[~~(b)~~] (2) An implementation process resulting in a voluntary system  
27 based on nurturing human development; and

28 “[~~(c)~~] (3) A service continuum based on promoting wellness for the chil-  
29 dren of Oregon whose parents have given their express written consent.  
30 Family resource centers and community learning centers as defined in ORS

1 329.007 are a viable, but not the exclusive, structure for delivering a service  
2 continuum.

3 “(2) *If a system of family resource centers and community learning centers*  
4 *is selected by a local commission on children and families established pursuant*  
5 *to ORS 417.760 to deliver services, the centers:]*

6 “(a) *May serve as the prevention arm of the voluntary delivery system and*  
7 *may link and integrate neighborhood-based services with the intent that ser-*  
8 *vices be available to all families who have given their express written consent*  
9 *to promote their children’s wellness;]*

10 “(b) *Shall involve parents in the care and education of their children;]*

11 “(c) *Shall involve the local community in developing and overseeing family*  
12 *resource center programs and community learning center programs;]*

13 “(d) *Shall be consistent with the local coordinated comprehensive plan;*  
14 *and]*

15 “(e) *Shall incorporate the requirements specified for community learning*  
16 *centers under ORS 329.156.]*

17 “**SECTION 14a.** ORS 329.007 is amended to read:

18 “329.007. As used in this chapter, unless the context requires otherwise:

19 “(1) ‘Academic content standards’ means expectations of student knowl-  
20 edge and skills adopted by the State Board of Education under ORS 329.045.

21 “(2) ‘Administrator’ includes all persons whose duties require an admin-  
22 istrative license.

23 “(3) ‘Board’ or ‘state board’ means the State Board of Education.

24 “(4) ‘Community learning center’ means a school-based or school-linked  
25 program providing informal meeting places and coordination for community  
26 activities, adult education, child care, information and referral and other  
27 services as described in ORS 329.157. ‘Community learning center’ includes,  
28 but is not limited to, a community school program as defined in ORS 336.505,  
29 [family resource centers as described in ORS 417.725,] full service schools,  
30 lighted schools and 21st century community learning centers.



1 “(5) ‘Department’ means the Department of Education.

2 “(6) ‘English’ includes, but is not limited to, reading and writing.

3 “(7) ‘History, geography, economics and civics’ includes, but is not limited  
4 to, Oregon Studies.

5 “(8) ‘Oregon Studies’ means history, geography, economics and civics  
6 specific to the State of Oregon. Oregon Studies instruction in Oregon gov-  
7 ernment shall include municipal, county, tribal and state government, as well  
8 as the electoral and legislative processes.

9 “(9) ‘Parents’ means parents or guardians of students who are covered by  
10 this chapter.

11 “(10) ‘Public charter school’ has the meaning given that term in ORS  
12 338.005.

13 “(11) ‘School district’ means a school district as defined in ORS 332.002,  
14 a state-operated school or any legally constituted combination of such enti-  
15 ties.

16 “(12) ‘Second languages’ means any foreign language or American Sign  
17 Language.

18 “(13) ‘Teacher’ means any licensed employee of a school district who has  
19 direct responsibility for instruction, coordination of educational programs  
20 or supervision of students and who is compensated for such services from  
21 public funds. ‘Teacher’ does not include a school nurse, as defined in ORS  
22 342.455, or a person whose duties require an administrative license.

23 “(14) ‘The arts’ includes, but is not limited to, literary arts, performing  
24 arts and visual arts.

25 “(15) ‘21st Century Schools Council’ means a council established pursuant  
26 to ORS 329.704.

27 **“SECTION 14b.** ORS 329.157 is amended to read:

28 “329.157. (1) Community learning centers shall promote identification and  
29 coordination of existing resources including, but not limited to, the following  
30 services and activities:

- 1       “(a) Before-school and after-school enrichment activities linked with the  
2 school curriculum;
- 3       “(b) Youth development and service learning activities;
- 4       “(c) Child care programs;
- 5       “(d) Mentoring and tutoring programs;
- 6       “(e) Parent literacy and adult education programs;
- 7       “(f) Prenatal and early childhood support programs;
- 8       “(g) Parent education and support groups;
- 9       “(h) Cultural activities and English as a second language programs;
- 10       “(i) School-to-work and workforce development programs;
- 11       “(j) Intergenerational activities connecting senior citizens with children;
- 12       “(k) Referrals for health care and other social and educational services;
- 13       “(L) Primary health care services, including immunizations, sports phys-  
14 icals and well-child checkups; and
- 15       “(m) Counseling services.

16       “(2) School districts that create community learning centers shall en-  
17 courage existing family resource centers to become involved in the develop-  
18 ment and implementation of the community learning centers. [*An existing*  
19 *family resource center developed under ORS 417.725 may be designated as a*  
20 *community learning center if the family resource center meets the standards*  
21 *specified in this section and ORS 329.156.]*

22       “(3) Community learning centers shall follow best practice standards to  
23 ensure their effectiveness.”.

24       On page 12, line 21, after “Adopt” insert “standards required by the fed-  
25 eral Head Start Act and adopt”.

26       In line 24, after “with” insert “the standards and”.

27       In line 26, after “outcomes” insert “and with standards required by the  
28 federal Head Start Act”.

29       On page 13, line 36, after “ORS” insert “329.007, 329.157,”.

30       On page 19, delete lines 40 through 45.

1 On page 20, delete lines 1 through 9 and insert:

2 **“SECTION 48.** ORS 417.790 is amended to read:

3 “417.790. The [*State Commission on Children and Families*] **Early**  
4 **Learning Council** shall:

5 “(1) Make grants to [*local commissions on children and families to*] fund  
6 research-based services and initiatives to improve outcomes for children,  
7 youth or families. [*The state commission shall assist counties in the imple-*  
8 *mentation of community services that are efficient, accountable, coordinated*  
9 *and readily available. Grants for services and initiatives to support children,*  
10 *youth or families shall be used at the local level according to the county’s local*  
11 *coordinated comprehensive plan.*] These services shall be provided in accord-  
12 ance with ORS 417.715 and 417.720.

13 “(2) Make Great Start grants to [*local commissions on children and fami-*  
14 *lies to*] fund community-based programs for children [*who are newborn*] **zero**  
15 through [*eight*] **five** years of age. A county or region shall use Great Start  
16 grant funds to provide research-based early childhood programs in commu-  
17 nity settings and to provide services that have proven to be successful and  
18 that meet the needs of the community [*as described in the county’s local co-*  
19 *ordinated comprehensive plan*]. These services shall be provided in accordance  
20 with ORS 417.728.”.

21