

A-Engrossed
House Bill 3034

Ordered by the House April 23
Including House Amendments dated April 23

Sponsored by COMMITTEE ON EDUCATION

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Oregon prekindergarten programs that receive grants from Department of Education to be subject to *[public records law and]* public meetings law. **Applies public records law to meeting minutes or other records created or presented at meetings.**

A BILL FOR AN ACT

1
2 Relating to Oregon prekindergarten programs; amending ORS 329.175.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 329.175 is amended to read:

5 329.175. (1) The Department of Education shall administer the Oregon prekindergarten program
6 to assist eligible children with comprehensive services including educational, social, health and nu-
7 tritional development to enhance their chances for success in school and life. Eligible children, upon
8 request of parent or guardian, shall be admitted to approved Oregon prekindergartens to the extent
9 that the Legislative Assembly provides funds.

10 (2) Nonsectarian organizations including school districts and Head Start grantees are eligible
11 to compete for funds to establish an Oregon prekindergarten. Grant recipients shall serve children
12 eligible according to federal Head Start guidelines and other children who meet criteria of eligibility
13 adopted by rule by the State Board of Education. However, not more than 20 percent of the total
14 enrollment shall consist of children who do not meet Head Start guidelines. School districts may
15 contract with other governmental or nongovernmental nonsectarian organizations to conduct a
16 portion of the program. Funds appropriated for the program shall be used to establish and maintain
17 new or expanded Oregon prekindergartens and shall not be used to supplant federally supported
18 Head Start programs. Oregon prekindergartens also may accept gifts, grants and other funds for the
19 purposes of this section.

20 (3) Applicants shall identify how they will serve the target population and provide all compo-
21 nents as specified in the federal Head Start performance standards and guidelines, including staff
22 qualifications and training, facilities and equipment, transportation and fiscal management.

23 (4) Oregon prekindergartens shall coordinate with each other and with federal Head Start pro-
24 grams to ensure efficient delivery of services and prevent overlap. Oregon prekindergartens shall
25 also work with local organizations such as local education associations serving young children and
26 make the maximum use of local resources.

27 (5) Oregon prekindergartens shall:

28 (a) Participate in the planning process under ORS 417.777 to develop a voluntary local early

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 childhood system plan; and

2 (b) Coordinate services with other services that are coordinated through the plan. The coordi-
3 nation of services shall be consistent with federal and state law.

4 **(6)(a) The governing body of a recipient of grant funds under this section shall be subject**
5 **to ORS 192.610 to 192.690 but is subject to ORS 192.410 to 192.505 only:**

6 **(A) With respect to records created at a meeting of the governing body, minutes of a**
7 **meeting of a governing body or records presented at a meeting of the governing body; or**

8 **(B) As otherwise provided by law other than this subsection.**

9 **(b) As used in this subsection, “governing body” means a board or other entity of two**
10 **or more persons who are authorized to make decisions with respect to a recipient or who**
11 **are authorized to advise or make recommendations to a governing body of the recipient.**

12 **SECTION 2.** ORS 329.175, as amended by section 87, chapter 37, Oregon Laws 2012, is amended
13 to read:

14 329.175. (1) The Department of Education shall administer the Oregon prekindergarten program
15 to assist eligible children with comprehensive services including educational, social, health and nu-
16 tritional development to enhance their chances for success in school and life. Eligible children, upon
17 request of parent or guardian, shall be admitted to approved Oregon prekindergartens to the extent
18 that the Legislative Assembly provides funds.

19 (2) Nonsectarian organizations including school districts and Head Start grantees are eligible
20 to compete for funds to establish an Oregon prekindergarten. Grant recipients shall serve children
21 eligible according to federal Head Start guidelines and other children who meet criteria of eligibility
22 adopted by rule by the State Board of Education. However, not more than 20 percent of the total
23 enrollment shall consist of children who do not meet Head Start guidelines. School districts may
24 contract with other governmental or nongovernmental nonsectarian organizations to conduct a
25 portion of the program. Funds appropriated for the program shall be used to establish and maintain
26 new or expanded Oregon prekindergartens and shall not be used to supplant federally supported
27 Head Start programs. Oregon prekindergartens also may accept gifts, grants and other funds for the
28 purposes of this section.

29 (3) Applicants shall identify how they will serve the target population and provide all compo-
30 nents as specified in the federal Head Start performance standards and guidelines, including staff
31 qualifications and training, facilities and equipment, transportation and fiscal management.

32 (4) Oregon prekindergartens shall coordinate with each other and with federal Head Start pro-
33 grams to ensure efficient delivery of services and prevent overlap. Oregon prekindergartens shall
34 also work with local organizations such as local education associations serving young children and
35 make the maximum use of local resources.

36 (5) Oregon prekindergartens shall coordinate services with other services provided through the
37 Oregon Early Learning System. The coordination of services shall be consistent with federal and
38 state law.

39 **(6)(a) The governing body of a recipient of grant funds under this section shall be subject**
40 **to ORS 192.610 to 192.690 but is subject to ORS 192.410 to 192.505 only:**

41 **(A) With respect to records created at a meeting of the governing body, minutes of a**
42 **meeting of a governing body or records presented at a meeting of the governing body; or**

43 **(B) As otherwise provided by law other than this subsection.**

44 **(b) As used in this subsection, “governing body” means a board or other entity of two**
45 **or more persons who are authorized to make decisions with respect to a recipient or who**

1 **are authorized to advise or make recommendations to a governing body of the recipient.**

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