

HB 2259 A STAFF MEASURE SUMMARY

House Committee On Early Childhood and Family Supports

Action Date: 03/21/17

Action: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

Vote: 9-0-0-0

Yeas: 9 - Bynum, Hack, Hayden, Huffman, Keny-Guyer, Lively, Malstrom, Piluso, Smith DB

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Zena Rockowitz, LPRO Analyst

WHAT THE MEASURE DOES:

Authorizes Office of Child Care (OCC) to maintain information in the Central Background Registry (Registry) through the electronic records system. Directs OCC to complete a criminal records check of other registries or databases, child abuse and neglect records check, adult protective services check and foster care certification check. Prohibits enrollment in Registry by applicants with disqualifying condition. Permits OCC to enroll individual in the Registry if Department of Human Services has completed and approved the background check. Allows ineligible enrollee to be suspended from the Registry. Removes expiration date for enrollment in Registry. Requires operators or employees of early learning programs to enroll in the Registry. Directs Early Learning Council to adopt rules on records checks and enrollment periods. Specifies agreement and cost provisions between private agency or organization and OCC. Applies to enrollment in Registry before, on or after effective date. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- New federal requirements to enhance child care provider background checks
- Additional databases to be searched for background checks
- Fingerprinting requirements for all child care staff members
- Expanding individuals that are required to undergo background checks
- Enrollment, expiration and renewal periods for Central Background Registry
- Collaboration and uniformity with Department of Human Services
- Limiting duplicative background checks
- Fees to conduct background checks

EFFECT OF AMENDMENT:

Authorizes Office of Child Care (OCC) to maintain information in Central Background Registry (Registry) through electronic records system. Specifies additional background checks for OCC to conduct. Permits OCC to enroll individual in Registry if Department of Human Services has completed and approved background check. Allows ineligible enrollee to be suspended from Registry. Expands persons that must apply for enrollment in Registry. Specifies agreement and cost provisions between private agency or organization and OCC. Applies retroactively to past enrollments.

BACKGROUND:

The Office of Child Care (OCC) is part of the Early Learning Division in the Department of Education, aiming to provide safe, quality, affordable, and accessible child care. The Early Learning Council (ELC) is the governing body that oversees the early learning system. The OCC licenses 1,000 certified child care centers, 350 certified family child care homes, and 4,000 registered family child care homes. Child care staff and individuals who may have unsupervised access to children (e.g., adults living in the home, volunteers, maintenance staff, office staff, and regular visitors) must apply to the Central Background Registry (Registry), administered by the OCC. This applies to programs such as federal Head Start and Oregon Pre Kindergarten. Applicants to the Registry undergo a background check to

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determine if they can be enrolled and permitted on the premises. The OCC determines the criminal and child protective services history of an applicant by using records from the Oregon State Police, the Department of Human Services and in some cases the Federal Bureau of Investigation. Currently, there is a two-year enrollment period with an opportunity for renewal. The OCC can remove an individual from the Registry.

The federal Child Care and Development Fund (CCDF) enables low-income parents to work or pursue education and training, improves the safety and quality of child care and increases the supply of child care for all families. In 2014, the reauthorization of CCDF created new rules for background checks of staff at child care facilities. The law requires fingerprinting every five years and expands the searches of national registries and databases that have not historically been accessed, adding the criminal and sex offender registries and repositories, state-based child abuse and neglect registries of the past five states where an applicant has lived, National Crime and Information Center, Federal Bureau of Investigation fingerprint check and National Sex Offender Registry. HB 2259-A aligns Oregon with federal CCDF requirements.