

Enrolled
House Bill 3106

Sponsored by Representative WILSON

CHAPTER

AN ACT

Relating to the preschool program administered by the Early Learning Division; amending ORS 329.172 and 329.195.

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

SECTION 1. ORS 329.172 is amended to read:

329.172. (1) The Early Learning Division shall administer a preschool program as provided by this section. The preschool program shall expand preschool options available to the children of this state.

(2)(a) For the purpose of expanding **and coordinating** preschool options, Early Learning Hubs shall:

(A) Coordinate the providers of preschool programs under this section.

(B) **Convene annual meetings between representatives of the Oregon prekindergarten program and the preschool program described in this section to coordinate the enrollment of eligible children in the programs before the eligible children are enrolled. The representatives shall collaborate to determine the program that best meets the needs of eligible children and their families within the Early Learning Hub.**

(b) The Early Learning Hubs shall apply for state funding, coordinate local planning and enter into contracts with preschool providers.

(3) A preschool provider that meets the requirements of this subsection may apply to participate in the preschool program described in this section. The preschool provider:

(a) Must be establishing a new preschool program or expanding an existing preschool program.

(b) Must meet or exceed the requirements of subsection (4) of this section.

(c) May be a Head Start program, an Oregon prekindergarten program, a child care provider, a relief nursery, a private preschool, a public school, a public charter school, an education service district or a community-based organization that provides a preschool program.

(4) A preschool provider may participate in the preschool program described in this section if the provider's preschool program:

(a) Provides, at a minimum, the annual number of instructional hours required for full-day kindergarten.

(b) Takes into consideration the scheduling needs of families who need full-time child care.

(c) Serves children who are:

(A) At least three years of age but not older than five years of age, as determined by the date used to determine kindergarten eligibility; and

(B) Members of families whose incomes, at the time of enrollment, are at or below 200 percent of the federal poverty guidelines.

- (d) Provides continuity from infant and toddler services to early elementary grades.
 - (e) Demonstrates quality through meeting standards, including:
 - (A) Attaining one of the top two ratings of the quality rating and improvement system for early childhood programs.
 - (B) Adopting culturally responsive teaching methods and practices.
 - (C) Providing a high quality, culturally responsive family engagement environment that supports parents as partners in a child's learning and development.
 - (D) Providing high quality, culturally responsive curricula, assessments and professional development that are linked to one another and to the state's comprehensive early learning standards.
 - (E) Providing highly trained lead preschool teachers who have at least a bachelor's degree in early childhood education or a field related to early childhood education. The requirements of this subparagraph may be satisfied by lead preschool teachers who do not have a bachelor's degree but who have submitted a plan to attain a bachelor's degree and are demonstrating progress on that plan.
 - (F) Providing lead preschool teachers with a salary that meets the minimum salary requirements established by the Early Learning Council.
 - (G) Providing at least one assistant in each classroom who provides support for academic instruction and who meets the state's personnel qualification requirements of one of the top two tiers for the quality rating and improvement system for early childhood programs.
 - (H) Providing additional health and child development supports for children and families, such as screening, referrals and coordination with health care providers.
 - (f) Incorporates best practices in outreach, enrollment and programming for diverse cultural and linguistic populations and children who have been historically underserved in preschool programs.
 - (g) Works in collaboration with community programs to ensure that families have knowledge of, and are connected to, community resources and supports to meet the needs of children and families served by the preschool program.
 - (h) Participates in an ongoing monitoring and program evaluation system that is used for continuous program improvement.
- (5)(a) While any moneys received under a contract entered into as provided by this section must be used to serve children described in subsection (4)(c) of this section, nothing in subsection (4)(c) of this section prevents a preschool provider from serving additional children, including children who:
- (A) Pay tuition for the preschool program and whose family incomes at the time of enrollment exceeds 200 percent of federal poverty guidelines.
 - (B) Are funded by the Oregon prekindergarten program, a Head Start program or another source of funding.
 - (b) If a preschool program serves children described in paragraph (a) of this subsection, moneys received under a contract as provided by this section may not be used to pay for expenses incurred for the children described in paragraph (a) of this subsection.
- (6) A preschool program may receive a waiver of any of the requirements described in subsection (4) of this section if the waiver:
- (a) Is for a preschool program that is maintaining progress toward quality;
 - (b) Is anticipated for the first years of the preschool program only; and
 - (c) Is granted for only one year at a time.
- (7) To assist the Early Learning Division in administering this section, the Early Learning Council shall:
- (a) Identify resources necessary for the Early Learning Division to develop, support and sustain the implementation of a high quality preschool program, including evaluations, professional development opportunities, technical assistance, monitoring guidance and administrative assistance.
 - (b) Ensure that pathways and supports are available to teaching staff to increase culturally and linguistically diverse staff to teach and assist in preschool classrooms.

(c) Establish minimum salary requirements and target salary requirements for lead preschool teachers as required under subsection (4)(e)(F) of this section. Minimum salary requirements may be differentiated by program type. Target salary requirements shall be comparable to lead kindergarten teacher salaries in public schools.

(d) Develop strategies that strive to increase the mean salary for lead preschool teachers in this state.

(e) Administer waivers as described in subsection (6) of this section.

(8) Each biennium, the Early Learning Division shall submit a report to the Legislative Assembly that describes:

(a) The number of children served by the preschool program described in this section, including the number of children:

(A) Whose family incomes are at or below 200 percent of the federal poverty guidelines;

(B) Whose family incomes are between 100 and 200 percent of the federal poverty guidelines;

(C) Who pay tuition; and

(D) Who are eligible for Head Start programs.

(b) The cost to serve each child described in subsection (4)(c) of this section.

(c) The level of state support received for implementing the preschool program described in this section.

(d) The effectiveness of the preschool program described in this section, including student progress and outcomes.

(e) Improvements that have been made to the administration and evaluation of the preschool program to improve the effectiveness of the program.

(f) The salary, education levels and turnover rates of lead preschool teachers employed by preschool providers receiving moneys under this section.

(9) The Early Learning Division shall coordinate with the Department of Education and other state agencies in support of the preschool program described in this section.

(10) The Early Learning Division shall prescribe the form and timeline for applications to participate in the preschool program as provided by this section.

SECTION 2. ORS 329.195 is amended to read:

329.195. (1)(a) The Early Learning Council, acting as the state advisory council for purposes of the federal Head Start Act, shall adopt rules for the establishment of the Oregon prekindergarten program.

(b) Rules adopted under this section specifically shall require:

(A) Performance standards and operating standards that are at a level no less than the level required under the federal Head Start program guidelines.

(B) Processes and procedures for recompetition that are substantially similar to the processes and procedures required under the rules and guidelines adopted under the federal Head Start Act.

(C) Implementation plans for any changes to the federal Head Start program rules or guidelines.

(c) Federal Head Start program guidelines shall be considered as guidelines for the Oregon prekindergarten program.

(d) Notwithstanding paragraph (b) of this subsection, the council may adopt rules that allow for the provision of a half-day program or a full-day program, or a combination thereof, to meet community needs, as determined by the council based on community assessments.

(2) In developing rules for the Oregon prekindergarten program, the council shall consult with the advisory committee established under ORS 329.190 and shall consider such factors as coordination with existing programs, the preparation necessary for instructors, qualifications of instructors, training of staff, adequate space and equipment and special transportation needs.

(3) The Early Learning Division shall review applications for the Oregon prekindergarten program received and designate those programs as eligible to commence operation by July 1 of each year. When approving grant applications, to the extent practicable, the council shall distribute funds regionally based on percentages of unmet needs for the county or region.

Passed by House April 5, 2017

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 15, 2017

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State