



Oregon

Kate Brown, Governor

Early Learning Division



To: Senate Human Services, Mental Health and Recovery Committee

Date: January 13, 2022

From: Troy Duker, Government Affairs Manager, Early Learning Division

RE: Legislative Concept 173 – Background Checks for Recorded Programs

LC 173 is the result of recommendations from a 2020 Secretary of State audit that reviewed the child care background check process across three agencies: the Office of Child Care (within the Early Learning Division), the Department of Human Services and the Oregon State Police. The audit found that there was a gap in oversight for recorded programs across the state. It recommended that the Office of Child Care “propose legislative changes to confirm or conduct criminal background checks on employees and volunteers in preschool and school-age recorded programs, and ensure employees and volunteers are held to the same background check standards as licensed child care providers.”

LC 173 requires the staff and volunteers of preschool and school-age recorded programs to enroll in the Central Background Registry at no cost to the program or to the individual undergoing the background check. The bill also clarifies the Office of Child Care’s authority regarding complaints-based investigations of recorded programs. To ease into the transition, the legislative concept builds in a six-month grace period to allow current employees and volunteers in recorded programs to begin the enrollment process in the Central Background Registry. In order to better align the statutes, LC 173 combines what is currently two separate sets of statutes for preschool and school-age recorded programs into one set of statutes governing both types of programs.