

HB 3073 -3 STAFF MEASURE SUMMARY

House Committee On Early Childhood

Prepared By: Lisa Gezelter, LPRO Analyst

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/22, 2/24, 4/12

WHAT THE MEASURE DOES:

Repeals Oregon Department of Education's Early Learning Division. Establishes Early Learning Authority as independent state agency, led by Governor-appointed Early Learning System Director. Establishes purposes of Early Learning Authority. Transfers responsibility to administer funds received pursuant to federal Child Care and Development Block Grant and Child Care and Development Fund, as well as other federal funds and grants received by the State of Oregon from Office of Child Care to Early Learning Authority. Modifies duties of Early Learning Council and transfers certain responsibilities to Early Learning Authority. Modifies Preschool Promise program. Modifies provisions relating to quality improvement system. Requires Oregon Department of Education to collaborate with Early Learning System Director on early intervention/early childhood special education programs. Establishment of Early Learning Authority and related provisions become operative March 15, 2022. Requires Director of Oregon Department of Education to deliver to the Early Learning Authority all records and property, as well as employees. Transfers employment-related day care program from Department of Human Services to Early Learning Authority by June 30, 2023. Requires Early Learning Division and Department of Human Services to develop plan for implementation. Requires transitional reports to legislature by September 30, 2021 and September 30, 2022. Modifies definition of statewide early learning system. Modifies membership of State Interagency Coordinating Council. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-3 Replaces the measure. Makes Early Learning Council responsible for leading cross-sector strategic planning for statewide early learning system. Establishes purposes of statewide early learning system. Modifies duties of Early Learning Council. Modifies membership and duties of State Interagency Coordinating Council. Modifies Employment Related Day Care provisions. Makes Department of Human Services and Early Learning Council jointly responsible for program rules. Requires sliding scale for copayments, not to exceed seven percent of household income. Requires Early Learning Council to establish process for determining true cost of child care compared to market rate by July 1, 2022. Requires report to legislature by December 31, 2022. Repeals Oregon Department of Education's Early Learning Division. Establishes Department of Early Learning and Care (DELC) as independent state agency, led by Governor-appointed Early Learning System Director beginning July 1, 2022. Establishes purposes of DELC. Transfers responsibility to administer funds received pursuant to federal Child Care and Development Block Grant and Child Care and Development Fund, other federal funds and grants received by the State of Oregon, and resource and referral system from Office of Child Care to DELC. Requires annual report to Legislative Fiscal Office. Allows family child care providers who are parties in contested case hearings to be represented by a labor union representative. Modifies provisions of Preschool Promise program. Changes quality rating system to quality recognition system. Requires Superintendent of Public Instruction to collaborate with Early Learning System Director for provision of early intervention/early childhood special education programs. Requires State Board of Education to consult with Early Learning Council on promulgation of related rules. Requires Department of Education and Early Learning Division to develop and implement plans that provides for

HB 3073 -3 STAFF MEASURE SUMMARY

seamless transfer of duties, functions, and powers. Requires Director of Oregon Department of Education to deliver to the Early Learning Authority all records and property, as well as employees. Transfers fund balances. Transfers Employment Related Day Care to DELC beginning June 30, 2023 and requires Department of Human Services to deliver related records and property. Requires transition reports to legislature September 30, 2021, December 31, 2021, and September 30, 2022. Declares emergency, effective on passage.

BACKGROUND:

The Early Learning Division of the Oregon Department of Education was established by passage of House Bill 3234 in 2013. That measure transferred certain duties previously assigned to the Early Learning Council to the Division. Since that time, the Division has served to govern and manage most of the state's early care and education programs and services. House Bill 3073 makes the Early Learning Division into an independent state agency, titles the new agency the Early Learning Authority, modifies related definitions and duties, and transfers the employment-related day care program currently managed by the Department of Human Services to the newly created agency.