

HB 2717 -1 STAFF MEASURE SUMMARY

House Committee On Early Childhood and Human Services

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Meeting Dates: 3/1

WHAT THE MEASURE DOES:

Establishes licensing and oversight provisions for outdoor preschool programs to be administered by the Office of Child Care (OCC) within the Department of Early Learning and Care (DELIC). Defines "outdoor preschool program" as a program for preschool age children that teaches a nature-based curriculum and provides part-time early learning services in an approved outdoor natural space. Requires operators of outdoor preschool programs to apply to OCC for license and specifies that programs must comply with statutes and administrative rules regulating child care facilities. Directs OCC to maintain database of licensed programs and set application fees determined by Early Learning Council (ELC) by rule. Authorizes OCC to conduct investigations, revoke licenses, and levy civil penalties up to \$100 against program operators for violations. Specifies that license is not equivalent to child care facility certification or family child care home registration. Aligns statutes governing child care facilities, background check procedures, land use, and abuse reporting to include outdoor preschool programs. Becomes operative July 1, 2025. Authorizes DELIC and ELC to take necessary action ahead of operative date.

REVENUE: No revenue impact

FISCAL: Fiscal impact issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the measure. Adds outdoor child care program to definition of child care facility. Requires Early Learning Council to adopt rules governing the certification of outdoor child care programs. Requires outdoor child care programs applying for certification to demonstrate adequate sanitation, maintenance, food preparation, and food storage areas. Becomes operative July 1, 2025. Authorizes Department of Early Learning and Care to take necessary actions ahead of operative date. Declares emergency, effective on passage.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

BACKGROUND:

The Office of Child Care (OCC) is currently within the Early Learning Division (ELD) of the Oregon Department of Education. In 2021, the Legislative Assembly passed House Bill 3073, which transfers ELD and its administrative responsibilities into a new independent state agency called the Department of Early Learning and Care (DELIC). House Bill 4005 (2022) set the operational date of the new agency as July 1, 2023.

Operators of child care programs are required by law to comply with regulations issued by OCC. Depending on the type of program, the operator may be required to apply for certification, registration, or recording with OCC. All staff and volunteers are required to be enrolled in the Central Background Registry. OCC may also conduct investigations of programs and facilities to ensure compliance. Currently, operators of preschool recorded programs are required to perform criminal background checks on all staff and volunteers and to record their program with OCC, but are otherwise not subject to a licensure requirement. Outdoor preschool programs, which are programs for young children that provide educational programming in an outdoor, natural environment, are not defined separately from other preschool programs in Oregon law.

This summary has not been adopted or officially endorsed by action of the committee.

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House Bill 2717 establishes licensing and oversight provisions for outdoor preschool programs to be administered by the Office of Child Care within the Department of Early Learning and Care.