

HB 2717 A STAFF MEASURE SUMMARY

House Committee On Early Childhood and Human Services

Action Date: 03/29/23

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

Vote: 6-4-0-0

Yeas: 6 - Andersen, Hartman, Nelson, Neron, Nguyen H, Reynolds

Nays: 4 - Cramer, Elmer, Hieb, Scharf

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 3/1, 3/27, 3/29

WHAT THE MEASURE DOES:

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.

ISSUES DISCUSSED:

- Characteristics of outdoor child care programs
- Reasons for incorporating outdoor programs into certification processes
- Benefits of outdoor environment for child development
- Inability of outdoor preschools to fulfill current certification requirements
- Applicability for lands zoned for Exclusive Farm Use
- Comparison to systems in other states
- Current rules governing certified child care centers

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Outdoor child care programs, also called outdoor preschools, are programs for young children that provide educational programming in an outdoor, natural environment. Operators of child care programs are required by law to comply with regulations issued by the Office of Child Care (OCC), but those regulations currently do not allow for programs that operate fully outdoors. 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.

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.

House Bill 2717 A adds outdoor child care programs to existing statutes governing child care providers and requires the Early Learning Council to adopt rules establishing additional requirements for those programs.