

HB 4057 -1, -2 STAFF MEASURE SUMMARY

House Committee On Early Childhood and Human Services

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Sub-Referral To: Joint Committee On Ways and Means
Meeting Dates: 2/3, 2/5

WHAT THE MEASURE DOES:

The measure directs the Oregon Department of Early Learning and Care (DELC) to provide information on publicly funded early learning and care programs and resources to all individuals who apply to the Employment Related Day Care subsidy program (ERDC) and allows the Oregon Department of Human Services (ODHS) to provide this information on behalf of DELC. Additionally, the measure requires DELC to consult with the Oregon Department of Education (ODE) and the Oregon Teacher Standards and Practices Commission (TSPC) to develop recommendations for streamlining background checks across all three agencies. The measure declares an emergency and is effective on passage.

Detailed Summary:

ERDC Referral (Sections 1- 2)

- Authorizes DELC and ODHS to enter into interagency agreements to delegate responsibility for providing standardized information to families seeking early learning and care.
- Requires DELC to provide standardized information to families and individuals that apply or are waitlisted for ERDC prior to referring the family or individual to a generalized resource hotline.
- Specifies that standardized information related to publicly funded early learning and care programs includes, but is not limited to:
 - The Preschool Promise Program
 - The Oregon Prenatal to Kindergarten Program
 - The Infant and Toddler Care Program (note: this is commonly known as Baby Promise)
 - Healthy Families Oregon programs
 - Early Learning Hubs
 - Resource and referral entities
 - Relief nurseries
 - Oregon Head Start, Prekindergarten, and Early Head Start programs.

Background Check Review (Sections 3 - 4)

- Requires DELC to review background check requirements for publicly funded staff in consultation with ODE and TSPC.
- Directs DELC, ODE, and TSPC to:
 - develop recommendations to streamline the background check process
 - identify the number of individuals subject to multiple background checks
 - estimate resources needed
 - submit a report and recommendations to interim committees of the Legislative Assembly related to education and early learning and care by September 15, 2026.
- Sunsets January 2, 2027.
- 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

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 The amendment modifies provisions related to the review of background check requirements.

Detailed Summary:

- Directs the Oregon Department of Education (ODE), in consultation with the Department of Early Learning and Care (DELC), the Teacher Standards and Practices Commission (TSPC), and the Oregon State Police (OSP), to do the following:
 - Analyze the similarities and differences among background check requirements between ODE, TSPC, and DELC
 - Develop recommendations to allow individuals who are enrolled in the Central Background Registry (CBR) to automatically satisfy background check requirements under the jurisdiction of ODE and TSPC
 - Analyze how federal law applies to and constrains Oregon's authority to amend background check processes
 - Submit a report and recommendations to interim committees of the Legislative Assembly related to education and early learning and care by November 15, 2026.

-2 The amendment removes all provisions relating to the review of background check requirements.

BACKGROUND:

The [Employment Related Day Care subsidy program](#) (ERDC) helps qualifying families pay for child care. In November 2023, ERDC opened a waitlist for program applicants due to increased demand and limited funding. Although DELC administers the program for families and providers, the Oregon Department of Human Services (ODHS) manages ERDC eligibility through the [ONE system](#).

[ORS 329A.030](#) requires the Oregon Department of Early Learning and Care (DELC) to establish a Central Background Registry (CBR), which complies with federal regulations and allows Oregon to utilize the [Child Care and Development Fund](#) (CCDF) to fund programs such as ERDC. Child care providers, employees, family members, and any other adults who may have unmonitored access to children at a child care facility are considered Subject Individuals (SIs) and must be enrolled in the CBR prior to providing care to children. The [Teacher Standards and Practices Commission](#) (TSPC) and [Oregon Department of Education](#) (ODE) each maintain separate background check processes for SIs working in K-12 education. TSPC licenses teachers and administrators, while ODE handles checks for non-licensed school staff on behalf of school districts.