

Enrolled House Bill 2059

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Department of Education)

CHAPTER

AN ACT

Relating to quality improvement systems for child care facilities; amending ORS 329A.261 and 329A.500.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 329A.261 is amended to read:

329A.261. (1) In addition to the minimum standards established for child care facilities and the operation of child care facilities under ORS 329A.260 and subject to available funds, the Office of Child Care, *[under the direction and with the approval of the Early Learning Council]* **in coordination with the committee designated by the Early Learning Council under ORS 326.425 (3)(a)**, shall initiate development of a *[tiered]* quality *[rating]* **recognition** and improvement system for child care facilities.

(2) The *[tiered]* quality *[rating]* **recognition** and improvement system implemented under this section shall:

(a) Establish a set of *[progressively higher]* standards that are used to evaluate the quality of an early learning and development program and to support program improvement.

(b) Consist of the following components:

(A) *[Tiered]* Standards that *[define a progression]* **demonstrate characteristics** of quality *[for]* early learning and development programs.

(B) Monitoring of programs to evaluate quality based on established standards.

(C) Support for programs and providers of programs to meet *[tiered]* quality standards, including training, technical assistance and financial incentives.

(D) Program quality *[ratings that are]* **recognition that is** publicly available.

SECTION 2. ORS 329A.500 is amended to read:

329A.500. (1) The Department of Human Services, in consultation with the Early Learning Division and the Office of Child Care, shall adopt rules for the operation of subsidy programs for employment-related child care administered by the department. At a minimum, and taking into account the availability of funds, the rules must provide the following:

(a) Subsidy recipients may be entitled to receive the subsidy for at least one year, regardless of changes in employment. Rules adopted by the department may provide for termination of subsidy eligibility for reasons other than changes in employment during the one-year period. Exit eligibility and copays must be structured to mitigate the financial impact of reduced subsidy support due to increased income.

(b) Subsidy recipients who are enrolled in coursework, as defined by the department by rule, may be entitled to receive the subsidy to enable the subsidy recipient to attend and participate in the coursework provided all other eligibility requirements are met.

(c) Persons who are self-employed may qualify for subsidy programs provided all other eligibility requirements are met.

(d) Subsidy recipients who voluntarily choose child care providers that *[meet minimum standards established under the tiered quality rating and improvement system implemented under ORS 329A.261 may qualify for lower copayments]* **participate in the quality recognition and improvement system established under ORS 329A.261 may qualify for incentives in accordance with criteria established by rule.** A fair representation of the subsidy recipients who qualify for *[lower copayments]* **incentives** must be persons with children who are from underserved racial, ethnic or minority populations. In addition, child care providers that *[meet specified minimum standards established under the tiered quality rating and improvement system may receive an enhanced reimbursement under the subsidy programs]* **participate in the quality recognition and improvement system may receive financial incentives under the subsidy programs in accordance with criteria established by rule.**

(e) Subsidy recipients must report a change of child care provider to the department during the period a subsidy is being received.

(2) The department shall work to meet federal recommendations for income eligibility and market access in regard to employment-related child care administered by the department.

Passed by House April 13, 2021

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 13, 2021

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

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Shemia Fagan, Secretary of State