



HB 4005
House Early Childhood Committee
February 2, 2022

David Mandell, Director of Policy and Research, ELD

Troy Duker, Government Affairs Manager, ELD



Establishment of DELC Date

- HB 4005 changes the establishment date of the Department of Early Learning and Care from January 1, 2023 to July 1, 2023.
- The Early Learning Division will continue to develop the new agency on the same timeline that was planned for prior to the date change proposal to account for any unforeseen contingencies.



Fix to True Cost of Care Process

- HB 3073 required the Early Learning Council to adopt rules on the process for determining the true cost of child care compared to the market rate cost for setting provider rates for the Employment Related Day Care program by July 1, 2022.
- The July 1, 2022 deadline is before the deadline for ELD to submit a report to the legislature on the true cost of care due by December 31, 2022.
- HB 4005 changes the rulemaking date to July 1, 2023, so that the report can inform the rulemaking.



Technical Fix to CCRR Statutes

- As we continue to review our governing statutes in preparation for the establishment of DELC, DOJ identified an area of clarification regarding Child Care Resource and Referral entities.
- Statute does not spell out that ELD has the authority to “administer and maintain” the CCRRs through contracts and funds.
- HB 4005 clarifies ELD’s relationship to the CCRRs.



SB 236 Report Date

- HB 2166 established the Early Childhood Suspension and Expulsion Prevention program and SB 236 bans the practices of suspension and expulsion in early care and education programs in 2026.
- SB 236 required the ELD to submit a report on how the Division would implement a ban by July 1, 2022.
- HB 4005 pushes the report deadline to November 15, 2023, so that ELD can establish the suspension and expulsion prevention program which will inform how a ban is implemented.



Information Sharing within ELD

- HB 4005 gives the Office of Child Care (OCC) authority to share pertinent information (regarding enforcement activities, investigations, etc.) with other ELD units on a need-to-know basis.
- HB 4005 also gives OCC that same authority for information it has obtained from the Oregon Department of Human Services.



ERDC Background Checks

- Background Checks are currently performed at the Oregon Department of Human Services for license-exempt ERDC providers.
- A 2020 SOS Audit found that there were inconsistencies in the criteria for background checks and recommended that the background check process move to the Office of Child Care at the ELD.
- Since HB 3073 transfers the ERDC program over to the ELD, the background check process needs to be transferred to align with the vision for DELC.



Early Childhood Equity Fund Evaluation

- Technical fix to statute to ensure that ELD has the authority to use Student Success Act Funds for a biennial evaluation of the Equity Fund, required by statute.



Questions?
