

Enrolled House Bill 2815

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Tina Kotek for Department of Early Learning and Care)

CHAPTER

AN ACT

Relating to tribal early learning services; creating new provisions; and amending ORS 417.831.

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

SECTION 1. ORS 417.831 is amended to read:

417.831. *[(1) As used in this section:]*

[(a) "Tribal advisory committee" means the committee established by the Department of Early Learning and Care for the purpose of advising the Early Learning Council on the Tribal Early Learning Hub.]

[(b) "Tribal Early Learning Hub" means the entity designated by the Early Learning Council, in consultation with the tribal advisory committee, to coordinate early learning services provided to the tribal communities of this state, as determined by rules adopted by the Early Learning Council in consultation with the tribal advisory committee.]

[(2) The Early Learning Council shall implement and coordinate a system that coordinates the delivery of early learning services to the tribal communities of this state through the direction of the Tribal Early Learning Hub. The Tribal Early Learning Hub shall be separate and distinct from the Early Learning Hubs designated under ORS 417.827.]

[(3) The Department of Early Learning and Care shall establish a tribal advisory committee. The tribal advisory committee shall consist of 21 members appointed by the Department of Early Learning and Care in consultation with the nine federally recognized Indian tribes of this state as follows:]

[(a) Two representatives from each of the nine federally recognized Indian tribes of this state;]

[(b) One representative from the Commission on Indian Services, who shall be a nonvoting member;]

[(c) One representative of the Early Learning Council, who shall be a nonvoting member; and]

[(d) One representative of the Department of Early Learning and Care, who shall be a nonvoting member.]

[(4) The tribal advisory committee shall advise the Early Learning Council on the delivery of early care and education services to the tribal communities of this state in a culturally specific manner. The Early Learning Council shall adopt rules related to the Tribal Early Learning Hub in consultation with the tribal advisory committee, including rules that prescribe the requirements for accountability and services provided.]

(1) As used in this section and sections 2 and 3 of this 2025 Act:

(a) "Caregiver" means an individual who provides ongoing care for a plan child.

(b) "Plan child" means a child enrolled in early childhood care or education programs who:

(A) Is eight years of age or younger;
(B) Is Native American or Alaska Native; and
(C) Has experienced disproportionate results in early childhood care or education due to historical practices, as identified by the Early Learning Council by rule.

(c) “Tribal educator” means a teacher, child care provider, administrator or other school or child care employee who:

(A) Is Native American or Alaska Native; and
(B) Provides early childhood care or education services to any children eight years of age or younger.

(2) The Department of Early Learning and Care shall develop and implement a statewide early learning and care plan for plan children. In developing the plan, the department shall:

(a) In a manner consistent with ORS 182.164 and Executive Order 96-30, consult the nine federally recognized Indian tribes in Oregon and state agencies with relevant expertise. Consultation under this paragraph must be undertaken with respect for tribal sovereignty, customs and culture.

(b) Solicit input from the advisory committee established under section 2 of this 2025 Act.

(3) The plan developed and implemented under this section must, at minimum, address the following objectives:

(a) Support the developmental, child care and educational needs and goals of plan children in a culturally appropriate manner.

(b) Increase access for plan children to early learning system resources and programs administered by the department.

(c) Support culturally responsive curricula that honor the Native American experience in Oregon, including tribal history, sovereignty issues, culture, treaty rights, government, socioeconomic experiences and current events.

(d) Improve early childhood development and kindergarten readiness for plan children.

(e) Increase literacy and numeracy levels for plan children between kindergarten and grade three.

(f) Provide education, training and professional development opportunities for educators and child care providers who serve plan children.

(g) Foster parental and familial engagement in the development and education of plan children.

(h) Support the preservation and revitalization of Native American language and culture in Oregon.

(4) The plan developed and implemented under this section may provide strategies to:

(a) Support experiential curricula, including curricula on Native American language and culture.

(b) Increase the number of educators or child care providers who are providing early childhood care or services to plan children.

(c) Increase the number of tribal educators who are providing early childhood care or education services to children eight years of age or younger who are not plan children.

(d) Prepare plan children for successful transitions, including from prekindergarten through post-secondary education.

(e) Achieve any other outcomes identified by rule by the council in consultation with the nine federally recognized Indian tribes in Oregon.

(5) The department shall establish and administer a grant program to award moneys to each of the nine federally recognized Indian tribes in Oregon for the purpose of implementing the objectives and strategies of the plan described in this section.

(6) The council, in consultation with the department, shall adopt rules necessary for the administration of this section, including rules establishing eligibility criteria for receipt of moneys under the grant program.

SECTION 2. (1) The Department of Early Learning and Care shall establish an advisory committee called the Oregon Tribal Early Learning Alliance. The advisory committee shall advise the department on:

(a) The development and implementation of the plan and grant program described in ORS 417.831.

(b) The distribution of moneys for technical assistance, professional development, infrastructure or other support to plan children, caregivers, tribal educators or federally recognized Indian tribes in Oregon under section 3 of this 2025 Act.

(c) Any other subject related to the delivery of culturally and linguistically appropriate early childhood care or education services to plan children in this state.

(2) The advisory committee shall consist of 18 voting members and a minimum of nine nonvoting members. The department, in consultation with the nine federally recognized Indian tribes in Oregon, shall appoint:

(a) Two voting members from each of the nine federally recognized Indian tribes in Oregon.

(b) At least two nonvoting members who are parents or caregivers of a plan child.

(c) At least two nonvoting members who are tribal educators or providers of early childhood care or education programs that are operated by a federally recognized Indian tribe in Oregon.

(3)(a) In addition to the appointments made under subsection (2) of this section, the department shall appoint five nonvoting, ex officio members as follows:

(A) One member who is the Early Learning System Director, or the designee of the director.

(B) One member who is a representative of the Department of Education.

(C) One member who is a representative of the Department of Human Services with expertise in the federal Indian Child Welfare Act (25 U.S.C. 1901 et seq.).

(D) One member who is a representative of the Oregon Health Authority.

(E) One member who is a representative of the Higher Education Coordinating Commission.

(b) In addition to the appointments made under paragraph (a) of this subsection, the Department of Early Learning and Care may appoint as a nonvoting, ex officio member a representative from any state agency.

(4) The term of office and responsibilities of the members of the advisory committee shall be determined by the advisory committee.

(5) A majority of voting members of the advisory committee constitutes a quorum for the transaction of business.

(6) Official action by the advisory committee requires the approval of a majority of the voting members of the advisory committee.

(7) If there is a vacancy for any cause, the Department of Early Learning and Care, in consultation with the nine federally recognized Indian tribes in Oregon, shall make an appointment to become effective immediately.

(8) The advisory committee shall meet at the times and places specified by a majority of the voting members of the advisory committee.

(9) The advisory committee may adopt rules necessary for the operation of the advisory committee.

SECTION 3. (1) The Tribal Early Learning Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned on moneys in the Tribal Early Learning Fund must be credited to the fund.

(2) The fund consists of moneys appropriated or otherwise made available by the Legislative Assembly for deposit in the fund, interest earned on moneys in the fund and moneys otherwise deposited in the fund from any source.

(3) Moneys in the fund are continuously appropriated to the Department of Early Learning and Care to carry out the statewide plan and grant program under ORS 417.831.

(4) To further the objectives and strategies described in ORS 417.831, the department shall retain up to five percent of the moneys appropriated by the Legislative Assembly each biennium for deposit in the fund to provide technical assistance, professional development, infrastructure or other support to plan children, caregivers, tribal educators or federally recognized Indian tribes in Oregon.

Passed by House June 12, 2025

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Timothy G. Sekerak, Chief Clerk of House

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Julie Fahey, Speaker of House

Passed by Senate June 19, 2025

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Rob Wagner, President of Senate

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State