

HB 2815-1: Tribal Early Learning Plan and Fund



BACKGROUND

The Department of Early Learning and Care (DELIC) has submitted House Bill 2815-1 to establish a Tribal Early Learning Plan and Fund. In addition to this bill, the Tribal Advisory Committee (TAC) established by ORS 417.831 is recommending additional funding for the Tribal Early Learning Fund to center Tribal sovereignty and expand access to early learning and care activities within Tribal Nations as directed and prioritized by each Tribe.

In 2021, the legislature passed HB 2055, which established the Tribal Early Learning Hub (TELH) to coordinate early learning services in Tribal communities. The bill required DELIC to create a Tribal Advisory Committee (TAC) made up of representatives appointed by each Tribe to advise the Early Learning Council on the design and implementation of the TELH. The nature of the Hub model would require DELIC to contract with a third party such as a non-profit entity or independent organization, thereby removing the government-to-government relationship between Tribes and DELIC, as required by ORS 182.162 to 182.168 and Executive Order 96-30.

WHAT THE BILL DOES

Due to the structural constraints, there is not a way to operate a Tribal Hub without infringing on Tribal sovereignty. In honor of Tribal sovereignty and in maintaining the government-to-government relationship, TAC recommends a coordinated strategy of funding Tribes directly for early learning services, rather than the creation of a Tribal Hub as mandated in HB 2055. This strategy will allow Tribal Nations to exercise their sovereignty and pursue self-determination, with flexibility in meeting their communities' needs. The proposal was designed by Tribally appointed representatives who share the goal of investing in their youngest members while also maintaining their diverse Tribal cultures, languages, and lifeways for future generations.

The -1 amendment was developed with the TAC to revise to ORS 417.831 to establish the Oregon Tribal Early Learning Alliance (OTELA) in place of TAC and removing its advisory function to the Early Learning Council. Instead of focusing on a Tribal Hub, OTELA will advise DELIC on the development, implementation and administration of a new Tribal Early Learning Plan modeled after the American Indian/Alaska Native (AI/AN) Student Success Plan used by the Department of Education as outlined in ORS 329.843 to guide agency decision-making.

The proposed statutory revisions will outline the goals of the Plan; define OTELA's purpose, membership, activities, responsibilities; and establish DELIC's rulemaking authority. The proposal also establishes a Tribal Early Learning Fund to dedicate funds for Tribes to support the breadth of activities Tribes can conduct under the Plan purposes. Since funds will go directly to those who understand the needs of their communities best, Tribes can accomplish the same goals of a Tribal Hub without perpetuating the inequities imposed by the Hub model.

BUDGET REQUEST

In addition to HB 2815-1, the Governor's Recommended Budget includes \$4.75 million for a dedicated Tribal Early Learning Fund to provide Tribes with dedicated and flexible funding to access early learning system resources and supports. The best way to allow Tribes to exercise their sovereignty and maintain Oregon's government-to-government relationship with Tribes is by creating a funding source which the Tribes can allocate towards their communities' unique needs. The Tribal Early Learning Plan and Fund will provide a framework for DELIC to live up to its commitments to Tribal Nations and their people, while removing barriers to funding for the Tribes. Doing so will allow Tribes the ability to focus on initiatives most relevant for their Nations, including revitalizing and preserving language and culture by bringing heritage language and practices into homes and classrooms, expanding preschool or child care services, providing caregiver education programs, or increasing staff compensation, among many other Tribal early learning and care-focused goals defined within the plan.

FAQS

What is the purpose of the Tribal Early Learning Plan?

The Tribal Early Learning Plan is intended for the Nine Federally Recognized Tribes within Oregon's borders to establish goals and objectives for DELC to support. The Plan will support and elevate cultural and experiential early learning and care, promote and revitalize language and culture, and ensure access to cultural resources and curriculum in early learning spaces. TAC has recommended the Plan focus on Tribal children prenatal through age eight, families, educators, and providers. Some Plan purposes may be to build capacity for Tribal Early Learning Providers and Educators; support language and culture revitalization and preservation; or to promote the capacity of programs to involve and engage Tribal caregivers. The broad variety of activities and goals will allow Tribes to have flexibility in how they use the Tribal Early Learning Fund, reducing barriers to funding for the Tribes.

How will the Tribal Early Learning Plan be developed?

OTELA will advise DELC, including its Office of Tribal Affairs, on the development and implementation of the Tribal Early Learning Plan. When developing the Tribal Early Learning Plan, DELC will consult with representatives from Tribal governments and from executive branch agencies who have formed government-to-government relations to focus on early education and care, including the Oregon Department of Education, Oregon Department of Human Services (including Indian Child Welfare programs), Oregon Health Authority, and Higher Education Coordinating Commission.

What is the purpose of the Tribal Early Learning Fund?

Early learning and care supports are vital infrastructure for Tribal Nations as they support the development and education of their children and families. Tribes are also engaged in nation building activities such as establishing sustainable economic growth, which includes building a workforce, for which child care and early educational opportunities are essential. The Tribal Early Learning Fund included in the Governor's Recommended Budget is designed and driven by the Tribes and allows Tribes the flexibility to meet the diverse resource needs facing their nations. This funding recommendation supports Tribal self-determination, recognizing that each Tribe best knows their community and its needs.

Why does DELC need a separate fund rather than set-asides for specific programs?

While DELC is exploring Tribal set-asides for specific grant programs, TAC has expressed the need for a dedicated source of flexible funding, similar to the way regional Early Learning Hubs receive funds. The Fund will also allow DELC to honor the Tribes' federal indirect rate, which is often a barrier for Tribes in accessing state dollars. TAC recommends set-asides in addition to the Fund, but at this time DELC will leverage existing funding streams and may be requesting set-asides in the future.

What are the risks if the fund is not approved?

Without dedicated funds to address current needs, inequities could be further compounded and perpetuated by the state of Oregon against Tribal communities.

To learn more about DELC's Tribal Advisory Committee, including contact information, meeting minutes, agendas, supplemental materials, and video recordings, scan the QR code.

