



Oregon Department of  
**Early Learning  
and Care**

# **SB 1535: ERDC Authority**

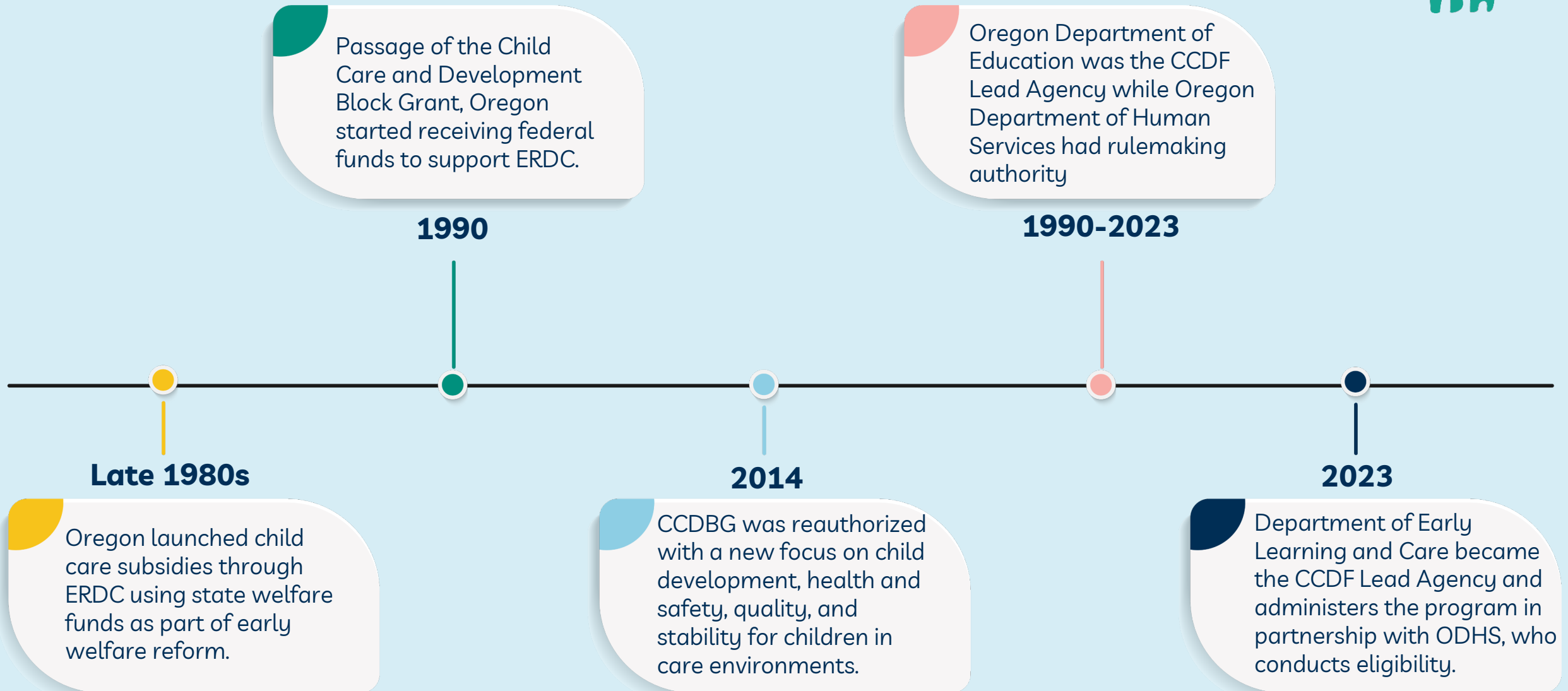
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Presenters:

**Alyssa Chatterjee**, Agency Director

**Dorothy Spence**, Early Learning Programs Director

# Legislative History



# Federal CCDF Framework



About **45%** of ERDC funding is from the federal Child Care and Development Fund (CCDF), authorized by the Child Care and Development Block Grant Act (CCDBG). Oregon has received CCDF dollars since its creation in 1990.

CCDF sets **broad policy parameters** and CCDF Lead Agencies set specific policies **within that framework** with approval through their CCDF State Plans, the triennial application for federal funding.

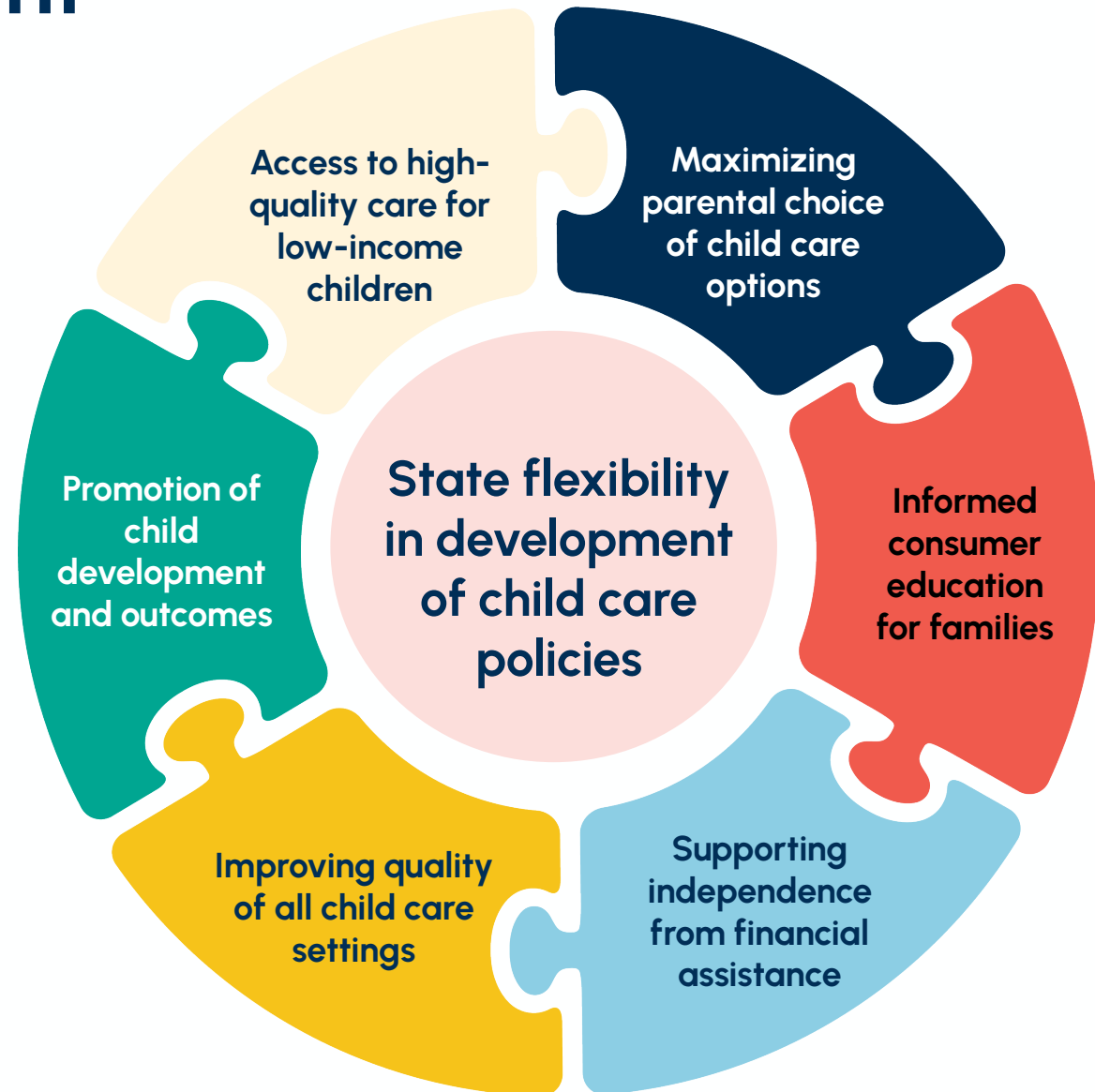
ERDC is required to follow the CCDF policy framework, including but not limited to establishing guidelines in Oregon's CCDF State Plan for:

- Rate-setting, copayment amounts, and income eligibility thresholds
- Health and safety, background checks, and required pre-and post-service trainings, and child care licensing requirements
- Payment practices & family eligibility criteria
- Activities to improve the quality of child care in the state

# Program Purpose & Intent



Employment Related Day Care is authorized by the federal Child Care and Development Fund from the U.S. Department of Health and Human Services, Administration for Children and Families, which has seven purposes via 45 CFR 98.1 and the Child Care and Development Block Grant Act of 2014

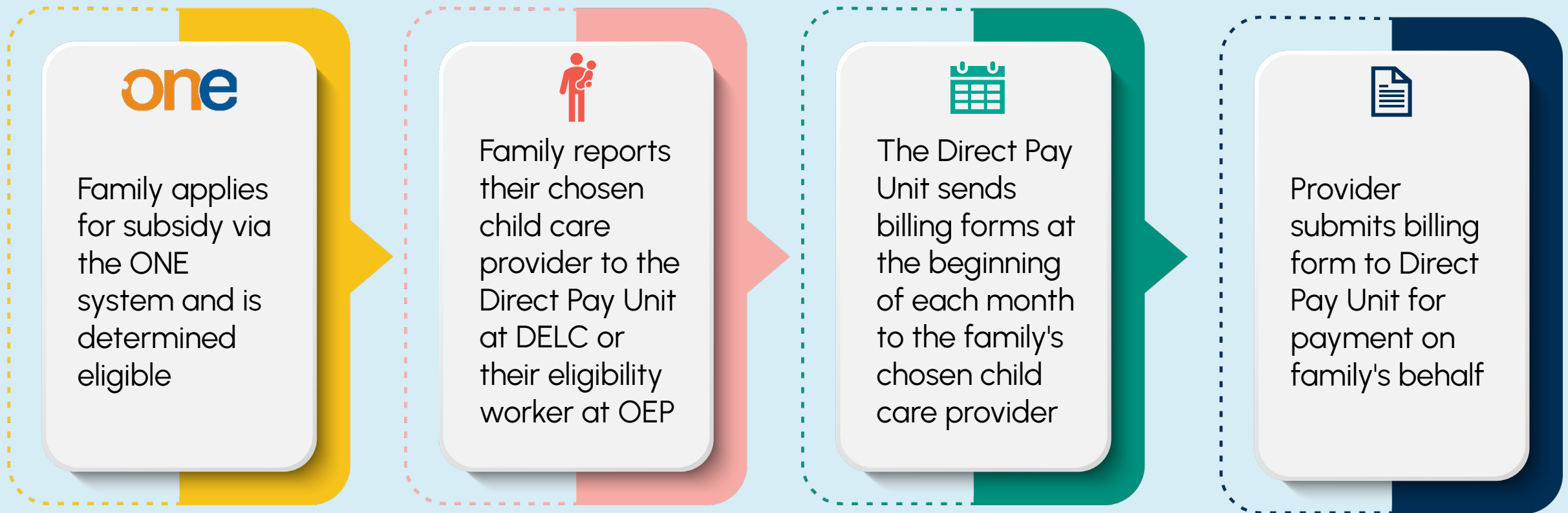


# How does ERDC work?



Follows the family based on income eligibility of 200% FPL + requirements to be working, enrolled in school, receiving TANF, or on leave due to medical reasons.

ERDC is flexible to meet family care needs. It can be used as a standalone support or to augment program hours for a family that has a child enrolled in another program.



# ERDC Policy Changes



**2021**

- Co-pays reduced to <7% household income
- Expanded absent day policies & allowance for providers to bill at the beginning of the month

**2022**

- Initial income limit was increased from 185% FPL to 200% FPL to align with SNAP changes

**January 2023**

- Expanded student eligibility
- Part-time/full-time child care authorizations
- Expanded medical leave

**July 2023**

- ERDC Moved to DELC
- Protected 12-month eligibility

**January 2024**

- Provider rate increases

**May 2024**

- Expanded to children regardless of immigration status

**October 2024**

- Baby Promise Waitlist Bypass created

**July 2025**

- HB 2683 (2023) expansion to families using or at risk of using child welfare services

**August 2025**

- Waitlist Refresh Process Started

**January 2026**

- Provider rate increases

**July 2026**

- New CCDF rules implementation date: prospective payment, enrollment-based payment

**July 2026**

- Provider rate increases



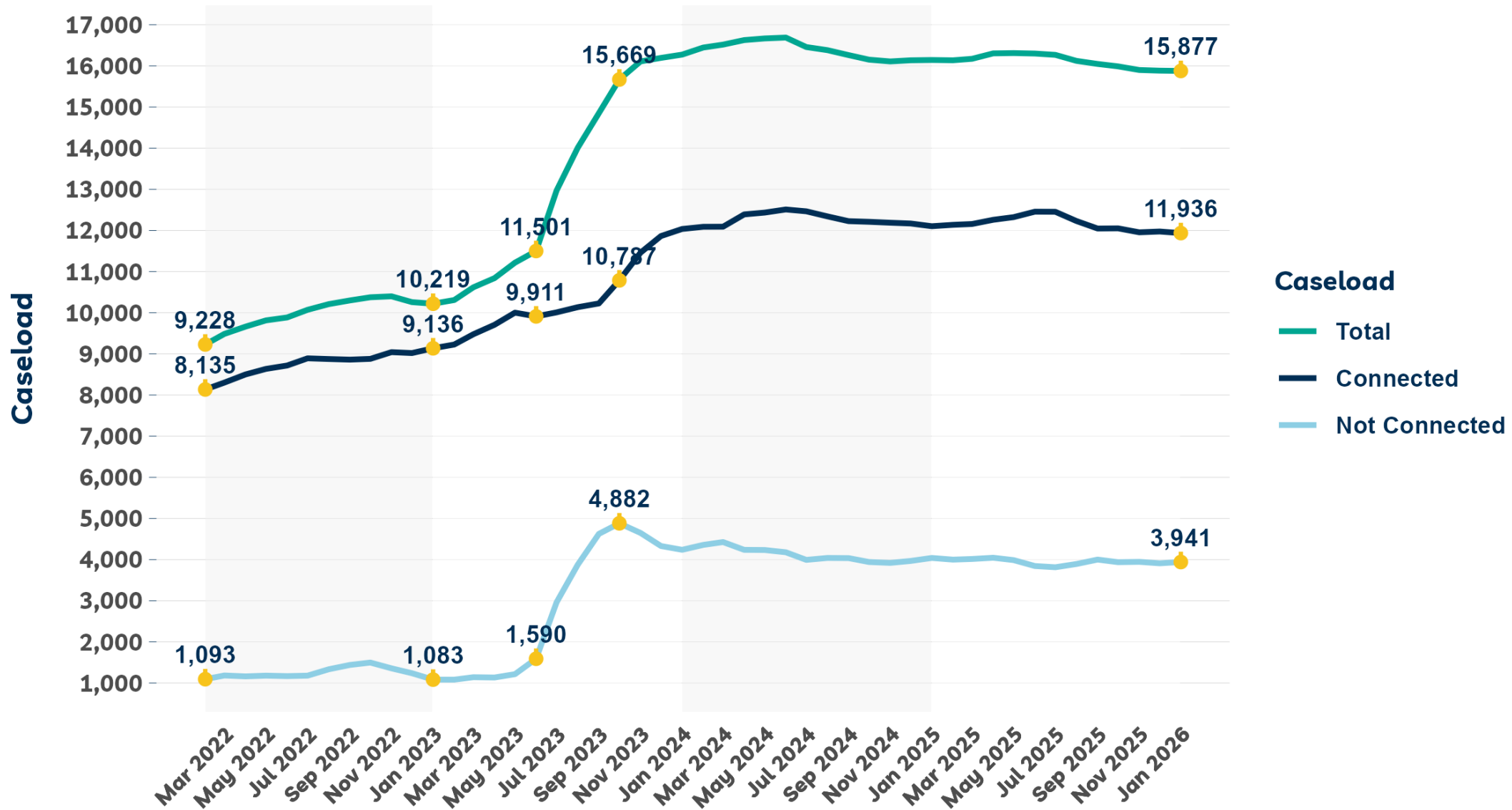
# HB 3073 (2021)

**ORS 329A.500 (5)(b)(B)** Shall, for a child who met the initial eligibility requirements prescribed under subsection (4) of this section, continue for a minimum of 12(B) Shall, for a child who met the initial eligibility requirements prescribed under subsection (4) of this section, continue for a minimum of 12 months from the date of initial eligibility unless the child's family leaves this state or requests a termination of benefits or for any other reason identified by the council. **Rules adopted under this subparagraph shall give priority to families receiving temporary assistance under the temporary assistance for needy families program described in ORS 412.006.**



# ERDC Caseloads Over Time

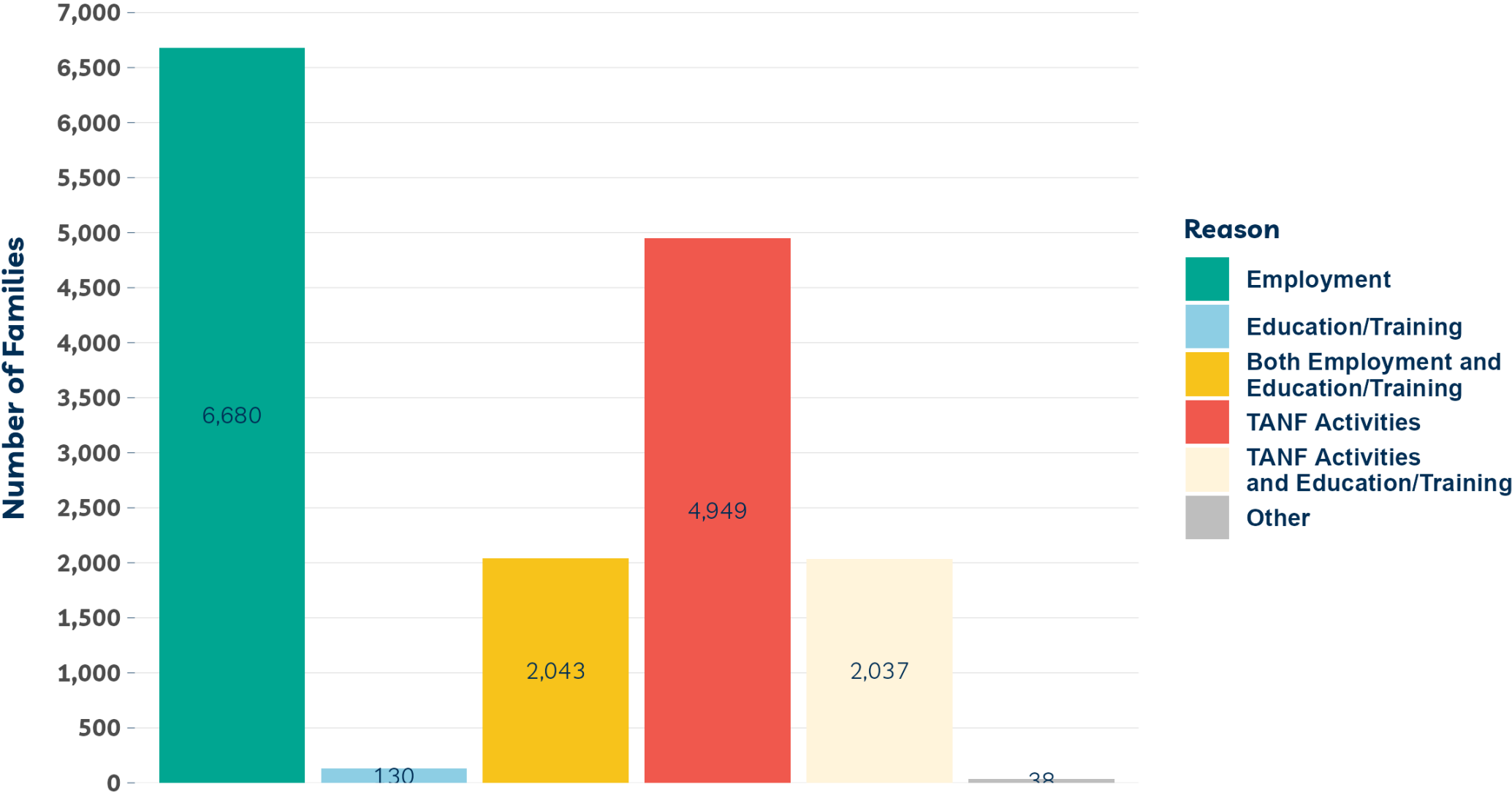
February 2022 to January 2026





# What Families Use ERDC For

January 2026



# ERDC Policy Change Impacts



Since DELC took over the program on July 1, 2023, ERDC is serving more families than ever, having nearly doubled the number of families served in the last two years.

- In alignment with federal requirements, families now have a full **12 months of continuous eligibility**. This means stable spaces for children and reliable payments for providers.
- DELC and ERDC are 17 months in to serving TANF families, one of Oregon's most vulnerable populations, and **increased access to child care by 425% for TANF families**.
- ERDC has reduced the copay burden on families and is legislatively required to cap **copays no higher than 7%**, allowing families to have more available resources to pay for costs such as groceries, and housing.
- Most **students accessing ERDC** are connected to a provider and using their benefit
- Overall, in the general ERDC approved population, **75% of approved families are using their child care assistance benefit**.

# ERDC Waitlist



Since November 2023, ERDC has implemented a waitlist to manage caseload growth as a result of program expansion in HB 3073.

Families with specific needs can skip, or bypass, the waitlist.

- Families reapplying for ERDC
- Families receiving or recently receiving TANF (cash assistance)
- Families receiving or recently receiving TA-DVS (Domestic Violence grant)
- Children qualifying for a contracted slot through Head Start or Baby Promise
- Families who receive a referral from Child Welfare when child care is needed to keep a child home, return a child home, or place a child with a known adult.

**The waitlist has stabilized caseload growth, but the caseload remains at record levels.**

# What does a bypass pause mean?



## If a waitlist bypass is paused:

- Families currently receiving care will continue to receive care.
- Families who do not recertify timely will not be able to rejoin the caseload.
- No new families will be able to join the caseload through the paused bypass.
- Other state funded early childhood programs, like Head Start, Oregon Prenatal to Kindergarten, and Preschool Promise, continue to be available to families with children under age six.

**The size of the active caseload will vary based on length of pause. For example, pausing the waitlist bypass for a year (July 2026-June 2027) would result in an active caseload of approximately 6,000 families at the end of the biennium.**



# SB 1535: What it means



SB 1535 gives DELC authority to pause the TANF bypass in alignment with the authority currently available to other bypass populations



SB 1535 does not require DELC to pause the TANF bypass.



SB 1535 does not remove access or end services for families on TANF currently receiving ERDC.



# Looking ahead



- Sharing information of TANF families with young children in need of care with Oregon Prenatal to Kindergarten & Head Start programs



- Leveraging federal Preschool Development Grant to create an early childhood education resource page and screening tool



- Continuing to explore long term budget and policy opportunities for caseload management





# Contacts

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# Thank you!

