

OAR 414-500-0010

414-500-0010 Applicability of Rules

(1) OAR 414-500 sets forth the Child Care Division's requirements for contracts concerning child care resource and referral funding and activities that are subject to Oregon laws governing child care resource and referral agencies, ORS 657A.100 through 657A.190.

(2) If any court of law finds that any clause, phrase, or provision of these rules is unconstitutional or invalid for any reason whatsoever, this finding shall not affect the validity of the remaining portion of these rules.

OAR 414-500-0020

414-500-0020 Definitions

These words and terms used in chapter 414, division 500 have the following meanings:

(1) "Child Care" means the care and supervision of a child who is unaccompanied by a parent, guardian, or custodian and which is provided during a part of the 24 hours of a day, with or without compensation.

(2) "Division" means the Child Care Division of the Employment Department.

(3) "Core Services" means the following basic services provided by an R & R:

(a) Create and maintain a database on provider supply;

(b) Provide consumer education, consultation, and referrals for parents;

(c) Encourage the development of child care resources and provide ongoing technical assistance to providers;

(d) Provide technical assistance to employers; and

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(e) Record, analyze, and report data on requests for services.

(4) "Nontraditional hours" means hours before 8:00 AM, between 12:00 and 1:00 PM, after 5:00 PM, weekends, and holidays.

(5) "Parent" means the person(s) exercising physical care and custody of a child.

(6) "Provider" means any person or facility that provides child care including a child care center, group child care home, family child care home, recreation program, or any other person or facility providing child care.

(7) "Resource & Referral Agency" or "R & R" means a community-based public or private nonprofit agency with a program that provides, as a minimum, the core services as defined in OAR 414-500-0020.

(8) "Resource & Referral Network" means a non-profit organization whose purpose is to coordinate and support local Resource and Referral agencies and services statewide.

(9) "Service Delivery Area" or "SDA" means a geographic area designated by the Child Care Division, or its agent or designee, for the delivery of resource and referral services.

OAR 414-500-0030

414-500-0030 Administrative Requirements for Resource and Referral Agencies

(1) Any R & R or Resource & Referral Network contracting -to provide child care resource and referral services under ORS 657A.010 for the administration of ORS 657A.030 and 657A.250 through 657A.530 shall:

(a) Be a "Resource & Referral Agency" or "Resource & Referral Network" as defined in OAR 414-500-0020.

(2) Each R & R shall:

(a) Demonstrate community support and endorsement;

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(b) Demonstrate a commitment to provide, strengthen, and promote the financial support of R & R core services and the long-term financial stability of R & R programs;

(c) Demonstrate collaboration with local child care providers, provider groups, parents, social service and government agencies, employers, and institutions of public education in the development and operation of the R & R;

(d) Have an advisory group that represents diverse segments of the child care community. The R & R shall ensure input into R & R operations from parents, providers, employers, and community representatives;

(e) Have staff with at least two years of post-secondary education, experience, and/or training, commensurate with job responsibilities, in the following:

(A) Early childhood education, human services, counseling, or a related field of study;

(B) Child care or child development;

(C) Parent education;

(D) Provider support; or

(E) Program management.

(f) Directly provide the core services;

(g) Not discriminate against any family on the basis of race, color, or ethnicity; religion; national origin; citizenship; sex; age; physical or mental disability; marital status, or because of a child's need for special care;

(h) Make services accessible to families, with particular sensitivity to ethnic and cultural minorities, languages spoken, families with special needs, and the economically disadvantaged;

(i) Provide services to all types of child care providers, except those under Child Care Division disciplinary

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action;

(j) Match funds awarded by the Child Care Division, or its agent or designee, with an equal amount of other financial support, including in-kind contributions. Matching funds may be used to directly provide R & R services, or enhance R & R services;

(k) Publicize its services;

(l) Maintain fiscal records consistent with accepted accounting practices;

(m) Collect financial statistics on a regular basis and make financial reports at times and in the form prescribed by the Child Care Division, or its agent or designee;

(n) Maintain program records, including statistical records, and provide program records to the Child Care Division, or its agent or designee, at times and in the form prescribed by the Child Care Division, or its agent or designee;

(o) Cooperate in a program and facility review (including meetings with consumers, review of records, review of policy and procedures, review of staffing and staff qualifications, and meetings with any staff directly or indirectly involved in the provision of services) at any reasonable time by the Child Care Division, or its agent or designee;

(p) Retain all records and other documents related to the provision of resource and referral services for at least three years, unless otherwise specified in a contractual agreement with the Child Care Division, or its agent or designee; and

(q) Have a complaint policy, regarding instances in which the health and/or safety of a child is at risk, that is approved by the Child Care Division, or its agent or designee.

(3) Satisfactory performance by an R & R and/or the Resource & Network shall be a condition for the renewal of a contract.

OAR 414-500-0040

414-500-0040 Resource File

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(1) The R & R shall establish, maintain, and update on an ongoing basis a resource file of existing child care providers and child care services in the service delivery area (SDA). The R & R shall contact each provider at least annually to verify the information in the resource file.

(2) The R & R shall consult with relevant public and private agencies in developing a comprehensive resource file of child care services.

(3) The resource file shall include the following information:

(a) Type of program;

(b) Hours of service;

(c) Ages of children served;

(d) Fees;

(e) Eligibility requirements as set by the provider; and

(f) Sufficient program information to meet the requirements in OAR 414-500-0050(2)(a).

OAR 414-500-0050

414-500-0050 Services to Parents

(1) The R & R shall provide consultation and/or assistance to parents on:

(a) Finding, selecting, and maintaining a quality child care arrangement;

(b) Sources for child care subsidies for low income families;

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(c) Available and appropriate child care;

(d) Child care during nontraditional hours;

(e) Available and appropriate child care and respite care services for children with special needs; and

(f) Child care for sick children.

(2) Access to referral information shall include telephone referrals to be made available for at least 20 hours per week of operation, including nontraditional hours.

(3) The R & R shall make referrals to:

(a) Certified or registered child care providers; and

(b) Providers who are legally exempt from certification or registration.

(4) The R & R shall make every effort to be accessible to parents in the service delivery area (SDA).

OAR 414-500-0060

414-500-0060 Services to Providers

The R & R shall provide information, technical assistance, and support to existing and potential child care providers.

(1) The R & R shall provide information and technical assistance on:

(a) Establishing new child care resources including registration or certification, city zoning or licensing requirements, program and business development, and assistance in finding information from other sources;

(b) Improving the quality of services offered;

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(c) Improving business skills;

(d) Helping existing child care providers to maximize their ability to serve the children and parents of the community; and

(e) Facilitating communication between existing child care providers.

(2) The R & R shall consult with the local Child Care Division licensing representative, provider organizations, the local planning department, the community college, small business assistance programs, and any other person, agency, or service that has skills and knowledge that could assist in developing services to providers.

OAR 414-500-0070

414-500-0070 Services to Communities and Employers

The R & R shall:

(1) Assess and recruit child care resources for underserved needs.

(2) Provide public access to data on the child care delivery system.

(3) Provide information and technical assistance to employers on identifying child care options to meet the needs of their employees.

OAR 414-500-0080

414-500-0080 Records of Requests for Services

(1) The R & R shall maintain records of requests for services.

(2) Documentation of requests for services shall consist of:

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(a) Number and time of day and date of calls and contacts to the R & R;

(b) Ages of children for whom care is requested; and

(c) Time of day or night for which child care is requested, identifying special times including before and after school, nights, weekends, and swing shift.

(3) Information on services requested shall be maintained in such a manner that it is easily accessible for dissemination and evaluation purposes.

OAR 414-700-0000

414-700-0000 Purpose

The purpose of these rules is provide guidance for administration of the child care contribution tax credit program as authorized in ORS 314.752, 315.202 and 318.031 and Section 10, chapter 682, Oregon Laws 1987, Section 87, chapter 625, Oregon Laws 1989 and ORS Chapter 657A.700 to 657A.718. The child care contribution tax credit was enacted by the 2003 legislature to:

(1) Encourage taxpayers to make contributions to the Child Care Division by providing a financial return on qualified contributions and by soliciting other contributions.

(2) Achieve specific and measurable goals for targeted communities and populations.

(3) Set standards for the child care industry concerning the cost of providing quality, affordable child care.

(4) Strengthen the viability and continuity of child care providers while making child care more affordable for low and moderate income families.

OAR 414-700-0010

414-700-0010 Definitions

(1) "Child care provider" means a provider, for compensation, of care, supervision or guidance to a child on a regular basis in a center or in a home other than the child's home. Child care provider does not include a person who

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is the child's parent, guardian or custodian.

(2) "Community" means a recognized unit of government, service delivery area other commonly recognized area or region within the state of Oregon.

(3) "Community agency" means a nonprofit agency that:

(a) Provides services related to child care, children and families, community development or similar services; and

(b) Is eligible to receive contributions that qualify as deductions under section 170 of the Internal Revenue Code.

(4) "High quality child care" means child care that meets standards for high quality child care established or approved by the Commission for Child Care.

(5) "Qualified contribution" means a contribution made by a taxpayer to the Child Care Division of the Employment Department or a selected community agency for the purpose of promoting child care, and for which an application is submitted for a tax credit certificate.

(6) "Tax credit certificate" means a certificate issued by the Child Care Division to a taxpayer to qualify the taxpayer for a tax credit.

(7) "Tax credit marketer" means an individual or entity selected by the Child Care Division to market tax credits to taxpayers.

OAR 414-700-0020

414-700-0020 Advisory Committee

(1) The Child Care Division shall guide and direct the implementation of this program in collaboration with an Advisory Committee appointed by the Division.

(2) The Advisory Committee shall be comprised of representatives of state agencies, local organizations, advocates, and consumers with experience or interest in tax credit programs, high quality child care, or community

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development. Members shall serve staggered terms of either one or two years. A member may be re-appointed upon completion of their term.

OAR 414-700-0030

414-700-0030 Community Agencies

(1) The Child Care Division shall select one or more community agencies that, in the judgment of the Child Care Division and based on the criteria set forth in OAR 414-700-0050(a) through (d), will best serve the interests of their community.

(2) Community agencies shall:

(a) Disburse moneys to child care providers in their community;

(b) Coordinate an application process by which persons may apply to be participating providers as described in 414-700-0060;

(c) Enter into agreements with participating providers under which the duties and responsibilities of providers and the community agency are stated;

(d) Provide or coordinate required training for participating providers;

(e) Monitor providers through on-site visits and other appropriate means;

(f) Oversee the process by which a provider verifies the income of a family and establishes the total child care fee charged to a family;

(g) Report on provider compliance with OAR 414-700-0080 and other applicable requirements to contributors and the Child Care Division; and,

(h) Establish a maximum family income level for the region for purposes of the child care fee limitation to which providers are subject under OAR 414-700-0080.

OAR 414-700-0040

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414-700-0040 Application and Renewal Process for Community Agencies

(1) A community agency desiring to represent a community described in OAR 414-700-0030 shall submit an application to the Child Care Division, in a form prescribed and provided by the Child Care Division. The application will demonstrate and describe the agency's experience and abilities in the following areas:

(a) Financial soundness, net worth, cash flow, and accounting capacity to manage a tax credit program.

(b) Demonstrated ability to serve low- and moderate- income families.

(c) A governing board that is stable, has experience with financial matters, is representative of the community, and has a history of collaboration with other agencies in the community.

(d) An executive officer and staff with skill and experience in child care business management and small business development.

(2) The Child Care Division, in collaboration with the Advisory Committee established in OAR 414-700-0020, shall select a community agency to represent a community.

(3) A selected community agency shall enter into a written agreement with the Child Care Division that specifies the duties and performance expectations required of the agency.

(4) A selected community agency shall represent a community for a period of two years, unless earlier terminated by the Child Care Division for cause or by mutual consent of the parties as specified in the written agreement.

(5) A community agency may apply to continue as a selected community agency for subsequent two-year periods by submitting a renewal application to the Child Care Division.

(6) In deciding whether to renew an application, the Child Care Division and the Advisory Committee shall consider community satisfaction with services delivered and the agency's performance of responsibilities under the written agreement.

OAR 414-700-0050

414-700-0050 Distribution of Funds to Community Agencies

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(1) The Child Care Division shall determine the total value of moneys to be available to each selected community agency to distribute to providers based on goals established for the program by the Child Care Division, in collaboration with the Advisory Committee appointed in OAR 414-700-0020 and transmit those determinations to the selected community agencies of each year.

(2) The Child Care Division shall distribute moneys to the community agencies in a manner that will facilitate timely implementation of the program in that community.

(3) The total value of moneys available to all selected community agencies may not exceed the amount of contributions received from taxpayers during the tax year, minus any reasonable administrative costs incurred by the Child Care Division and the selected community agencies.

(4) Distributions shall be made to selected community agencies in the proportion that the Child Care Division determines best promotes the provision of child care in the state.

OAR 414-700-0060

414-700-0060 Participating Provider Eligibility Requirements

(1) To be eligible for disbursements under this program, child care providers shall:

(a) Be regulated by the Child Care Division;

(b) Accept children for whom child care is paid for through Department of Human Services subsidy;

(c) Provide high quality child care as defined by the Child Care Division in collaboration with the Advisory Council;

(d) Maintain adequate liability insurance, financial records and parent policies and contracts; and

(e) Permit the community agency to conduct visits for monitoring purposes.

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(2) If the provider is a home-based business, the provider shall meet the following requirements in addition to those in subsection (1) of this section:

(a) Enter into an agreement with the community agency to continue to provide child care services for at least two additional years; and

(b) Provide care to children from at least two families that have incomes of 85 percent or less of the median income for the region.

(3) If the provider is a child care center, at least 25 percent of the families served by the center must have incomes that are 85 percent or less of the median income for the region.

(4) In selecting participating child care providers, selected community agencies must give preference to providers that provide child care to low and moderate income families.

(5) For care provided to children of families whose income does not exceed the level established by the community agency pursuant to ORS 657A.715(2)(g), the fee charged to the family by an eligible provider shall not exceed ten percent of the family's gross monthly income.

OAR 414-700-0070

414-700-0070 Distribution of Funds to Participating Providers

(1) The selected community agency shall identify providers in the community that meet the requirements of OAR 414-700-0060 for the purpose of distribution of moneys. The selected community agency shall develop a process by which child care providers apply to receive distributions of moneys from contributions made by taxpayers.

(2) By the end of each calendar year, the selected community agency must distribute to participating child care providers all moneys available to the community as a result of this program. Distributions shall be based on:

(a) The actual costs of providing quality, affordable child care in the community for which distributions are being made, including training costs, operating expenses and wages.

(b) The incomes of the families the provider serves and the child care fees the provider charges.

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(3) The selected community agency shall, through a process approved by the Child Care Division, determine the amount of moneys each eligible provider receives.

(4) A substantial portion of the moneys shall be distributed to providers who operate home-based child care businesses.

OAR 414-700-0080

414-700-0080 Allocation of Certificates

(1) Tax credit certificates shall be available to taxpayers on a statewide basis. The Child Care Division shall allocate tax credit certificates to taxpayers that make qualified contributions Child Care Fund.

(2) If a taxpayer makes a contribution to the Child Care Division for the purpose of receiving a tax credit under this program, the taxpayer shall submit an application for a tax credit certificate with the contribution. The applications shall:

(a) Be available to taxpayers from the Child Care Division; and

(b) Be submitted by December 31 of each year.

(3) Contributions made under this subsection shall be deposited in the Child Care Fund.

(4) The Child Care Division shall consider applications for tax credit certificates in the chronological order in which the applications are received by the Child Care Division. The division shall issue tax credit certificates to applicants until the total credit value of all certificates issued by the division for the calendar year equals \$500,000. Each issued certificate shall state the value of the contribution being certified as eligible for the tax credit allowed under ORS 315.213.

(5) The Child Care Division may not issue a tax credit certificate to a taxpayer to the extent the claim for credit in the application, when added to the total credit value previously certified by the Child Care Division exceeds the \$500,000 tax credit value available for the calendar year requested.

(6) A taxpayer who receives a notice of denial of a tax credit certificate or that receives a tax credit certificate issued for an amount that is less than the amount contributed may request a refund for the amount contributed within 90

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days of the Child Care Division's denial or issuance of the certificate.

(a) The Child Care Division shall send notice of a denial or changed amount and refund the amount for which a tax credit will not be granted within 30 days after receiving the request.

(b) The refund shall be made from the Child Care Fund.

(7) The Child Care Division shall send a copy of all tax credit certificates issued to the Department of Revenue.

OAR 414-700-0090

414-700-0090 Taxpayer Requirements

(1) A credit against the taxes otherwise due under ORS Chapter 316 or, if the taxpayer is a corporation, under ORS Chapter 317 or 318, is allowed to a taxpayer for certified contributions made to the Child Care Division under OAR 414-700-0080.

(a) The amount of a tax credit available to a taxpayer for a tax year shall equal the amount stated in the tax credit certificate.

(b) The tax credit may not exceed the tax liability of the taxpayer for the tax year in which the credit is claimed.

(2) Any tax credit not used by the taxpayer in a particular tax year may be carried forward and offset the taxpayer's tax liability in any of the four succeeding tax years. The credit cannot be carried forward for any tax year thereafter.

(a) A taxpayer shall retain the tax credit certificate received under OAR 414-700-0080 with their copy of their tax return filed with the state Department of Revenue for the tax year in which the tax credit certificate applies.

(b) A credit under this section may be claimed by a non-resident or part-year resident without proration.

(3) The credit allowed under this section is in addition to, and not in lieu of, any credit or deduction allowable under ORS chapters 316, 317, or 318 for charitable contributions and contributions made in relation to child care.

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(4) If a taxpayer makes a contribution to the Child Care Division but does not want to receive a tax credit, the taxpayer may receive only deductions and credits otherwise allowed for a charitable contribution.

(5) Contributions made under this program shall be deposited in the Child Care Fund established under ORS 657A.010.

OAR 414-800-0005

414-800-0005 Definitions

The following definitions apply to OAR 414-800-0005 to 414-0800-0030:

(1) “Achievement gap” means the research-based gap in achievement that often exists between students who are economically disadvantaged, students learning English as a second language and students who are African American, Hispanic or Native American and their peers.

(2) “At Risk” means a child who is at risk of not entering school ready to learn due to factors including but not limited to:

(a) Living in a household that is at or near poverty, as determined under federal poverty guidelines;

(b) Living in inadequate or unsafe housing; having inadequate nutrition;

(c) Living in a household where there is significant or documented domestic conflict, disruption or violence;

(d) Having a parent who suffers from mental illness, who engages in substance abuse or who experiences a developmental disability or an intellectual disability;

(e) Living in circumstances under which there is neglectful or abusive care-giving; or

(f) Having unmet health care and medical treatment needs and having a racial or ethnic minority status that is historically consistent with disproportionate overrepresentation in academic achievement gaps or in the systems of child welfare, foster care or juvenile or adult corrections.

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(3) “Early childhood services” means programs and services for children ages birth through six years of age that address language and literacy development, cognition and general knowledge and learning approaches, physical health and well-being, motor development and social and emotional development. Providers of early childhood services include Early Learning Hubs, relief nurseries, home visiting programs, child care providers, preschools, Head Start, Oregon Pre-K, and others who provide programs and services for children ages birth through six.

(4) “Early Learning Hub” means an existing or newly created entity designated by regional partners to coordinate early learning services designed to produce better outcomes for children: increase kindergarten readiness for at-risk children, to increase the stable and attached families and to ensure system coordination and efficiency in order to attain Oregon’s 40-40-20 Educational Goal. Regional partners may include counties, cities, school districts, education service districts, community colleges, public universities, private educational institutions, faith based organizations, nonprofit service providers, and tribes.

(5) “English Language Learners” means children whose native language is other than English or who speak a language other than English in their home.

(6) “Non-profit organization” means:

(a) An organization established as a nonprofit organization under the laws of Oregon; and

(b) Qualifies as an exempt organization under section 501 (c)(3) of the Internal Revenue Code as defined in ORS 314.011.

OAR 414-800-0010

414-800-0010 Establishment and Purpose

(1) The early literacy grant is established as part of the Oregon Early Reading Program Strategic Investment.

(2) The purpose of the early literacy grant is to:

(a) Improve the readiness of children preparing to enter kindergarten;

(b) Improve the reading proficiency of students by the time students complete the third grade;

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(c) Encourage early reading by involving parents, child care providers, and the community to ensure that children have an early start in reading;

(d) Expand the amount of time spent reading, adult support of reading, the availability of reading materials, cultural relevance and promote the level of enjoyment that literacy brings; and

(e) Create materials and curriculum that promote early literacy.

OAR 414-800-0015

414-800-0015 Eligibility

(1) The following types of organizations may apply for funding:

(a) 501(c)(3) non-profit organizations.

(b) Public libraries.

(c) Public schools or school districts.

(d) Providers of early childhood services.

(2) The Early Learning Division shall give preference to receive funding to providers of early childhood services that are Early Learning Hubs.

(3) A single grant proposal may include more than one eligible provider but the fiscal agent must be one of the eligible applicants identified in subsections (1) or (2) of this rule.

OAR 414-800-0020

414-800-0020 Criteria

(1) The Early Learning Division shall establish a request for application with a solicitation and approval process to Current through rules published in the Oregon Bulletin dated April 1, 2014

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be conducted each biennium for which early literacy grant funds under the Oregon Early Reading Program are available. The Division shall notify eligible applicants of the proposal process and due dates, and make available necessary guidelines and application forms.

(2) Grants shall be awarded based on the following generally applicable criteria:

(a) The extent to which the applicant demonstrates its ability to lead the implementation of the early literacy program, foster collaboration with other community partners, and leverage the early literacy program as a key strategy for promoting alignment between early learning and K-3.

(b) The extent to which the grant application addresses equity and strategies for targeting specific sub-populations of children, including those who are economically disadvantaged, students learning English as a second language, and students who are African American, Hispanic or Native American; those who are not currently enrolled in formal Pre-K or child care programs, including those participating in license exempt and relative care; and/or those who meet criteria for being at risk of entering kindergarten with limited literacy skills.

(c) The extent to which the application identifies clear strategies for building the capacity of adults to engage in high quality reading experiences with children, expanding reading opportunities for children, increasing the frequency with which children are read to in the home, and expanding access to books, libraries, and/or materials and curriculum that promote early literacy.

(d) The extent to which the project budget is appropriate for the number of children and adults that are proposed to be reached through the proposed early literacy program.

(e) The extent to which the application demonstrates how outcomes will be measured and sustainability will be achieved.

(3) The Early Learning Division shall allocate funds for the grant program based on the evaluation of the grant application and the following considerations:

(a) Geographic location of applicants to insure geographic diversity within the recipients of grant program funds throughout the state;

(b) Preference to entities that have demonstrated success in improving outcomes for children and families.

OAR 414-800-0025

414-800-0025 Funding

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(1) The Early Learning Division shall determine for each fiscal year the portion of the funds available for the early literacy grant.

(2) Funds received under this section must be separately accounted for and may be used only to provide funding for the purposes described in the application of the grant recipient.

OAR 414-800-0030

414-800-0030 Reporting

Recipients of early literacy grant funds must report on their grant funded program outcomes and expenditures to the Early Learning Council on an annual basis through a written report to the Early Learning Division. The report must include:

(1) Description of outputs and activities resulting from the early literacy partnership strategy, including, but not limited to trainings delivered to parents and/or providers or early learning services, books or other materials provided to families and/or providers of early learning services, and number of adults and children reached.

(2) Impact on changes in adult behavior related to reading to children, including but not limited to frequency and quality of reading.

(3) Impact on changes in child behavior related to reading with adults, including but not limited to frequency and quality of reading.

(4) Impact on adult and child attitudes toward reading, including, but not limited to, self-reports related to increased enjoyment of reading.

(5) Impact on closing early literacy opportunity gaps for children who are economically disadvantaged, English language learners, African American, Hispanic, or Native American.

OAR 414-800-0105

414-800-0105 Definitions

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The following definitions apply to OAR 414-800-0105 to 414-800-0130:

(1) “Achievement gap” means the research-based gap in achievement that often exists between students who are economically disadvantaged, students learning English as a second language and students who are African American, Hispanic or Native American and their peers.

(2) “At Risk” means a child who is at risk of not entering school ready to learn due to factors including but not limited to:

(a) Living in a household that is at or near poverty, as determined under federal poverty guidelines;

(b) Living in inadequate or unsafe housing; having inadequate nutrition;

(c) Living in a household where there is significant or documented domestic conflict, disruption or violence;

(d) Having a parent who suffers from mental illness, who engages in substance abuse or who experiences a developmental disability or an intellectual disability;

(e) Living in circumstances under which there is neglectful or abusive care-giving; or

(f) Having unmet health care and medical treatment needs and having a racial or ethnic minority status that is historically consistent with disproportionate overrepresentation in academic achievement gaps or in the systems of child welfare, foster care or juvenile or adult corrections.

(3) “Early childhood services” means programs and services for children ages 0 through 6 years of age that address language and literacy development, cognition and general knowledge and learning approaches, physical health and well-being, motor development and social and emotional development. Providers of early childhood services include Early Learning Hubs, relief nurseries, home visiting programs, child care providers, preschools, Head Start, Oregon Pre-K, and others who provide programs and services for children ages 0-6.

(4) “Early Learning Hub” means an existing or newly created entity designated by regional partners to coordinate early learning services designed to produce better outcomes for children: increase kindergarten readiness for at-risk children, to increase the stable and attached families and to ensure system coordination and efficiency in order to attain Oregon’s 40-40-20 Educational Goal. Regional partners may include counties, cities, school districts, education service districts, community colleges, public universities, private educational institutions, faith based organizations, nonprofit service providers, and tribes.

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(5) “Elementary school” means any public school that has at least kindergarten, first, second, or third grade classes.

(6) “English Language Learners” means children whose native language is other than English or who speak a language other than English in their home.

(7) “Non-profit organization” means:

(a) An organization established as a nonprofit organization under the laws of Oregon; and

(b) Qualifies as an exempt organization under section 501 (c)(3) of the Internal Revenue Code as defined in ORS 314.011.

(8) “Postsecondary Institution” means a:

(a) A community college operated under ORS chapter 341.

(b) The following public universities within the Oregon University System:

(A) University of Oregon.

(B) Oregon State University.

(C) Portland State University.

(D) Oregon Institute of Technology.

(E) Western Oregon University.

(F) Southern Oregon University.

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(G) Eastern Oregon University.

(c) Oregon Health and Science University.

(d) An Oregon-based, generally accredited, not-for-profit institution of higher education.

OAR 414-800-0110

414-800-0110 Establishment, Delegation and Purpose

(1) The Early Learning Kindergarten Readiness Partnership and Innovation Program is established as provided under section 26, chapter 728, Oregon Laws 2013 (Enrolled House Bill 2013). The Early Learning Council delegates to the Early Learning Division all administrative functions necessary or reasonable in order to administer the program.

(2) This program creates the opportunity to increase the connection between early learning and K-12 by investing in innovative and promising models for early learning/K-12 integration across the state and to build a body of evidence that Oregon can use to create stronger alignment between its early learning and K-12 education systems. The goal of this program to promote community and school partnerships and innovations that result in measurable increase in children's readiness for kindergarten.

OAR 414-800-0115

414-800-0115 Eligibility

The following types of organizations may apply for funding:

(1) Early Learning Hubs

(2) Education Service Districts;

(3) K-12 school districts;

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(4) Non-profit organizations;

(5) Post-Secondary institutions; or

(6) A collaboration of any of the above.

OAR 414-800-0120

414-800-0120 Criteria

(1) Applicants for grant funds must meet one or more of the following criteria:

(a) Form a partnership with at least one provider of early learning services, licensed childcare provider or elementary school;

(b) Form partnerships with community-based providers of early childhood services to provide preschool and other early-learning strategies;

(c) Establish ambitious but meaningful targets for kindergarten readiness;

(d) Invest resources in serving a significant number of children in communities with high concentration of poverty, underserved racial groups, non-native English speakers, or rural and remote communities;

(e) Align with and supplement federal programs to provide moneys for educational purposes;

(f) Agree to report to, and partner with all Early Learning Hubs serving the region.

(2) Applicants must demonstrate:

(a) A proven track record of ability to achieve developmental outcomes for children.

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(b) A clear commitment to equity.

(c) The proposed plan is likely to:

(A) Result in a demonstrable connection between early learning providers and schools; and

(B) Improve kindergarten readiness as measured by the Oregon Kindergarten Assessment.

(3) Priority for funding will be given to applicants that:

(a) Assist children in becoming ready for kindergarten or being successful in kindergarten;

(b) Share professional developments strategies and resources with providers of early learning services, child care providers and kindergarten teachers;

(c) Demonstrate a commitment to family engagement and three-way partnerships among early childhood programs, school, and parents and families; or

(d) Demonstrate the grant funds will serve a significant number of children in communities with high concentration of poverty, underserved racial or ethnic groups, non-native English speakers, or rural and remote communities.

OAR 414-800-0125

414-800-0125 Funding

(1) The Early Learning Council shall determine for each fiscal year the portion of the funds available for the early learning kindergarten readiness partnership and innovation fund.

(2) Funds received under this section must be separately accounted for and may be used only to provide funding for the purposes described in the application of the grant recipient.

(3) Funds may not be used for capital expenses, such as facilities, or to supplant existing federal or state funds.

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Capital expenses do not include operating supplies such as books, curriculum, materials, manipulatives, or furniture that is developmentally appropriate for young children.

OAR 414-800-0130

414-800-0130 Reporting

Recipients of these funds must report on the grant to the Early Learning Council via the Early Learning Division at the end of the grant period. The report must include at least:

- (1) Description of outputs and activities related to implementation of the early learning/K-12 partnership strategy.
- (2) Impact on kindergarten readiness, as measured by the Oregon Kindergarten Assessment.
- (3) Impact on the attitudes, behaviors, and instructional practices of early childhood educators and kindergarten teachers.
- (4) Impact on the attitudes, behaviors, and practices of children's families.

OAR 414-900-0005

414-900-0005 Applicability of Rules

- (1) OAR 414-900-0005 through 414-900-0020 set forth the purpose and functions of Early Learning Hubs (Hubs).
- (2) OAR 414-900-0005 through 414-900-0020 set forth the criteria used by the Early Learning Council (ELC) to select Hubs.

OAR 414-900-0010

414-900-0010 Definitions

- (1) "Administrative Overhead" means any dollar that is not spent directly on services for children or on preparing and evaluating services for children. This is the cost of operating administrative functions within the Hub and its subcontractors and may include staff duties such as payroll processing and data entry and non-program related costs

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including space, supplies and phones.

(2) “At Poverty Level” means at 100% of federal poverty guidelines as adopted by the United States Department of Health and Human Service .

(3) “At Risk” means a child who is at risk of not entering school ready to learn due to factors including but not limited to:

(a) Living in a household that is at or near poverty, as determined under federal poverty guidelines;

(b) Living in inadequate or unsafe housing; having inadequate nutrition;

(c) Living in a household where there is significant or documented domestic conflict, disruption or violence;

(d) Having a parent who suffers from mental illness, who engages in substance abuse or who experiences a developmental disability or an intellectual disability;

(e) Living in circumstances under which there is neglectful or abusive care-giving; or

(f) Having unmet health care and medical treatment needs and having a racial or ethnic minority status that is historically consistent with disproportionate overrepresentation in academic achievement gaps or in the systems of child welfare, foster care or juvenile or adult corrections.

(4) “Community of interest” means a special population not constrained by geography.

(5) “Early Childhood Services” means programs and services for children ages 0 through 6 years of age that address language and literacy development, cognition and general knowledge and learning approaches, physical health and well-being, motor development and social and emotional development.

(6) “Early Learning Hub” means an existing or newly created entity designated by regional partners to coordinate early learning services designed to produce better outcomes for children: increase kindergarten readiness for at-risk children, to increase the stable and attached families and to ensure system coordination and efficiency in order to attain Oregon’s 40-40-20 Educational Goal. Regional partners may include counties, cities, school districts, education service districts, community colleges, public universities, private educational institutions, faith based organizations, nonprofit service providers, and tribes.

OAR 414-900-0015

414-900-0015 Early Learning Hubs Purpose and Functions

Hubs are established to coordinate services to children ages 0 through 6 in a specific geographic area or community of interest, i.e., a special population not constrained by geography in order to produce better outcomes for children. Hubs are vested with the authority to distribute state and federal funds, coordinate services for children and purchase services for children and families. Hubs can leverage public and private funds in their efforts to attain results. Because Hubs are established to coordinate services with current service providers and, or purchase new services to support specific child centered outcomes, including kindergarten readiness, a Hub that provides direct services must meet additional criteria set forth in OAR 414-900-0020(1)(g)(F).

(1) Hubs must:

(a) Account for outcomes that benefit children within the Hub geographic area or community of interest by:

(A) Aligning service delivery focused on outcomes across five functional sectors and be able to prove that entities that represent the following five functional sectors are participating in the Hub:

(i) Health care services,

(ii) Human and social services,

(iii) Education services,

(iv) Early childhood services, and

(v) Business.

(B) Ensuring that service providers which the Hub coordinates and contracts with are also accountable to the Hub for client-level outcomes supporting Oregon's 40-40-20 Educational Goal.

(b) Complete a community readiness assessment to determine the readiness to effectively coordinate services to achieve outcomes by:

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(A) Working with providers the Hub plans to contract with to ensure readiness to provider efficient, outcome focused services, and

(B) Using the community readiness assessment to connect services to outcomes and resources.

(c) Map and coordinate funding to maximize the return of the investment by:

(A) Creating a comprehensive children's budget for the Hub territory modeled on the state level comprehensive children's budget,

(B) Mapping all local, state, federal and philanthropic dollars currently available or committed to the proposed service area and ensuring funders are willing to collaborate toward a set of shared outcomes advancing Oregon's 40-40-20 Educational Goal,

(C) Ensuring that contracted service providers are accountable for providing services in a cost efficient manner, and

(D) Ensuring that no more than 15% of the total funds received from the ELC go toward administrative overhead by the end of the contract period.

(d) If individuals spend more than 15% of their time on administrative functions, their salaries and expenses must be prorated between program and administrative overhead.

(e) Reporting to the ELC on making progress towards the following outcomes:

(A) Kindergarten readiness, in support of Oregon's 40-40-20 Educational Goal,

(B) Stable and attached families, and

(C) System coordination and efficiency.

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(2) Reports shall be submitted by the Hub to appropriate interim legislative committee and the ELC by January 1, 2014.

OAR 414-900-0020

414-900-0020 Selection Criteria for Hub Contracts

The Early Learning Council may fund no more than seven Hub Demonstration Projects in fiscal year 2013-2014. The ELC will release a request for applications for Hubs in August 2013. A Hub may provide services to a geographic area or a community of interest. The ELC and Hubs, through either communities of geography or communities of interest, will serve no fewer than 50,000 at risk children in year one.

(1) The ELC will award Hub Demonstration Project contracts based on the degree to which any individual Hub demonstrates the following application criteria:

(a) Representation of the five functional sectors: health care services, human and social services, education services, early childhood services, and business in its governance

(b) A defined service area and cross-sector coordination, including identifying a target population and high quality services for at-risk children and their families,

(c) Accountability for outcomes and return on investment, including improving the results for at-risk children by the ability to identify, evaluate and implement coordinated strategies for ensuring that a child is ready to succeed at school,

(d) Ability to coordinate the provision of early learning services across five functional sectors to the community served by the Hub through a governance model or community advisory body that was transparently selected and includes:

(A) Formal partnership agreements from the following sectors: early childhood education, K-12 education, coordinated care organizations and other public health entities, human services, the private sector and local governments within the proposed service area.

(B) Ability of governance body to initiate audits, recommend terms of contracts for service providers and provide outcome reports to the public and to the ELC.

(e) Ability to demonstrate that parents of at-risk children have meaningfully participated in the creation of Hub strategies and plans and will serve an ongoing role as part of the entity's governing structure and will be the

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foundation of Hub service design, reflecting the principle that children are best raised and supported in families.

(f) Commitment and ability to serve at least 40% of the population of at-risk children in the entity's proposed service area by the end of year 2.

(g) Commitment to collect and track system and client level data using a unique identifier for each child served.

(h) Demonstration of business acumen and operational stability, including:

(A) Use of coordinated and transparent budgeting for all providers funded directly by the Hub,

(B) Documentation of previous financial audits and cash reserves, as well as liability insurance as required by state law,

(C) Ability to provide a match of 25% of funds distributed to the entity by the ELC,

(D) Ability to keep administrative overhead at or below 15% across the Early Learning System, and

(E) Ability to provide monthly financial reports to Early Learning Division staff.

(F) Ability to identify with which federal, state or other funding streams if the lead applicant provides direct services to children covered by the Hub.

(i) Identify any financial, role or function conflict of interest

(ii) Provide a plan for how those conflicts will be managed

(iii) Provide evidence of financial and functional separation and risk independence of the lead applicant's direct service delivery function from the Hub function.

(2) Any application that does not meet the criteria is not eligible for the award of a Hub contract.