

OREGON DEPARTMENT OF EDUCATION
Division 019
Preschool Promise Program

DRAFT RULE FOR ADOPTION BY THE EARLY LEARNING COUNCIL

581-019-0036

Purpose

The purpose of these rules is to define key terms, describe eligibility criteria, and to assist Early Learning Hubs and preschool providers in the implementation and operation of Preschool Promise program services. These rules describe the standards for the establishment and operation of preschool services under the Preschool Promise program.

Stat. Auth.: ORS 326.425(7)

Stats. Implemented: ORS 329.172

Hist.:

581-019-0037

Definitions

The following definitions apply to Oregon Administrative Rules 581-019-0036 through 581-019-0049.

- (a) “Child Care provider” means a person or entity that provides care, supervision, and guidance on a regular basis of a child, unaccompanied by a parent, guardian, or custodian, during a part of the 24 hours of the day.
- (b) “Division” means the Early Learning Division of the Department of Education.
- (c) “Early Learning Hub” or “Hub” means an entity designated under ORS 417.827 and contracted by the Early Learning Council to coordinate, fund and monitor early learning services in a specific region within the state.
- (d) “Quality Rating and Improvement System” means the system established through ORS 329A.261 which establishes a set of progressively higher standards used to evaluate the quality of an early learning and development program and to support program improvement.
- (e) “Preschool” means those programs which provide health, education, social and other comprehensive services in order to maximize the potential of three- and four-year-old children.
- (f) “Preschool Promise” means the preschool program administered by the Early Learning Division as directed under ORS 329.172.
- (g) “Preschool Provider” means an eligible participant contracted by the Early Learning Hub to provide preschool services under the Preschool Promise program.

Stat. Auth.: ORS 326.425(7)

Stats. Implemented: ORS 329.172

Hist.:

581-019-0038

Child and Family Eligibility Criteria

(1) Early Learning Hubs are responsible for ensuring that child eligibility has been verified using an eligibility determination form provided by the Division. Family income is at or below 200 percent of the Federal Poverty Level in effect at the time eligibility is determined.

(2) Children must be at least three years of age on or before September 1 of their entrance year and not eligible for kindergarten as determined by the State Board of Education by rule.

Stat. Auth.: ORS 326.425(7)

Stats. Implemented: ORS 329.172

Hist.:

581-019-0039

Hub Selection Process; Fund disbursement

(1) Hubs will be selected through the public procurement process as provided in ORS Chapter 279A and 279B.

(2) Funding for Preschool Promise Program will be directed through Early Learning Hubs and allocated through a process determined by the Early Learning Council.

Stat. Auth.: ORS 326.425(7)

Stats. Implemented: ORS 329.172

Hist.:

581-019-0040

Use of Funds by Hubs

(1) Funds received by the Hub for the Preschool Promise Program may be used only in support of the program and to provide funding to preschool providers for the purposes of administering the Preschool Promise program.

(2) Of the funds distributed, the Early Learning Division may establish a maximum percentage allowable for coordination and administration and a maximum percentage allowable for building provider capacity to meet Preschool Promise program standards.

(3) Hubs must have established appropriate internal fiscal controls and generally accepted accounting procedures to ensure the proper disbursement, separation of funding source, as appropriate, and accounting for all funds provided.

Stat. Auth.: ORS 326.425(7)

Stats. Implemented: ORS 329.172

Hist.:

581-019-0041

Eligibility Criteria for Preschool Promise Program Providers

(1) The following entities shall be eligible for funding:

- (a) A Head Start program;
- (b) An Oregon Prekindergarten program;
- (c) A child care provider;
- (d) A relief nursery;
- (e) A private preschool;
- (f) A public school;
- (g) A public charter school;
- (h) An education service district, or;
- (i) A community-based organization.

Stat. Auth.: ORS 326.425(7)
Stats. Implemented: ORS 329.172
Hist.:

581-019-0042

Provider / Hub Contracts

(1) Prior to enrolling a child under the program, a preschool provider shall enter into a contract with the Hub. The contract shall meet public procurement standards and be reviewed for legal sufficiency when required by law.

Stat. Auth.: ORS 326.425(7)
Stats. Implemented: ORS 329.172
Hist.:

581-019-0043

Minimum Requirements

- (1) To be eligible to provide preschool services under the Preschool Promise Program, a preschool provider must:
- (a) Provide the annual number of instructional hours required for full day kindergarten as determined by the State Board of Education by rule.
 - (b) Meet quality standards, including:
 - (A) Attaining one of the top two ratings of the quality rating and improvement system for early childhood programs.
 - (B) Adopting culturally responsive teaching methods and practices.
 - (C) Providing highly trained lead preschool teachers who have at least a bachelor's degree in early childhood education or a field related to early childhood education. The requirements of this subparagraph may be satisfied by lead preschool teachers who do not have a bachelor's degree but who have submitted a plan to attain a bachelor's degree and are demonstrating progress on that plan. The educational plan provided for in this paragraph shall be submitted on a form and in a manner provided by the Division.
 - (D) Providing lead preschool teachers with a salary that meets the minimum salary requirements established by the Early Learning Council.
 - (E) Providing at least one assistant teacher in each classroom who provides support for academic instruction and who meets the state's personnel qualification requirements of one of the top two tiers for the quality rating and improvement system.
 - (F) Participates in an ongoing monitoring and program evaluation system that is used for continuous program improvement as established by the Division.

Stat. Auth.: ORS 326.425(7)
Stats. Implemented: ORS 329.172
Hist.:

581-019-0044

Minimum Salary requirements for Lead Preschool Teacher

The Early Learning Council shall establish a methodology to determine a target and minimum salary for Lead Preschool Teachers.

581-019-0045

Use of funds by Preschool Provider

(1) Approved providers shall use funds to supplement, not to supplant, public funds from any other source that are used to serve otherwise eligible students, including, but not limited to federal, state or local public funds.

(2) Funds may not be used to pay for expenses incurred for children who:

(a) Pay tuition for the preschool program and whose family income at the time of enrollment exceeds 200 percent of federal poverty guidelines in effect at the time of enrollment.

(b) Are funded by the Oregon prekindergarten program, a Head Start program or another source of funding.

Stat. Auth.: ORS 326.425(7)

Stats. Implemented: ORS 329.172

Hist.:

581-019-0046

Program Monitoring and Evaluation

Programs will be monitored and evaluated on program improvement using a process established by the Division.

Stat. Auth.: ORS 326.425(7)

Stats. Implemented: ORS 329.172

Hist.:

581-019-0047

Waiver Application Process

(1) A preschool provider may request a waiver of the requirements of ORS 329.172(4) and 581-019-0043 during the first years of the provider's participation in the Preschool Promise program.

(2) The Division shall administer the waiver application and approval process under the direction of the Early Learning Council.

(3) Waiver requests must be accompanied by a quality improvement plan for approval by the Early Learning Council. The quality improvement plan will provide information including, but not limited to, how the program will meet the requirement for which a waiver is requested and a timeline for completing that plan.

(4) The Early Learning Council may withdraw approval of a waiver at any time if deemed necessary to ensure the health, safety and well-being of children in the program.

(5) A waiver granted for any of the requirements does not negate the need for a waiver for other requirements.

(6) The granting of a waiver shall not set a precedent.

(7) Each waiver request shall be evaluated on its own merits.

Stat. Auth.: ORS 326.425(7)

Stats. Implemented: ORS 329.172

Hist.:

581-019-0048

Reporting

Hubs shall ensure that all information and data that demonstrates that providers are meeting the program requirements are made available to the Division upon request, and in a manner as provided by the Division.

Stat. Auth.: ORS 326.425(7)

Stats. Implemented: ORS 329.172

Hist.:

581-019-0049

Suspected Abuse

Any provider or program staff subject to ORS 419B.005 to 419B.016 having reasonable cause to believe that any child with whom the provider or program staff comes into contact has suffered or is suffering from abuse or neglect, shall report or cause a report to be made in the manner required in ORS 419B.005 to 419B.015.

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