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## **Frequently Asked Questions for Child Care Licensing of Pre-K Programs in K-12 Settings** **July, 2018**

Effective immediately, the Early Learning Division Office of Child Care will no longer be issuing child care licenses to school districts and Education Service Districts (ESD) that administer Pre-K programs. We hope that the following FAQs can help address questions or concerns currently being raised by this change in policy. We anticipate updating this document as more information becomes available.

- 1. Why is the Early Learning Division Office of Child Care no longer licensing Pre-K programs administered by public school districts and ESD's?**  
Oregon State Statute 392A.250 (5) does not provide the Office of Child Care with the statutory authority to issue child care licenses to school districts.
- 2. Will the Early Learning Division Office of Child Care continue to license other public entities, such as community colleges?** Yes. The Early Learning Division Office of Child Care will continue to issue child care licenses to public entities that are not school districts or ESD's.
- 3. Are programs\* located in, but not operated by, public schools still required to be licensed?** Yes. Programs housed in public schools, but which are operated by a separate entity, are still required to be licensed.
- 4. Are OPK/Head Start programs operated by school districts and ESD's still required to be licensed?** No. However, OPK/Head Start programs remain subject to all applicable state and federal statutes which includes that they must meet licensing requirements (HSPPS 1302.21(d)) and participate in the Criminal Background Registry (ORS 329A.030).
- 5. Will the Early Learning Division Office of Child Care continue to license federally recognized Tribes with Pre-K programs in Oregon?** The ELD collaborates with each tribal nation on an individual basis to determine the appropriate course of action.
- 6. Do Preschool Promise and OPK operational, programmatic, and contractual standards and obligations still apply?** Yes. All operational, programmatic, and contractual standards and obligations for Preschool Promise and/or Head Start/Oregon Pre-K grantees remain applicable.



- 7. How does the ELD plan to ensure that State-funded Pre-K programs in elementary schools implement best practices for ensuring children’s health and safety?** Spark, Oregon’s Quality Rating and Improvement System for child care and Pre-K programs, has previously required licensure, as the foundation for quality, of all programs receiving a Spark rating. ELD staff are currently collaborating with early learning and K-12 stakeholders to develop an alternative pathway to Spark participation, which will address basic health and safety requirements, as well as requirements related to background checks, transportation, and professional development for Pre-K teachers and staff.
- 8. My school district administers a Preschool Promise program, and we understand that being Spark rated is a requirement to receive Preschool Promise funds. Will the Spark Alternative Pathway allow me to maintain a Spark rating, even if my program will no longer be licensed?** Yes. The Spark Alternative Pathway is designed to provide programs that are not part of child care licensing with an opportunity to demonstrate that the necessary foundations are in place in which high quality Pre-K service delivery can occur.
- 9. When will the Spark Alternative Pathway be made available?** Work on the Spark Alternative Pathway is currently underway, and our goal is to begin implementation during the 2018-19 school year. School districts and ESDs that administer Pre-K programs will maintain their star rating until the Spark Alternative Pathway is implemented.
- 10. Can a school or ESD offering Pre-K programming voluntarily participate in and receive an Office of Child Care license?** No. The Early Learning Division Office of Child Care does not have the statutory authority to issue a license to schools operating Pre-K programs.
- 11. Do teen parent programs in public schools still need to be licensed?** No. The Early Learning Division Office of Child Care does not have the statutory authority to issue a license to schools operating teen parent programs. If a teen parent program is operating in a school, but is run by an entity other than the school, they may need to be licensed.

\*All programs that have been previously subject to licensure, including but not limited to Head Start, Oregon Pre-K, Early Head Start, Migrant/Seasonal Head Start, and after school programs.

For additional questions related Head Start/OPK, please contact Shawna Rodrigues, Head Start Collaboration Director with the Early Learning Division, at [shawna.rodrigues@state.or.us](mailto:shawna.rodrigues@state.or.us) or by phone at 503.373.1693.



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