

Division 900

EARLY LEARNING HUBS

414-900-0005: Purpose and Scope

(1) Under ORS 417.827, the Department of Early Learning and Care (Department) has authority to administer the Early Learning Hub system, ensuring equitable and comprehensive early childhood services across the state.

(2) The purpose of these rules is to establish the framework under which the Department administers the Early Learning Hubs (Hubs) system. Early Learning Hubs foster collaboration across sectors, working with state, local, Tribal, and community partners to implement the goals outlined in Oregon's statewide early childhood system plan and other relevant state strategic plans, ensuring that the early childhood system is family-centered, accessible, and inclusive.

(3) The scope of division 900 rules is to establish eligibility criteria and requirements of Early Learning Hubs. These rules define the governance, operational, and fiscal roles of Early Learning Hubs, including their relationship with backbone agencies and the Department, ensuring alignment with Oregon's statewide early childhood system plan for an integrated, anti-racist, and collaborative framework.

414-900-0010: Definitions

The following words and terms within these rules have the following meanings:

(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 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) "Backbone entity" means the organization that provides administrative, operational, and fiscal support to the Early Learning Hub. A backbone entity is an organization that has an aligned mission and the resources to support an Early Learning Hub's vision, mission, and role in advancing the goals of the regional early childhood system.

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

(5) “Decision-making authority” means the ability of the Governance Council to make Early Learning Hub decisions independently, as described in ORS 417.827.

(6) “Early Childhood Services” means programs and services for children ages prenatal to 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.

(7) “Early Learning Hub” or “Hub” is comprised of a Governance Council, which consists of cross-sector partners, Hub Director(s) and staff, and operational support from a backbone entity. A Hub may stand-up their own operational and organizational structures without relying on a backbone entity if able to demonstrate stability to the satisfaction of the Department. Hubs have statutorily designated authority to integrate early learning services across systems and geographic boundaries.

(8) “Family Advisory Council” means a group of parents and caregivers providing input and guidance to the Governance Council to ensure family voices are central to regional decision-making.

(9) “Family Voice and Leadership” means incorporating parent/caregiver and family voice in decision-making processes, with an emphasis on leadership roles.

(10) “Governance Council” means a multisector council with decision-making authority, as defined in this rule, who is the independent body responsible for providing strategic leadership and oversight for the Early Learning Hub.

(11) “In-kind contributions” means contributions to project scope other than cash. In-Kind Contributions include but are not limited to: provision of rent-free space, provision of utilities, provision of custodial services, provision of secretarial services, provision of liability insurance benefits, administrative services, and transportation services.

(12) “Kindergarten Readiness Partnership and Innovation Program” or “KPI” is a program that invests in promising models for connecting early learning and Kindergarten across the state, and coordinates regional efforts that address disparities and promote equity in early learning, K-12, and other regional sectors. KPI is focused on Hub- identified priority population(s), particularly children and families that might not have the support they need for a successful transition to kindergarten and/or kindergarten experience.

(13) “Operational Support” includes any combination of human resources, fiscal management, signing contracts and accepting responsibility for the Hub’s outcomes, support for operations, supporting the Governance Council.

(14) “Priority population(s)” means communities historically marginalized or underserved, including but not limited to communities of color, tribal members, rural families, families of children with a disability, families who have experienced historical trauma, and families experiencing poverty.

(15) “System Coordination Funds” or “System Coordination Funding” is the main funding stream provided by the Department of Early Learning and Care for the operation of the regional early learning hubs as outlined in the Early Learning Hub Grant Agreement.

Proposed Rule: 414-900-0011 Early Learning Hub Director Role

Each Hub must have a designated Hub Director(s) who focuses on centering equity and addressing the needs of the region’s identified priority population(s). The Hub Director(s) is the conduit, connector, and systems capacity builder of the Early Learning Hub. The Hub Director(s) leads strategies, communication and alignment in coordination with the Governance Council.

(1) In partnership with the Governance Council, the Early Learning Hub Director must administer the functions of the Hub as outlined in Oregon Administrative Rule 414-900-0015 and the Grant Agreement. The Hub Director(s) must:

(a) Work in close partnership with the backbone entity or Hub providing its own operational and fiscal support to ensure the financial transparency and accountability of the Hub’s operations per the Grant Agreement; and

(b) Maintain a clear and comprehensive understanding of how the Department provided funds are allocated and spent, as outlined in the Grant Agreement.

(2) Hub Director(s) implement and lead, all aspects of the Hub’s strategic initiatives and community engagement efforts. The Hub Director’s(s’) role must include:

(a) Engaging with the backbone entity or Hub providing its own operational and fiscal support to facilitate operations and fiscal support for the Hub;

(b) Developing a budget for the Hub and managing fiscal responsibilities;

(c) Communicating priorities on behalf of the Governance Council;

(d) Serving as a liaison to the Department, which includes but is not limited to:

(A) Engaging in meetings convened by the Department;

(B) Attending technical assistance/peer learning opportunities as convened by the Department;

- (C) Staying apprised of Department policies, initiatives, updates and equity goals; and
- (D) Ensuring the Governance Council is up to date on Department policies.
- (e) Leading regional alignment and coordination of early learning systems as follows:
 - (A) Identifying the region's priority population(s).
 - (B) Creating a shared vision for the regional early childhood system.
 - (C) Engaging cross-sector and community partners.
 - (D) Engaging in system-focused problem-solving and action.
 - (E) Engaging in continuous learning and improvement of regional early childhood system plans.
 - (F) Facilitating strategic convening of sector and community partners.
 - (G) Leading collaborative execution of Department deliverables as outlined in the Grant Agreement and providing regular updates to Governance Council and backbone entity or Hub providing its own operational and fiscal support.
- (f) Ensuring alignment with Oregon's statewide early childhood system plan and other state priorities; and
- (g) Monitoring the effectiveness and equity of Hub operations.

414-900-0015: Early Learning Hub Functions

Hubs are established to coordinate and align early learning and care services for children from birth to age six with an emphasis on priority population(s), a specific geographic area or community of interest as identified by the Governance Council. The purpose of Hubs is to produce improved outcomes for children and families by leveraging public and private resources, coordinating services, and purchasing services to address local needs.

- (1) Hubs are conveners of cross-sector partners and facilitators of regional strategies aimed at advancing outcomes aligned with state priorities, including Oregon's statewide early childhood plan's goals. A Hub that provides direct services must meet additional criteria set forth in OAR 414-900-0020(1)(g)(F).
- (2) Hubs must deliver services that benefit children and families in the Hub's assigned geographic area or community including, but not limited to:
 - (a) Aligning service delivery across core functional sectors and ensuring active participation of representatives from:

- (A) Health;
- (B) Human services;
- (C) Public education;
- (D) Early learning and care;
- (E) Tribal nations;
- (F) Business;
- (G) Housing;
- (H) Higher education and workforce development; and
- (I) Other necessary sector partners as defined in Grant Agreement.

(b) Developing kindergarten readiness strategies utilizing the Early Learning Kindergarten Readiness Partnership and Innovation Program (KPI) funding as established by ORS 336.101;

(c) Ensuring that contracted service providers demonstrate commitment to achieving improved child and family outcomes through program delivery of Oregon's statewide early childhood system plan; and

(d) Developing strategies that improve child-centered outcomes, which include kindergarten readiness, stable and healthy families, and community-wide systems alignment.

(3) Hubs, through the direction of their Governance Council, are vested with the authority to distribute state, federal, and other funds to invest in their identified priority population(s) across sectors. Hubs are accountable to the Department to demonstrate and ensure the Hub is:

(a) Developing and maintaining a comprehensive Hub budget for the funds allocated by the Department to the Hub region.

(b) Mapping all Hub funding streams, including local, state, federal, and philanthropic resources.

(c) Ensuring alignment to shared outcomes that support the objectives of Oregon's statewide early childhood system plan, as outlined in 414-900-0015(2)(c).

(d) Ensuring contracted providers are accountable for delivering services that align with shared goals of KPI, as outlined in OAR 414-900-0015(2)(b).

(e) Providing a match as outlined in the grant agreement and not to exceed 25% of the system coordination funds that:

(A) Excludes funds received from KPI and federal Title IV-B for purposes of calculating the total system coordination funding; and

(B) Provides matching funds that are not through funding awarded by the Department. The matching funds must be provided through other allowable financial support, including in-kind contributions.

(f) Ensuring public access to budgets, governance decisions, meeting minutes or recordings, and key reports on a website maintained by the Hub.

(4) Hub must conduct strategic convenings and engagement, which includes:

(a) Convening cross-sector partners and community stakeholders to facilitate collaborative planning, problem-solving, and alignment to inform investment strategies.

(b) Facilitating family voice in the design and implementation of Hub activities and priorities.

(c) Leading continuous improvement efforts for their assigned regional early childhood system.

(d) Engaging in good faith efforts to interface, engage, and collaborate with Tribal nations within the assigned Hub region in accordance with best practices as outlined in available department-issued guidance.

(5) Hubs must ensure all strategies, funding allocations, and service delivery approaches are equity-driven and address the needs of the identified priority population(s) identified by the Governance Council within their assigned region.

Proposed Rule: 414-900-0030 Administration

(1) The Department shall administer grants that contribute to building the Early Learning Hub system. The system may not include more than 16 Early Learning Hubs under ORS 417.827.

(2) The Department shall administer and manage Grant Agreements with the grant recipients and provide fiscal and program guidelines. In most cases a Grant Agreement will be executed with the Hub's backbone entity. A prospective Hub grant applicant that has provided a stable organizational and operational structure to the satisfaction of the Department may submit an application for a Grant Agreement without a backbone entity. In all cases, the Governance Council, in collaboration with the Hub Director(s), shall

provide oversight and authority of investments. The Governance Council has the authority to approve contracts and/or agreements under ORS 417.827, but may delegate the responsibility to approve contracts and/or agreements to the backbone entity in accordance with the Governance Council's bylaws or other governing documents.

(3) Grant recipients must comply with the terms and conditions of the Grant Agreement including, but not limited to, cooperating with the Department's program monitoring, technical assistance, program evaluations, and reporting requirements.

(4) The Department may conduct a review to determine if any party is out of compliance with the terms of the Grant Agreement.

(a) The Department may require technical assistance, planning meetings or other remedial processes as needed to ensure compliance with the terms of the Grant Agreement.

(b) The Department may issue a notice of noncompliance outlining concerns and next steps.

(c) The Department may request that a party to a Grant Agreement develop and submit a corrective action plan, which must be submitted to the Early Learning Hub Contract Administrator(s) within the timeframe outlined in the Department's request. The Department must review the plan and issue a decision of approval or disapproval.

(A) Parties that do not complete corrective actions or correct noncompliance may be subject to enforcement measures, including but not limited to: additional reporting requirements, conditions on funding, or withholding funds, in whole or in part, by the Department.

(B) The Department must provide notice to all parties including the backbone entity, Hub Director, and Governance Council, of remedial action that will terminate or reduce eligibility for Hub funding within the timeframe outlined in the Grant Agreement.

(5) Grantees may use additional funds from other sources to carry out the Hub functions outlined in 414-900-0015.

(6) Grantees must ensure that Hubs invest and allocate Department-provided funds primarily to serve the region's identified priority population(s), in accordance with the terms of the Grant Agreement. In addition, Hubs may serve all children aged prenatal to six years old, as resources allow. Department-provided funds must be utilized in a cost-efficient manner while maintaining quality, as determined by the Governance Council.

Proposed Rule: 414-900-0100 Backbone Entity Structure

(1) A backbone entity is an entity that provides operational and fiscal support to the regional Early Learning Hub. In its current operations, a backbone entity must be demonstrably committed to supporting young children and families. A Hub that has provided a stable organizational and operational structure under agreements with and to the satisfaction of the Department may submit an application for a Grant Agreement without a backbone entity. Both Hubs that provide their own operational and fiscal support without a backbone entity, and Hubs that use a backbone entity to provide operational and fiscal support, must:

(a) Provide fiscal and operational management to ensure accountability and compliance with Department standards as outlined in the Grant Agreement.

(b) Maintain financial systems that meet state and federal auditing standards.

(c) Ensure that the Governance Council has access to financial reports necessary to make decisions

(d) Conduct timely execution of fiscal documents needed to disburse funds.

(e) Maintain transparency in all processes, including grantmaking and contracting, for any investment from the Department distributed to the entity for the operation and administration of the Hub.

(f) A Backbone entity must be able to fiscally support its own core operations to carry out its own mission and functions without funding provided by DELC.

(g) Adhere to a “not to exceed” amount for administrative overhead costs set by the Department.

(h) Provide support for Hub functions for the full geographic region of the Hub including the identified priority population(s)s, even if not the same as the backbone entity’s general or usual service region.

(i) Establish and enforce conflict-of-interest policies for all staff, community partners, and any sub-grantees designed to prevent undue influence in funding or operational decisions.

(3) Backbone Entities may make use of Department funds for staffing; however, such funding must be proportional to the funded staff’s work on Hub functions and priorities. The Department will review and must approve funding models that divide staffing costs between Hub administration and other functions.

(4) If the Department determines that the Grant Agreement with the backbone entity will be terminated, whether voluntarily or involuntarily, it will issue a competitive Request for Application (RFA) within the affected Hub region. All applicants must fulfill the

requirements of ORS 417.827 and other terms as outlined in the published Request for Application.

Proposed Rule: 414-900-0110 Early Learning Hub Governance Structure

(1) Each Hub must have a Governance Council. The Governance Council is a multisector council with decision-making authority, as defined in this rule. The Governance Council is the independent body responsible for providing strategic leadership and oversight for the Early Learning Hub and ensures the Hub's priorities are executed successfully, with an emphasis on outcomes and continuous improvement. The Governance Council, which includes the Hub Director helps shape the vision and direction of the Early Learning Hub. If the Hub utilizes a backbone entity for operational and organizational support, the Hub must do so as defined in OAR 414-900-0100.

(a) The Hub Director(s) is a member of the Governance Council and plays a vital role as a liaison.

(b) Unless an exception is granted by the Department, a backbone entity may designate one representative to serve on the Governance Council.

(A) Representatives of the backbone entity who hold leadership roles such as those who have authority to oversee Hub operations, direct strategic decisions, or influence staffing may provide guidance or consultation but may not serve as members of the Governance Council.

(B) For purposes of Governance Council membership, the Hub Director does not fulfill the role of the backbone entity's designated representative.

(c) Governance Councils must engage in good-faith efforts to include representatives from the following sectors:

(A) Health;

(B) Early learning and care,;

(C) Public education;

(D) Human services;

(E) Housing;

(F) Higher education and workforce development; and

(G) Business.

(d) Governance Councils must include representatives from the priority population(s) determined by the Governance Council.

(e) Governance Councils must include parent or caregiver representative(s).

(f) For Grantees with a federally recognized Tribe (or Tribes) within their assigned region, a Governance Council position must be made available for a member of each Tribe in the region. Hubs must regularly offer each Tribe the opportunity for participation in the case of a vacant position for the Tribe.

(g) If the Governance Council is unable to include representatives from all sectors and member categories for Governance Council membership as listed in this subsection, the Hub Director(s) must contact the Department for support.

(h) The Governance Council must include at a minimum a chair who will be responsible for duties as outlined in the Grant Agreement. The chair must be an individual who is not employed by or associated with the backbone entity.

(2) The Governance Council shall be governed by a set of bylaws or other governing documents as described above.

(a) The Governance Council must develop and adopt bylaws or other governing documents as described herein within 90 days of its establishment or restructuring. If the Governance Council wishes to adopt governing documents other than bylaws, such as a charter or memorandum of understanding, the chair must first submit the proposed other governing documents and request written approval from the Department. The Department must respond whether the governing documents are accepted within 30 days of receipt of the chair's request.

(b) The bylaws or other governing documents must include, but are not limited to:

(A) A clear statement of the Governance Council's purpose and authority including approving strategic plans, budgets, and funding priorities;

(B) Membership composition, including sector representation requirements, term limits, leadership structure if applicable, and appointment or election procedures;

(C) Roles and responsibilities of officers, committees, and members;

(D) Procedures for conducting meetings, including frequency, quorum requirements, decision-making processes, and conflict resolution methods;

(E) A conflict of interest policy, including provisions for identifying, disclosing, and addressing potential conflicts;

(F) Policies for public engagement and transparency, including mechanisms for community member engagement and dissemination of Council decisions;

(G) A process for amending the bylaws or other governing documents;

(H) Procedures for conflict mediation and resolution with the backbone entity; and

(I) Procedures for dissolution or transition of the Council, if necessary.

(3) Meeting minutes from Governance Council meetings must be made available to the public on a website regularly maintained by the Hub.

(4) The Governance Council must, in accordance with the procedures in its bylaws or other governing documents and following a vote, notify the Department through the Early Learning Hub Contract Administrator if it has lost confidence in the backbone entity's or Hub personnel's ability to perform any or all functions in accordance with these rules.

(a) All notifications to the Department must specify the basis for the lack of confidence and may also recommend desired changes to address or remedy the lack of confidence.

(b) If the Governance Council has lost confidence in specific personnel in the backbone entity or in the Hub, the Governance Council's notification must identify the specific personnel and describe the events resulting in the lack of confidence.

(c) If the Governance Council desires to change the backbone entity for the Hub, the Governance Council must contact the Early Learning Hub Contract Administrator(s) for assistance and support in addressing the lack of confidence.

(d) The Hub Contract Administrator will work with the backbone entity to discuss potential remedies, which shall be presented to the Governance Council for consideration.

(e) If after good faith efforts made by all parties, remedies cannot be found or are unsuccessful to address the lack of confidence, the Department may terminate the grant agreement with the current backbone entity.

Proposed Rule: 414-900-0500 Data Collection and Reporting

Early Learning Hubs must collect and assess data in accordance with the standards established by the Department, as outlined in the Grant Agreement, and Hubs must ensure the accuracy, reliability, and validity of the data.

(1) Data collection must be collected in alignment with the requirements specified in the Hub Grant Agreement.

(2) Hubs must safeguard the confidentiality of family and child-level data compiled or submitted to the Department in accordance with all applicable laws, regulations, policies, procedures, and guidance.

(3) Hubs must utilize data for reporting, analysis, and decision-making to enhance system effectiveness and drive outcomes for children and families as outlined in Oregon Administrative Rule, 414-900-0015.

414-900-0510 Administration of Early Learning Kindergarten Readiness Partnership and Innovation Program

The Early Learning Kindergarten Readiness Partnership and Innovation Program (KPI) is established by ORS 336.101. KPI funds are invested by Early Learning Hubs to support access to and continuity of services that provide supportive transitions for families, particularly the Hub identified priority population(s). Through innovative or promising programming and partnerships, Early Learning Hubs must utilize KPI funding to coordinate regional efforts that address disparities and promote equity.

(1) Hubs must invest KPI funding to increase the connection between early learning, K-12, Tribal nations, or other regional sectors to support a successful transition into kindergarten. KPI funding must be used to:

(a) Invest in innovative or promising strategies for early learning, K-12, or other sectors across the state and build a body of evidence that Oregon can use to create stronger alignment between its early learning and K-12 education systems.

(b) Engage families of children who are prenatal through five years of age in being partners in the learning and development of their children. Provide opportunities for families to connect with any of the following: early learning, school, district and community resources.

(c) Promote community and school partnerships and innovations that result in improvements in family and children's well-being and success in school including access to early literacy resources and programs.

(2) As recipients of KPI funds, Hubs must report KPI data to the Department and evaluating agencies as outlined in the Grant Agreement.

(3) Funds received for the administration of KPI must be separately accounted for and must be used only to provide funding for the purposes described in the Grant Agreement.