
Executive Numbered Memo 002-2019-20

District-Operated Early Childhood Education Program Requirements

TO: Superintendents
FROM: Colt Gill, Director of the Oregon Department of Education and
Deputy Superintendent of Public Instruction
Miriam Calderon, Early Learning System Director
DATE: February 20, 2020
RE: Requirements for High-Quality Preschool and Kindergarten Transition Programs

Every child in Oregon deserves access to a high-quality education, no matter where they live. With the passage of the Student Success Act, children from historically underserved communities are at the center of our State's efforts to expand educational opportunity, including addressing disparities that impact many vulnerable children before they reach school age. A key part of this commitment is ensuring that inclusive early learning programs are accessible to more historically underserved children and their families.

Standards-based, high-quality preschool programs serving children ages three to five positively impact children's social emotional regulation and other developmental outcomes. Parents and families of students attending public preschool in Oregon deserve to know the preschool programs their children attend meet the highest standards for quality. The public has the right to expect that every child is receiving developmentally appropriate instruction led by skilled educators in preschool classrooms conducive to optimal learning and development.

Purpose

This executive numbered memo establishes the requirements to be satisfied for the implementation of early childhood education programs by the Superintendent of Public Instruction or designee pursuant to ORS 329.235. These requirements apply to all school district- and education service district (ESD)- operated kindergarten transition and preschool programs implemented with state funds (including the Student Investment Account under the Student Success Act) on or after July 1, 2020 that meet the definitions below. Reporting requirements for programs utilizing State School Fund dollars will be provided at a later date.

Why are preschool requirements being established now?

The preschool requirements outlined here are consistent with the policy of the state of Oregon to invest in high-quality preschool programs. When it comes to early childhood education, the Legislature has continuously chosen to invest in evidence-based, high-quality programming, from Oregon Pre-Kindergarten to Healthy Families Oregon to Preschool Promise, and establishing standard requirements in law.

The Student Success Act established the Early Learning Account, funding Oregon Pre-Kindergarten, Preschool Promise, and a variety of other high-quality early childhood programs. As communities continue to articulate the need for preschool, some districts have looked to the Student Investment Account to create additional preschool opportunities for families.

We continue to support access to high-quality early learning programming, particularly children in our most historically underserved communities. To be consistent with the legislature's investments in high-quality programming, it is the Governor's expectation that all state-funded early childhood education programs meet, or are working to meet, high-quality programming requirements as we continue to build Oregon's Early Learning System.

Definitions

For the purpose of school district- and ESD-operated early childhood education programs, the following definitions will be applied. These programming types may also work with other Early Learning Division-funded programs including, but not limited to, Preschool Promise, Oregon Pre-Kindergarten, and programs funded by the Early Childhood Equity Fund. Programs funded by the Early Childhood Equity Fund do not fall under these definitions because they meet state grant requirements. Kindergarten Partnership Innovation Grants may support either kindergarten transition or preschool education programs. As such, they should adhere to the requirements outlined in the memo.

Kindergarten Transition Program

Any program operated by a school district or ESD which serves children who are at least three years old and younger than five by September 1 of the school year, are led by an adult unrelated to the majority of children within the classroom and with parents not regularly present in the building during the majority of programming, with programming providing service year-round or during the school year. A kindergarten transition program may not be named a preschool or preschool program unless meeting the definition of a preschool program below.

Preschool

A type of early childhood education program serving children who are at least three years old and younger than five by September 1 of the school year and are not enrolled in kindergarten. A preschool is defined by requirements as established by the Deputy Superintendent of Public Instruction and otherwise stipulated by the Early Learning Council by rule.

State-Funded Early Childhood Program Requirements

The Early Learning System is still in development and the Early Learning Division is continuing to work to address professional learning supports and facilities limitations. The Early Learning Division and Oregon Department of Education have developed the following requirements to guide and support school districts and ESDs to implement high-quality kindergarten transition and preschool programs over time that are aligned to best practices in the field of early childhood education and the science of child development.

School districts, ESDs and Early Learning Hubs should ensure that parents understand the difference between various locally implemented early childhood programs intended to support kindergarten transition from preschool programs.

State-Funded Kindergarten Transition Program Requirements

The following requirements must be met by school district and ESD-operated kindergarten transition programs.

1. **Coordination with Early Learning Hubs:** Schools must demonstrate effort to serve children from priority populations, as defined by the Early Care and Education (ECE) Sector Plan developed by the local Early Learning Hub. Hubs have completed the first phase of planning – identifying priority populations – and will work with local school districts to support outreach and enrollment for families.
2. **Health and Safety Standards:** Schools must meet health and safety requirements, as defined by the Health and Safety checklist, with consideration for facilities limitations in K-12 settings and alignment with existing requirements. This Health and Safety checklist, developed in consultation with K-12, will be made available on ELD’s website.
3. **Suspension and Expulsion:** Programs are prohibited from suspending or expelling children from the program.
4. **Registration in the Oregon Registry Online:** Classroom-level educators must input demographics and qualifications in the state’s workforce registry, the [Oregon Registry Online](#) (ORO). They do not need to track their training via ORO.
5. **Inclusive Environments for Children with Disabilities:** The program provides supports for children with special needs to ensure meaningful inclusion and learning in partnership with Early Childhood Special Education.
6. **Programming:** The program has identified and implemented research-based programming aligned to [Oregon’s Early Learning and Kindergarten Guidelines](#), including, but not limited to, the use of lesson plans, established routines, intentional environments and developmentally appropriate and culturally responsive child experiences.

7. **Transition Supports:** The program supports families of enrolled children during transitions to kindergarten, including in partnership with Early Childhood Special Education programs, Early Learning Hubs and Head Start programs.
8. **Family Engagement:** The program upholds culturally and linguistically responsive family engagement in alignment with broader district goals and requirements.
9. **Program Monitoring and Evaluation:** Programs must participate in program monitoring and evaluation led by the Early Learning Division.
10. **Participation in Feedback in Program Standards Development:** Districts agree to participate in ongoing development of preschool standards and processes for evaluating those standards.
11. **Serve children between ages of three and five:** Children served within the program must be at least three years old and younger than five years old by September 1 of the school year.

State-Funded Preschool Program Requirements

In addition to the 11 requirements for kindergarten transition programs, to be designated as a preschool program school districts must also comply with the following five requirements for high-quality preschool operation.

12. **Operating time:** Children must be in a preschool program for a minimum of 510 total hours per year in alignment with a district's four or five day week schedule (preschool requirements are bell-to-bell, not instructional hours).
13. **Adopt culturally responsive outreach for enrollment:** Partner with Early Learning Hubs to coordinate enrollment and outreach to families in ways that are culturally relevant to priority populations identified in ECE Sector Plan.
14. **Culturally Responsive, Evidence-Based Curriculum and Assessment:** The program must select and begin to implement research-based, developmentally, culturally and linguistically responsive curriculum and formative assessment processes to support each child's learning and development in all domains and aligned with [Oregon's Early Learning and Kindergarten Guidelines](#). Full implementation is required by 2025.
15. **Culturally Responsive Family Engagement:** The program must cultivate a high-quality, culturally responsive family engagement environment that supports families as partners in a child's learning and development, creates a sense of welcome for all families and includes families in decisions related to program design and implementation.
16. **Participate in revised Spark Quality Recognition and Improvement System:** Schools must actively participate in Spark once revised (estimated by 2022).

Eligibility for Accommodations to Meet Specified Preschool Program Requirements

The following five additional preschool requirements are eligible for an accommodation in specific circumstances pursuant to approval by the Early Learning System Director. District size designations are consistent with current state definitions.*

17. **Ratio and Group Size:** Schools must meet a ratio of one adult to 10 children/students and a maximum group size of 20.

Medium to Very Large Districts: An accommodation for group size may be granted (up to 25) if the district demonstrates a hardship including, but not limited to, facility limitations. Ratios must be maintained.

Very Small to Small Districts: Eligibility for an accommodation for group size is provided so long as programs include more than 20 but less than 25 children, if this allows programs to include all children within the community or facility limitations are demonstrated. Ratios must be maintained.

18. **Screening and Referrals:** The program must ensure each child receives a hearing, vision and developmental screening, with parent consent and partnership, to identify potential concerns regarding a child's language, cognitive, motor, social, emotional, behavioral skills and refer families to appropriate services. This requirement may be fully met by districts providing services on their own, or through partnerships - including with Hubs, Coordinated Care Organizations (CCOs), Early Intervention/Early Childhood Special Education programs and Head Start partners to conduct screenings and make referrals.

All Districts: Eligibility for an accommodation for screening and referrals requirement is provided for programs that have not yet developed partnerships to conduct screenings and make referrals, but otherwise submit a plan to develop partnerships or offer services on their own.

19. **Lead Teacher with Education:** Lead teachers within the classroom have at least a bachelor's degree in: (i) Early childhood education or a field related to early childhood education; or (ii) a field not related to early childhood education but teacher has completed coursework that is equivalent to a major in early childhood education and has sufficient training in early childhood education as determined by the Division; or an associate's degree with additional training or additional certification in early childhood education or a field related to early childhood education, as determined by the Division; or until sufficient alternative credentialing to indicate that the teacher is highly trained is developed, the lead preschool teacher must have a Child Development Associate (CDA) Preschool Credential or at least Step 8 on the Oregon Registry Online (ORO); or mirror the lived experience or speak the home language of the children and families being served by the program.

All Districts: An educator – new or existing – that does not meet education requirements, but reflects the lived experience or speaks the home language of children in the preschool program, may be hired and a plan for the educator to progress toward the credential or training requirements must be provided.

20. **Leadership with Knowledge of Early Childhood**: The program must designate an existing leader or leadership team at the building level to guide and support effective implementation at the classroom level. The leader/team should have knowledge of the early learning system and leading development of community partnerships - including with Hubs, and continuous improvement of the program. This leader should have training or knowledge specific to early care and education.

Medium to Very Large Districts: If the building leader is working towards gaining knowledge and competencies in early care and education, a plan must be provided.

Very Small to Small Districts: If the building leader is working towards gaining knowledge and competencies in early care and education, a plan must be provided. A district leader may be designated if there is a leader that circulates amongst multiple sites, so long as that leader is able to spend adequate time at each site.

21. **Compensation Parity**: The program must compensate educators in the preschool program at the same level as other staff with equivalent education, experience and responsibilities. This includes, but is not limited to, local pay equity requirements pursuant to OAR 839-008-0000 and Certified Center Head Teacher requirements that improve the diversification of the workforce per OAR 414-300-0090.

All Districts: Districts must demonstrate a commitment to achieve compensation parity for preschool staff. If the district is unable to initially meet this requirement, the program must demonstrate a plan to pay an increased salary in the future.

Targets for Full, High-Quality Preschool Operation

The following are established as targets for programs to fully operate as high-quality preschool programs. Research shows that these targets are an important component of a high-quality preschool program. However, they are not required for Preschool program operation.

1. **Support Families in Wraparound Care**: Provide wraparound care to meet parent's work hours/schedule or refer to programs that can meet these needs.
2. **Ability to Maximize all Funds**: Demonstrate ability to use local, philanthropic, other state and federal funding.

Partnership and Support

The 21 requirements for school district- and ESD-operated preschool programs are rooted in decades of research in program operation and early childhood development. Oregon’s Early Learning System Director, Miriam Calderon, is committed to working with districts and ESDs to identify implementation challenges and areas of continued support to ensure that our historically underserved children have access to high-quality early learning settings. The Early Learning Division will be convening a stakeholder group to continue this work and support implementation through the Student Investment Account.

The Early Learning Division is also committed to providing technical assistance and support as school districts work towards meeting these Preschool requirements. Specific opportunities for support will be shared as the Division is able to assess the level of interest and need for technical assistance.

If you have any questions regarding Kindergarten Transition or Preschool program implementation or which set of requirements your early childhood education program may fall under, please contact [Brett Walker](#), P-3 Alignment Specialist with the Early Learning Division.

You can also access the Early Learning Division’s [Student Success Act FAQs](#), which provide common questions and answers.

*District Sizes:

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| • Very Small | Less than 200 students | (in 2018-19 this included 40 districts) |
| • Small | 200-999 students | (in 2018-19 this included 69 districts) |
| • Medium | 1,000-6,999 students | (in 2018-19 this included 70 districts) |
| • Moderately Large | 7,000-14,999 | (in 2018-19 this included 11 districts) |
| • Large | 15,000-29,999 | (in 2018-19 this included 4 districts) |
| • Very Large | 30,000 or more students | (in 2018-19 this included 3 districts) |