Early Learning Council

February 25, 2026

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

COUNCIL ACTION REQUEST

Date: February 25, 2026

AGENDA ITEM: Preschool Promise Temporary Rule Adoption

ACTION: Adopt a temporary rule amendment for the Preschool Promise ruleset that will be effective March 1, 2026.

ISSUE: DELC is proposing a temporary rule amendment for the Preschool Promise program ruleset related to 414-470-0010 Child and Family Eligibility Criteria. OAR 414-470-0010(1)(a)(i–vi) amends the rule to allow DELC to establish income-verification policies for Preschool Promise that account for high housing costs when determining eligibility.

BACKGROUND: The Department of Early Learning and Care (DELC) is adopting temporary amendments to OAR 414-470-0010 to establish a new method for determining income eligibility for the Preschool Promise (PSP) program. The temporary rule allows eligibility staff to adjust a family's gross income when housing costs exceed 30 percent of total gross income, using reasonable documentation such as bills or bank statements to calculate annual housing expenses.

The rule also streamlines income-verification requirements by permitting alternative forms of documentation when families cannot provide tax forms or pay stubs, and by allowing the use of a three-month income window when families experience significant and persistent changes in income. These changes reduce administrative burden, increase consistency in eligibility determinations, and support equitable access for families experiencing high housing-cost burdens.

PROCESS: DELC is proposing to adopt temporary rules for the Preschool Promise program ruleset related to 414-470-0010. Permanent rulemaking to address the child care family eligibility criteria will be completed prior to the 180 day expiration date of the temporary rules.

EQUITY ANALYSIS: Oregon families are experiencing rising housing costs that disproportionately affect families with low incomes, families of color, immigrant and refugee households, and families in both high-cost urban areas and rural regions with limited housing supply. Under the previous Preschool Promise eligibility framework, income determinations did not account for the financial strain caused by excessive housing costs. As a result, families with high rent burdens could be deemed ineligible despite having limited disposable income and significant economic hardship.

The temporary rule addresses this inequity by allowing eligibility staff to adjust gross income when housing costs exceed 30 percent of a family's income, creating a more accurate and equitable assessment of financial need

PROPOSED DRAFT MOTION: I move to adopt the proposed temporary rule language amendments dated February 25, 2026 for a temporary Oregon Administrative Rule change to OAR 414-470-0010. New rules to be adopted:
414-470-0010 (1)(a)(i)
414-470-0010 (1)(a)(ii)
414-470-0010 (1)(a)(iii)
414-470-0010 (1)(a)(iv)
414-470-0010 (1)(a)(v)
414-470-0010 (1)(a)(vi)

CONTACT: Alyssa Chatterjee, Early Learning Systems Director, Department of Early Learning and Care

Early Learning Council

February 25, 2026

9:00 a.m. – 2:00 p.m.

Department of Early Learning and Care
3rd Floor, Grand Ronde Room
700 Summer St NE, Suite 350
Salem, OR 97301

Appendix:

TEMPORARY RULE LANGUAGE:

414-470-0010

Child and Family Eligibility Criteria

(1) Children and families who meet the following criteria are determined eligible for the Preschool Promise Program:

(a) Family income is at or below 200 percent of the Federal Poverty Level in effect at the time eligibility is determined.

i. **To verify family income at the time eligibility is being determined, eligibility staff must calculate total gross income using all applicable sources of income available from within the previous 12 months.**

ii. **Sources of income include tax forms, pay stubs, or other proof of income to determine the family income within the last 12 months. If paystubs are provided as a source of available income, the family must provide, at a minimum, the three most recent consecutive paystubs at the time of application.**

iii. **Eligibility staff may make an adjustment to a family's gross income calculation for the purposes of determining eligibility to account for excessive housing costs, as described in this rule. If a family spends more than 30 percent of their total gross income on housing costs, as defined in OAR 414-470-0005, then the calculated gross family income may be reduced by the amount spent on housing costs that exceeds 30 percent of the gross family income. Eligibility staff may use available bills, bank statements, and other relevant documentation provided by the family to calculate total annual housing costs with appropriate multipliers.**

iv. **If the family cannot provide tax forms, pay stubs, or other proof of income for the relevant time period, eligibility staff may accept written statements from employers, including individuals who are self-employed, for the relevant time period and use information provided to calculate total annual income with appropriate multipliers.**

v. **If the family reports no income for the relevant time period, eligibility staff may accept the family's signed declaration to that effect, if eligibility staff describes efforts made to verify the family's income, and explains how the family's total income was calculated or seeks information from third parties about the family's eligibility if the family gives written consent.**

vi. **If the family can demonstrate a significant and persistent change in income for the relevant time period, eligibility staff may calculate gross family income using all applicable sources of income available from within the previous three months.**

(b) Children must be at least three years of age but not older than five years of age, as determined by the date used to determine kindergarten eligibility.

(2) Notwithstanding (1) (a):

(a) A child from a family over the 200% poverty level living in a determined geographic area with low access to care.
(b) A "Foster Child" as defined in ORS 418.200 is eligible for the Preschool Promise Program.