

A-Engrossed Senate Bill 236

Ordered by the Senate April 29
Including Senate Amendments dated April 29

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Education for Children's Institute)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs Early Learning Division to conduct study on use of suspension and expulsion in early childhood care and education programs and **on efforts to reduce and prevent use of suspension and expulsion. Requires division** to report results of study to **appropriate** interim *[committee]* **committees** of Legislative Assembly *[related to education]*. Sunsets December 31, *[2021]* **2024**.

[Specifies that Early Learning Account moneys may be used for training educators to respond to children exhibiting mental or behavioral health challenges.]

Prohibits early childhood care or education program that receives state public funds from Early Learning Division from suspending or expelling any child. Becomes operative July 1, 2026.

Declares emergency, effective *[on passage]* **July 1, 2021**.

A BILL FOR AN ACT

Relating to discipline used in early learning; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) The Early Learning Division shall conduct a study on:

(a) The use of suspension and expulsion in early childhood care and education programs; and

(b) Efforts to reduce and prevent the use of suspension and expulsion in early childhood care and education programs.

(2) The division shall report the results of the study required under this section to the appropriate interim committees of the Legislative Assembly no later than September 15, 2024.

SECTION 2. Section 1 of this 2021 Act is repealed on December 31, 2024.

SECTION 3. (1) An early childhood care or education program that receives state public funds from the Early Learning Division may not suspend or expel any child.

(2) An early childhood care or education program that violates subsection (1) of this section shall cease to be eligible to receive state public funds from the Early Learning Division.

(3) The Early Learning Council shall adopt rules necessary for the administration of this section, including providing for:

(a) A waiver that the Early Learning System Director, or the director's designee, may provide to an early childhood care or education program of the prohibition described in subsection (1) of this section; and

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(b) A method for resolving disputes between parents and providers related to suspensions**
2 **and expulsions, while taking into consideration the best placement of the child.**

3 **SECTION 4.** **(1) Section 3 of this 2021 Act becomes operative on July 1, 2026.**

4 **(2) Notwithstanding the operative date set forth in subsection (1) of this section, the**
5 **Early Learning Council and the Early Learning Division may take any action before the op-**
6 **erative date set forth in subsection (1) of this section that is necessary to enable the council**
7 **and division to exercise, on and after the operative date set forth in subsection (1) of this**
8 **section, all of the duties, functions and powers conferred on the council and division by sec-**
9 **tion 3 of this 2021 Act.**

10 **SECTION 5.** **This 2021 Act being necessary for the immediate preservation of the public**
11 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
12 **July 1, 2021.**