

Enrolled
House Bill 2030

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Oregon Advocacy Commissions Office)

CHAPTER

AN ACT

Relating to advocacy; amending ORS 185.010, 185.310, 185.330, 185.410, 185.420, 185.430, 185.510, 185.540, 185.620, 185.625, 327.254 and 329.841; repealing ORS 185.560; and declaring an emergency.

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

SECTION 1. ORS 185.010 is amended to read:

185.010. (1) The Oregon Advocacy Commissions Office shall be staffed by an administrator, who is responsible for the performance of the duties, functions and powers of the office.

(2) A board consisting of the chairpersons of the commissions served by the office and the [Commissioner of the Bureau of Labor and Industries] **Governor** shall establish the qualifications for and appoint the Administrator of the Oregon Advocacy Commissions Office.

(3) The Administrator of the Oregon Advocacy Commissions Office shall receive a salary as prescribed by law, or as prescribed by the board described in subsection (2) of this section if a salary is not prescribed by law.

(4) The Administrator of the Oregon Advocacy Commissions Office is in the unclassified service.

(5) The Administrator of the Oregon Advocacy Commissions Office shall provide each commission served by the office with the administrative support needed by the commission to carry out the statutory duties of the commission. Subject to any applicable provisions of the State Personnel Relations Law, the administrator shall employ all persons necessary for the operation of the office, prescribe the duties of those employees and establish the compensation payable to those employees.

SECTION 2. ORS 185.310 is amended to read:

185.310. (1) It is declared to be the policy and intent of the Legislative Assembly that the Commission on Hispanic Affairs is created to work for the implementation and establishment of economic, social, legal and political [equality] **equity** for Hispanics in Oregon.

(2) The commission shall make recommendations to the Governor and shall report to each odd-numbered year regular session of the Legislative Assembly.

SECTION 3. ORS 185.330 is amended to read:

185.330. In carrying out the duties of ORS 185.310 to 185.330, the Commission on Hispanic Affairs shall:

(1) Monitor existing programs and legislation designed to meet the needs of the Hispanic population.

(2) Identify and research problem areas and issues affecting the Hispanic community and recommend actions to the Governor and the Legislative Assembly, including recommendations on legislative programs.

(3) Maintain a liaison between the Hispanic community and government entities.

(4) Assist the Governor on the Governor's equity-focused initiatives with policy advice, the study of long-standing community issues and the provision of community input, a community voice and leadership, as requested.

[4] (5) Encourage Hispanic representation on state boards and commissions.

[5] (6) Meet at least annually in a joint meeting of the Commission on Hispanic Affairs, the Commission on Black Affairs, the Commission for Women and the Commission on Asian and Pacific Islander Affairs to consider and act upon issues of mutual importance to the missions and statutory duties of the commissions.

SECTION 4. ORS 185.410 is amended to read:

185.410. (1) It is declared to be the policy and intent of the Legislative Assembly that the Commission on Black Affairs is created to work for the implementation and establishment of economic, social, legal and political [*equality for blacks*] **equity for Blacks** in Oregon.

(2) The commission shall make recommendations to the Governor and shall report to each odd-numbered year regular session of the Legislative Assembly.

SECTION 5. ORS 185.420 is amended to read:

185.420. (1) The Commission on Black Affairs shall be comprised of 11 members, to include two representatives from the Legislative Assembly, one appointed by the President of the Senate, one appointed by the Speaker of the House of Representatives. Nine members shall be appointed by the Governor and confirmed by the Senate pursuant to section 4, Article III, Oregon Constitution. To the extent possible, members appointed by the Governor shall provide for representation from all areas of the state. All of the members of the commission shall be residents of this state.

(2) Members appointed by the Governor shall serve four-year terms. Legislators shall serve two-year terms.

(3) The commission members shall elect a chairperson and vice chairperson.

(4) A majority of the members of the commission constitute a quorum for the transaction of business.

(5) Appointments to the commission shall be made to ensure representation of [*blacks*] **Blacks** in Oregon.

(6) Members of the commission who are not legislators shall be paid compensation and expenses as provided in ORS 292.495 from funds appropriated to the Oregon Advocacy Commissions Office.

(7) Members of the commission who are legislators shall be paid compensation and expense reimbursement as provided in ORS 171.072, payable from funds appropriated to the Legislative Assembly.

SECTION 6. ORS 185.430 is amended to read:

185.430. In carrying out the duties of ORS 185.410 to 185.430, the Commission on Black Affairs shall:

(1) Monitor existing programs and legislation designed to meet the needs of the [*black*] **Black** population.

(2) Identify and research problem areas and issues affecting the [*black*] **Black** community and recommend actions to the Governor and the Legislative Assembly, including recommendations on legislative programs.

(3) Assist the Governor on the Governor's equity-focused initiatives with policy advice, the study of long-standing community issues and the provision of community input, a community voice and leadership, as requested.

[3] (4) Maintain a liaison between the [*black*] **Black** community and government entities.

[4] (5) Encourage [*black*] **Black** representation on state boards and commissions.

[5] (6) Meet at least annually in a joint meeting of the Commission on Black Affairs, the Commission on Hispanic Affairs, the Commission for Women and the Commission on Asian and Pacific Islander Affairs to consider and act upon issues of mutual importance to the missions and statutory duties of the commissions.

SECTION 7. ORS 185.510 is amended to read:

185.510. (1) It is declared to be the policy and intent of the Legislative Assembly that the Commission for Women is created to work for the implementation and establishment of economic, social, legal and political [equality] **equity** for women and to maintain a continuing assessment of the issues and needs confronting women in Oregon.

(2) The commission shall submit to the Governor at the commencement of each biennium a report containing the concerns and issues confronting the women of Oregon which have been identified pursuant to the terms of ORS 185.510 to 185.550 and further identifying the programs, projects and activities which the commission will undertake regarding those issues.

SECTION 8. ORS 185.540 is amended to read:

185.540. The Commission for Women shall:

(1)(a) Analyze the [legal] status of women and men under the laws of Oregon relating to civil rights, contracts, income, property and the family in order to assure full [equality] **equity** and treatment under the law;

(b) Monitor the implementation of laws affecting the legal rights [and duties] of women; and

(c) Educate women about their legal rights and responsibilities under the law.

(2)(a) Work for [equal] **equity of opportunity** and treatment for women in employment through an analysis of the employment policies and practices of employers, both public and private;

(b) Evaluate the development of methods to assure fuller employment options for women including nontraditional job opportunities, child care, job sharing and flextime and part-time employment; and

(c) Examine methods to develop greater employment opportunities and potentials for women with particular consideration for the needs of minority women, older women, rural women and displaced homemakers.

(3)(a) Evaluate the progress of providing [equality] **equity** of educational opportunities for women in Oregon as mandated by state and federal law;

(b) Assist efforts to inform women about nontraditional educational and employment opportunities; and

(c) Promote the elimination of [sexist] **gender, nonconforming** and racist barriers in the educational process, such as staffing patterns, teacher training, curriculum and textbook selection.

(4) Assist the Governor on the Governor's equity-focused initiatives with policy advice, the study of long-standing community issues and the provision of community input, a community voice and leadership, as requested.

[4(a)] **(5)(a)** Encourage women to pursue a variety of roles in life[, *both in the community and in the family*];

(b) Promote the full recognition of the contributions of women whether in the home, as volunteers in the community or in the labor market;

(c) Promote the valuation of work within the home at a level comparable with work outside the home; and

(d) Investigate family relationships which are detrimental to women and to the development of productive family life.

[5)] **(6)** Encourage and recommend women to serve on appointive boards and commissions and encourage them to seek elective office.

[6)] **(7)** Identify and address issues which may be unique to special categories of women including minority women, juvenile women, older women, rural women and displaced homemakers.

[7)] **(8)** Meet at least annually in a joint meeting of the Commission for Women, the Commission on Hispanic Affairs, the Commission on Black Affairs and the Commission on Asian and Pacific Islander Affairs to consider and act upon issues of mutual importance to the missions and statutory duties of the commissions.

SECTION 9. ORS 185.620 is amended to read:

185.620. (1) The Commission on Asian and Pacific Islander Affairs shall:

(a) Identify barriers to the economic development and trade opportunities of Asian and Pacific Islander Americans within this state, and advise state agencies and officials on issues related to those barriers.

(b) Establish an Asian and Pacific Islander Affairs Network to facilitate the work of the commission.

(c) Identify and examine the needs of Asian and Pacific Islander American residents of this state.

(d) Compile information relating to services available to Asian and Pacific Islander American residents of this state, including but not limited to education and training programs, work programs, dispute resolution programs, trade opportunities, housing programs, health programs, mental health programs including alcohol and drug services, and welfare programs from local, state and federal sources and through private agencies.

(e) Develop and sponsor programs in cooperation with Asian and Pacific Islander American groups and organizations to inform Asian and Pacific Islander American residents of this state of services available to them.

(f) Assess all programs of state agencies operating for the benefit of **equity for** Asian and Pacific Islander American residents of this state and make recommendations to the appropriate agencies for the improvement of those programs.

(g) Serve as liaison to other state boards and commissions as required by law.

(h) Assist the Governor on the Governor's equity-focused initiatives with policy advice, the study of long-standing community issues and the provision of community input, a community voice and leadership, as requested.

[(h)] (i) Submit to the Governor at the beginning of each biennium a report that describes the needs of Asian and Pacific Islander Americans identified under paragraph (c) of this subsection and that specifies the programs, projects and activities that the commission will undertake regarding those needs.

[(i)] (j) Meet at least annually in a joint meeting of the Commission on Asian and Pacific Islander Affairs, the Commission on Hispanic Affairs, the Commission on Black Affairs and the Commission for Women to consider and act upon issues of mutual importance to the missions and statutory duties of the commissions.

(2) As used in this section, "Asian and Pacific Islander American" means a resident of the United States who is of Asian or Pacific Islander ancestry.

SECTION 10. ORS 185.625 is amended to read:

185.625. The Legislative Assembly declares that the Commission on Asian and Pacific Islander Affairs shall work for the implementation and establishment of economic, social, legal and political *[equality]* **equity** for Asian and Pacific Islander Americans in this state and to maintain a continuing assessment of the issues and needs confronting Asian and Pacific Islander Americans in this state.

SECTION 11. ORS 327.254 is amended to read:

327.254. (1) The Department of Education shall use moneys in the Statewide Education Initiatives Account to provide funding for statewide education initiatives, including:

(a) Funding the High School Graduation and College and Career Readiness Act at the levels prescribed by ORS 327.856;

(b) Expanding school breakfast and lunch programs;

(c) Operating youth reengagement programs or providing youth reengagement services;

(d) Establishing and maintaining the Statewide School Safety and Prevention System under ORS 339.341;

(e) Developing and providing statewide equity initiatives, including the *[black]* **Black** or African-American education plan developed under ORS 329.841, the American Indian or Alaskan Native education plan developed under ORS 329.843, the Latino or Hispanic education plan developed under ORS 329.845 or any similar education plan identified by the department;

(f) Providing summer learning programs at schools that are considered high poverty under Title I of the federal Elementary and Secondary Education Act of 1965;

(g) Funding early warning systems to assist students in graduating from high school, as described in ORS 327.367;

(h) Developing and implementing professional development programs and training programs, including programs that increase educator diversity and retain diverse educators;

(i) Planning for increased transparency and accountability in the public education system of this state;

(j) Providing additional funding to school districts participating in the intensive program under ORS 327.222;

(k) Providing technical assistance, including costs incurred for:

(A) The coaching program described in ORS 327.214; and

(B) The intensive program described in ORS 327.222, including costs for student success teams;

(L) Funding education service districts, as described in subsection (2) of this section; and

(m) Funding costs incurred by the department in implementing this section and ORS 327.175 to 327.235 and 327.274.

(2)(a) The amount of a distribution to an education service district under this section = the education service district's ADMw × (the total amount available for distribution to education service districts in each biennium ÷ the total ADMw of all education service districts that receive a distribution).

(b) For purposes of this subsection, ADMw equals the ADMw as calculated under ORS 327.013, except that the additional amount allowed for students who are in poverty families, as determined under ORS 327.013 (1)(c)(A)(v)(I), shall be 0.5.

(c) An education service district shall use moneys received under this section as provided by a plan developed by the school districts located within the education service district. A school district that declines to participate in the development of the plan or that has withdrawn from an education service district as provided by ORS 334.015 is not entitled to any moneys distributed to the education service district under this subsection.

(d) A plan developed under this subsection must:

(A) Align with and support school districts in meeting the performance growth targets of the school districts developing the plan;

(B) Include the provision of technical assistance to school districts in developing, implementing and reviewing a plan for receiving a grant from the Student Investment Account;

(C) Provide for coordination with the department in administering and providing technical assistance to school districts, including coordinating any coaching programs established under ORS 327.214; and

(D) Be adopted and amended as provided for local service plans under ORS 334.175 and approved by the department.

(e) Each education service district must submit an annual report to the department that:

(A) Describes how the education service district spent moneys received under this subsection; and

(B) Includes an evaluation of the education service district's compliance with the plan from the superintendent of each school district that participated in the development of the plan.

(3) The State Board of Education shall adopt rules necessary for the distribution of moneys under this section.

SECTION 12. ORS 329.841 is amended to read:

329.841. (1) For the purposes of this section, "plan student" means a student enrolled in early childhood through post-secondary education who:

(a) Is [black] **Black** or African-American or a member of a student group that is not covered under an existing culturally specific statewide education plan; and

(b) Has experienced disproportionate results in education due to historical practices, as identified by the State Board of Education by rule.

(2)(a) The Department of Education shall develop and implement a statewide education plan for plan students.

(b) The department shall form an advisory group consisting of community members, education stakeholders and representatives of the Early Learning Division, the Youth Development Division and the Higher Education Coordinating Commission to advise the department regarding:

(A) Development and implementation of the plan;

(B) Eligibility criteria, applicant selection process and expectations for recipients of grant awards described in this section; and

(C) Adoption of rules by the State Board of Education for the implementation of the plan.

(3) The plan developed under this section shall address:

(a) The disparities experienced by plan students in every indicator of academic success, as documented by the department's statewide report card;

(b) The historical practices leading to disproportionate outcomes for plan students; and

(c) The educational needs of plan students from early childhood through post-secondary education by examining culturally appropriate best practices in this state and across the nation.

(4) The plan developed and implemented under this section must provide strategies to:

(a) Address the disproportionate rate of disciplinary incidents for plan students compared to all students in the education system;

(b) Increase parental engagement in the education of plan students;

(c) Increase the engagement of plan students in educational activities before and after regular school hours;

(d) Increase early childhood and kindergarten readiness for plan students;

(e) Improve literacy and numeracy levels among plan students between kindergarten and grade three;

(f) Support plan student transitions to middle school and through the middle and high school grades to maintain and improve academic performance;

(g) Support culturally responsive pedagogy and practices from early childhood through post-secondary education;

(h) Support the development of culturally responsive curricula from early childhood through post-secondary education;

(i) Increase attendance of plan students in community colleges and professional certification programs; and

(j) Increase attendance of plan students in four-year post-secondary institutions of education.

(5) The department shall submit a biennial report concerning the progress of the plan developed and implemented under this section at each even-numbered year regular session of the Legislative Assembly in the manner provided by ORS 192.245 to an interim committee of the Legislative Assembly related to education.

(6) The department, in consultation with the advisory group, shall award grants to early learning hubs, providers of early learning services, school districts, post-secondary institutions of education and community-based organizations to implement the strategies developed in the plan developed and implemented under this section.

(7) To qualify for and receive a grant described in this section, an applicant must identify and demonstrate that the applicant meets the eligibility criteria established by the State Board of Education by rule.

SECTION 13. ORS 185.560 is repealed.

SECTION 14. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.

Passed by House April 9, 2021

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 3, 2021

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

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Shemia Fagan, Secretary of State