

**A-Engrossed**  
**Senate Bill 658**

Ordered by the Senate April 11  
Including Senate Amendments dated April 11

Sponsored by Senator KNOPP; Senators ANDERSON, HANSELL, SMITH DB, WEBER (Pre-session filed.)

**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.

Establishes pilot program to provide funding to school districts for purposes of increasing access to schools by homeless students and improving academic achievement of homeless students. Directs Department of Education to award grants to school districts participating in pilot program from Statewide Education Initiatives Account. Sunsets pilot program July 1, [2026] **2025**.

Directs Department of Education to submit report on homeless students, including pilot program, to interim committees of Legislative Assembly related to education.

**Directs Department of Education to develop and implement statewide education plan for homeless students.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to homeless youth; creating new provisions; amending ORS 327.254 and 329.847 and sections  
3 64 and 68, chapter 631, Oregon Laws 2021; and declaring an emergency.

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

5 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 327.**

6 **SECTION 2. (1) As used in this section:**

7 (a) "ADM" has the meaning given that term in ORS 327.006.

8 (b) "Homeless students" means students who are considered homeless children and  
9 youths under the McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. 11434a(2).

10 (2) The Department of Education shall establish a pilot program to provide additional  
11 funding to school districts that have a significant population of homeless students.

12 (3)(a) The department shall award grants to school districts participating in the pilot  
13 program established by this section.

14 (b) A school district may participate in the pilot program as part of a consortium with  
15 one or more other school districts.

16 (c) A school district, or a consortium of school districts, may participate in the pilot  
17 program in partnership with one or more of the following:

18 (A) Education service districts.

19 (B) Local governments.

20 (C) Nonprofit organizations.

21 (D) Federally recognized Indian tribes.

22 (4) Grants shall be awarded from the Statewide Education Initiatives Account and must  
23 be used to provide direct assistance to homeless students in kindergarten through grade 12  
24 for the purposes of increasing access to schools and improving academic achievement.

**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 (5)(a) The amount of a grant awarded under this section to participating school districts  
2 shall equal the total number of homeless students who make up a school district's or  
3 consortium's ADM  $\times$  (the total amount available for distribution to school districts under  
4 this section  $\div$  the total number of homeless students who make up the ADM of all school  
5 districts that participate in the pilot program under this section).

6 (b) For the purpose of the calculation made under paragraph (a) of this subsection, the  
7 total amount available for distribution to school districts under this section shall equal the  
8 amount that is 1.0 of the additional amount used to calculate weighted average daily mem-  
9 bership under ORS 327.013 for purposes of State School Fund distributions  $\times$  the total  
10 number of homeless students who make up the ADM of all school districts that participate  
11 in the pilot program under this section.

12 (6) Any school district may apply to participate in the pilot program. To the greatest  
13 extent practicable, the department shall select school districts that:

14 (a) Have significant populations of homeless students, based on either the total number  
15 of homeless students of the school district or the percentage of homeless students of the  
16 school district; and

17 (b) Represent a diversity of sizes and geographic locations.

18 (7) The department shall enter into a grant agreement with any school district the de-  
19 partment selects to participate in the pilot program.

20 (8) After a grant agreement has been entered into, the department shall award a grant  
21 in the amount calculated under subsection (5) of this section. Grant moneys received under  
22 this section must be deposited into a separate account and applied as provided by the grant  
23 agreement.

24 (9) Each grant recipient must submit to the department a description of how grant  
25 moneys received under this section were used to advance the purposes described in sub-  
26 section (4) of this section. A grant recipient shall provide the information required under this  
27 subsection based on the timelines and forms prescribed by the department.

28 (10) The Department of Education may provide technical assistance to school districts  
29 participating in the pilot program. Technical assistance may include collaborating with the  
30 Department of Human Services to identify locations in each school district to use as shelters  
31 for homeless students.

32 (11) The State Board of Education shall adopt any rules necessary for the administration  
33 of the pilot program under this section.

34 **SECTION 3.** (1) Section 2 of this 2023 Act becomes operative on July 1, 2024.

35 (2) Notwithstanding the operative date set forth in subsection (1) of this section, the  
36 State Board of Education, the Department of Education and school districts may take any  
37 action that is necessary for school districts to use grant moneys during the 2024-2025 school  
38 year.

39 (3) The Department of Education shall submit to the interim legislative committees re-  
40 lated to education:

41 (a) Prior to November 1, 2024, a report that summarizes the planned uses of grant mon-  
42 eys awarded under section 2 of this 2023 Act; and

43 (b) Prior to November 1, 2025, a report that summarizes the results of the pilot program  
44 under section 2 of this 2023 Act.

45 **SECTION 4.** Section 2 of this 2023 Act is repealed on July 1, 2025.

1       **SECTION 5.** No later than September 15, 2026, the Department of Education, in collab-  
2 oration with the Department of Human Services, shall submit to the interim committees of  
3 the Legislative Assembly related to education a report on the education of homeless students  
4 in this state. The report must include, for the 2023-2024, 2024-2025 and 2025-2026 school years,  
5 information on:

6       (1) The percentage of homeless students who received a high school diploma, both as a  
7 percentage of total homeless students and as a percentage of all students;

8       (2) The demographics of homeless students; and

9       (3) The uses of moneys received by school districts under section 2 of this 2023 Act.

10       **SECTION 6.** Section 5 of this 2023 Act is repealed on January 2, 2027.

11       **SECTION 7.** (1) As used in this section, “plan student” means a student enrolled in early  
12 childhood through post-secondary education who:

13       (a) Is considered a homeless child or youth under the McKinney-Vento Homeless Assist-  
14 ance Act of 1987, 42 U.S.C. 11434a(2); and

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

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

19       (b) The department shall form an advisory group consisting of individuals who:

20       (A) Represent community-based organizations serving homeless youth and families; and

21       (B) Represent education stakeholders, including representatives of the Early Learning  
22 Division, the Youth Development Division and the Higher Education Coordinating Commis-  
23 sion.

24       (c) The advisory group formed as provided in paragraph (b) of this subsection shall advise  
25 the department regarding:

26       (A) Development and implementation of the plan;

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

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

30       (3) The plan developed under this section must address:

31       (a) The disparities experienced by plan students in every indicator of academic success,  
32 as documented by the statewide report card and other relevant reports related to plan stu-  
33 dents;

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

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

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

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

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

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

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

45       (e) Improve literacy and numeracy levels among plan students between kindergarten and

1 **grade three;**

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

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

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

8 (i) **Increase attendance of plan students in community colleges and professional certi-**  
9 **fication programs;**

10 (j) **Increase attendance of plan students in four-year post-secondary institutions of edu-**  
11 **cation; and**

12 (k) **Align the plan with statewide education plans developed and implemented under ORS**  
13 **329.841, 329.843, 329.845 and 329.847.**

14 (5) **The department shall submit a biennial report concerning the progress of the plan**  
15 **developed and implemented under this section to a committee of the Legislative Assembly**  
16 **related to education at each even-numbered year regular session of the Legislative Assembly.**

17 (6) **The department, in consultation with the advisory group, shall award grants to Early**  
18 **Learning Hubs, providers of early learning services, school districts, education service dis-**  
19 **tricts, post-secondary institutions of education, tribal governments, community-based or-**  
20 **ganizations or a consortium of these entities to implement the strategies provided in the plan**  
21 **developed and implemented under this section.**

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

25 **SECTION 8.** Section 7 of this 2023 Act is amended to read:

26 **Sec. 7.** (1) As used in this section, “plan student” means a student enrolled in early childhood  
27 through post-secondary education who:

28 (a) Is considered a homeless child or youth under the McKinney-Vento Homeless Assistance Act  
29 of 1987, 42 U.S.C. 11434a(2); and

30 (b) Has experienced disproportionate results in education due to historical practices, as identi-  
31 fied by the State Board of Education by rule.

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

34 (b) The Department **of Education** shall form an advisory group consisting of individuals who:

35 (A) Represent community-based organizations serving homeless youth and families; and

36 (B) Represent education stakeholders, including representatives of the [*Early Learning*  
37 *Division*] **the Department of Early Learning and Care**, the Youth Development Division and the  
38 Higher Education Coordinating Commission.

39 (c) The advisory group formed as provided in paragraph (b) of this subsection shall advise the  
40 Department **of Education** regarding:

41 (A) Development and implementation of the plan;

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

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

45 (3) The plan developed under this section must address:

1 (a) The disparities experienced by plan students in every indicator of academic success, as doc-  
2 umented by the statewide report card and other relevant reports related to plan students;

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

4 (c) The educational needs of plan students from early childhood through post-secondary educa-  
5 tion as determined by examining culturally appropriate best practices in this state and across the  
6 nation.

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

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

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

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

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

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

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

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

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

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

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

25 (k) Align the plan with statewide education plans developed and implemented under ORS  
26 329.841, 329.843, 329.845 and 329.847.

27 (5) The Department **of Education** shall submit a biennial report concerning the progress of the  
28 plan developed and implemented under this section to a committee of the Legislative Assembly re-  
29 lated to education at each even-numbered year regular session of the Legislative Assembly.

30 (6) The Department **of Education**, in consultation with the advisory group, shall award grants  
31 to Early Learning Hubs, providers of early learning services, school districts, education service  
32 districts, post-secondary institutions of education, tribal governments, community-based organiza-  
33 tions or a consortium of these entities to implement the strategies provided in the plan developed  
34 and implemented under this section.

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

38 **SECTION 9.** Section 64, chapter 631, Oregon Laws 2021, as amended by section 1, chapter 27,  
39 Oregon Laws 2022, is amended to read:

40 **Sec. 64.** (1) ORS 326.432 and 329A.750, the amendments to ORS 131A.360, 131A.365, 183.459,  
41 279A.050, 326.425, 326.430, 326.435, 327.269, 327.274, 329.155, 329.156, 329.165, 329.170, 329.172,  
42 329.175, 329.181, 329.183, 329.185, 329.195, 329.200, 329.219, 329.841, 329.843, 329.845, 329A.010,  
43 329A.120, 329A.135, 329A.250, 329A.261, 329A.712, 336.101, 336.104, 343.465, 343.475, 343.499, 417.781,  
44 417.782, 417.784, 417.788, 417.790, 417.793, 417.795, 417.796, 417.827, 417.829, 419B.005, 433.301,  
45 609.652, 805.205 and 805.207 by sections 11 and 14 to 62, chapter 631, Oregon Laws 2021, **the**

1 **amendments to ORS 329.847 by section 13 of this 2023 Act, the amendments to section 7 of**  
 2 **this 2023 Act by section 8 of this 2023 Act** and the repeal of ORS 329.145, 329.150, 329.190,  
 3 329A.490 and 329A.493 by section 63, chapter 631, Oregon Laws 2021, become operative on July 1,  
 4 2023.

5 (2) Notwithstanding the operative date set forth in subsection (1) of this section, the Early  
 6 Learning Division and the Department of Education may take any action before the operative date  
 7 set forth in subsection (1) of this section that is necessary for the Department of Early Learning and  
 8 Care to exercise, on and after the operative date set forth in subsection (1) of this section, all of the  
 9 duties, functions and powers conferred on the Department of Early Learning and Care by ORS  
 10 326.432 and 329A.750 and the amendments to ORS 131A.360, 131A.365, 183.459, 279A.050, 326.425,  
 11 326.430, 326.435, 327.269, 327.274, 329.155, 329.156, 329.165, 329.170, 329.172, 329.175, 329.181, 329.183,  
 12 329.185, 329.195, 329.200, 329.219, 329.841, 329.843, 329.845, 329A.010, 329A.120, 329A.135, 329A.250,  
 13 329A.261, 329A.712, 336.101, 336.104, 343.465, 343.475, 343.499, 417.781, 417.782, 417.784, 417.788,  
 14 417.790, 417.793, 417.795, 417.796, 417.827, 417.829, 419B.005, 433.301, 609.652, 805.205 and 805.207 by  
 15 sections 11 and 14 to 62, chapter 631, Oregon Laws 2021, **the amendments to ORS 329.847 by**  
 16 **section 13 of this 2023 Act and the amendments to section 7 of this 2023 Act by section 8 of**  
 17 **this 2023 Act.**

18 (3) For the purpose of ensuring that the Department of Early Learning and Care may exercise,  
 19 on and after the operative date set forth in subsection (1) of this section, all of the duties, functions  
 20 and powers conferred on the Department of Early Learning and Care by ORS 326.432 and 329A.750  
 21 and the amendments to ORS 131A.360, 131A.365, 183.459, 279A.050, 326.425, 326.430, 326.435, 327.269,  
 22 327.274, 329.155, 329.156, 329.165, 329.170, 329.172, 329.175, 329.181, 329.183, 329.185, 329.195, 329.200,  
 23 329.219, 329.841, 329.843, 329.845, 329A.010, 329A.120, 329A.135, 329A.250, 329A.261, 329A.712,  
 24 336.101, 336.104, 343.465, 343.475, 343.499, 417.781, 417.782, 417.784, 417.788, 417.790, 417.793, 417.795,  
 25 417.796, 417.827, 417.829, 419B.005, 433.301, 609.652, 805.205 and 805.207 by sections 11 and 14 to 62,  
 26 chapter 631, Oregon Laws 2021, **the amendments to ORS 329.847 by section 13 of this 2023 Act**  
 27 **and the amendments to section 7 of this 2023 Act by section 8 of this 2023 Act,** the Early  
 28 Learning Division and the Department of Education shall develop and implement a plan that pro-  
 29 vides for a seamless transfer of duties, functions and powers.

30 (4) The Governor shall resolve any disputes related to the plan developed and implemented un-  
 31 der subsection (3) of this section, and the Governor's decision is final.

32 **SECTION 10.** Section 68, chapter 631, Oregon Laws 2021, is amended to read:

33 **Sec. 68.** (1) Nothing in [*sections 12 and 13 of this 2021 Act*] **ORS 326.432 and 329A.750**, the  
 34 amendments to ORS 131A.360, 131A.365, 183.459, 279A.050, 326.425, 326.430, 326.435, 327.269, 327.274,  
 35 329.155, 329.156, 329.165, 329.170, 329.172, 329.175, 329.181, 329.183, 329.185, 329.195, 329.200, 329.219,  
 36 329.841, 329.843, 329.845, 329A.010, 329A.120, 329A.135, 329A.250, 329A.261, 329A.712, 336.101,  
 37 336.104, 343.465, 343.475, 343.499, 417.781, 417.782, 417.784, 417.788, 417.790, 417.793, 417.795, 417.796,  
 38 417.827, 417.829, 419B.005, 433.301, 609.652, 805.205 and 805.207 by sections 11 and 14 to 62 [*of this*  
 39 *2021 Act*], **chapter 631, Oregon Laws 2021, the amendments to ORS 329.847 by section 13 of**  
 40 **this 2023 Act and the amendments to section 7 of this 2023 Act by section 8 of this 2023 Act,**  
 41 or the repeal of ORS 329.145, 329.150, 329.190, 329A.490 and 329A.493 by section 63 [*of this 2021*  
 42 *Act*], **chapter 631, Oregon Laws 2021,** relieves a person of a liability, duty or obligation accruing  
 43 under or with respect to the duties, functions and powers transferred by the amendments to ORS  
 44 326.430 by section 11 [*of this 2021 Act*], **chapter 631, Oregon Laws 2021.** The Department of Early  
 45 Learning and Care may undertake the collection or enforcement of any such liability, duty or obli-

1 gation.

2 (2) The rights and obligations of the Early Learning Division or the Department of Education  
3 on behalf of the Early Learning Division legally incurred under contracts, leases and business  
4 transactions executed, entered into or begun before the operative date of the amendments to ORS  
5 326.430 by section 11 [*of this 2021 Act*], **chapter 631, Oregon Laws 2021**, are transferred to the  
6 Department of Early Learning and Care. For the purpose of succession to these rights and obli-  
7 gations, the Department of Early Learning and Care is a continuation of the Early Learning Divi-  
8 sion and not a new authority.

9 **SECTION 11.** ORS 327.254 is amended to read:

10 327.254. (1) The Department of Education shall use moneys in the Statewide Education Initi-  
11 atives Account to provide funding for statewide education initiatives, including:

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

14 (b) Expanding school breakfast and lunch programs;

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

16 (d) Establishing and maintaining the Statewide School Safety and Prevention System under ORS  
17 339.341;

18 (e) Developing and providing statewide equity initiatives, including [*the Black or African-*  
19 *American education plan developed under ORS 329.841, the American Indian or Alaska Native edu-*  
20 *cation plan developed under ORS 329.843, the Latino or Hispanic education plan developed under ORS*  
21 *329.845 or any similar*] **any statewide** education plan [*identified*] **developed and implemented** by  
22 the department;

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

25 (g) Funding early warning systems to assist students in graduating from high school, as de-  
26 scribed in ORS 327.367;

27 (h) Developing and implementing professional development programs and training programs, in-  
28 cluding programs that increase educator diversity and retain diverse educators;

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

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

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

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

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

36 (L) Funding public charter schools, as described in ORS 327.362;

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

38 (n) Funding costs incurred by the department in implementing this section and ORS 327.175 to  
39 327.235 and 327.274.

40 (2)(a) The amount of a distribution to an education service district under this section shall be  
41 made as provided by paragraph (b) of this subsection after calculating the following for each edu-  
42 cation service district:

43 (A) One percent of the total amount available for distribution to education service districts in  
44 each biennium.

45 (B) The education service district's  $ADMw \times$  (the total amount available for distribution to

1 education service districts in each biennium ÷ the total ADMw of all education service districts  
2 that receive a distribution).

3 (b) The amount of the distribution to an education service district shall be the greater of the  
4 amounts calculated under paragraph (a) of this subsection, except that, for distributions made as  
5 provided by paragraph (a)(B) of this subsection, the total amount available for distribution to edu-  
6 cation service districts shall be the amount remaining after any distributions required under para-  
7 graph (a)(A) of this subsection have been made.

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

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

16 (e) A plan developed under this subsection must:

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

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

21 (C) Provide for coordination with the department in administering and providing technical as-  
22 sistance to school districts, including coordinating any coaching programs established under ORS  
23 327.214; and

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

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

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

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

31 (3) The State Board of Education shall adopt rules necessary for the distribution of moneys un-  
32 der this section.

33 **SECTION 12.** ORS 329.847 is amended to read:

34 329.847. (1) As used in this section, "plan student" means a student enrolled in early childhood  
35 through post-secondary education who:

36 (a) May be lesbian, gay, bisexual, transgender, queer, two-spirit, intersex, asexual, nonbinary or  
37 another minority gender identity or sexual orientation; and

38 (b) Has experienced disproportionate results in education due to historical practices, as identi-  
39 fied by the State Board of Education by rule.

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

42 (b) The department shall form an advisory group to advise the department regarding the  
43 adoption and implementation of the plan. The advisory group must consist of:

44 (A) Individuals who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex,  
45 asexual, nonbinary or another minority gender identity or sexual orientation;

1 (B) Students who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex,  
2 asexual, nonbinary or another minority gender identity or sexual orientation;

3 (C) Representatives of community-based organizations that serve lesbian, gay, bisexual,  
4 transgender, queer, two-spirit, intersex, asexual, nonbinary or another minority gender identity or  
5 sexual orientation population; and

6 (D) Education stakeholders, including representatives of the Early Learning Division, the Youth  
7 Development Division and the Higher Education Coordinating Commission.

8 (c) When implementing the plan, the department shall consult with:

9 (A) The advisory group described in paragraph (b) of this subsection;

10 [(B) *The advisory group described in ORS 329.841, related to students who are Black or African-*  
11 *American;*]

12 [(C) *The advisory group described in ORS 329.843, related to students who are American Indian*  
13 *or Alaska Native;*]

14 [(D) *The advisory group described in ORS 329.845, related to students who are Latino or Hispanic;*  
15 *and*]

16 **(B) Advisory groups formed by the department to develop and implement statewide edu-**  
17 **cation plans for plan students; and**

18 [(E)] (C) Any other advisory groups or education stakeholders identified by the department.

19 (d) The department shall be responsible for:

20 (A) Implementing the plan developed under this section;

21 (B) Developing eligibility criteria, the applicant selection process and expectations for recipients  
22 of grant awards described in this section; and

23 (C) Advising the State Board of Education on the adoption of rules under this section.

24 (3) The plan developed under this section must address:

25 (a) The disparities experienced by plan students in every indicator of academic success, as doc-  
26 umented by the department's statewide report card and other relevant reports related to plan stu-  
27 dents;

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

29 (c) The educational needs of plan students from early childhood through post-secondary educa-  
30 tion as determined by examining culturally appropriate best practices in this state and across the  
31 nation.

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

33 (a) Address the disproportionate rate of disciplinary incidents involving plan students as com-  
34 pared to all students in the education system;

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

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

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

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

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

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

45 (h) Support the development of culturally responsive curricula from early childhood through

1 post-secondary education;

2 (i) Increase attendance of plan students in early childhood programs through post-secondary and  
3 professional certification programs; and

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

5 (5) The department shall submit a biennial report concerning the progress of the plan developed  
6 and implemented under this section to a committee of the Legislative Assembly related to education  
7 at each even-numbered year regular session of the Legislative Assembly.

8 (6) The department, in consultation with the advisory group, may award grants to Early Learn-  
9 ing Hubs, providers of early learning services, school districts, education service districts, post-  
10 secondary institutions of education, tribal governments, community-based organizations or a  
11 consortium of these entities to implement the strategies provided in the plan developed and imple-  
12 mented under this section.

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

16 **SECTION 13.** ORS 329.847, as amended by section 12 of this 2023 Act, is amended to read:

17 329.847. (1) As used in this section, “plan student” means a student enrolled in early childhood  
18 through post-secondary education who:

19 (a) May be lesbian, gay, bisexual, transgender, queer, two-spirit, intersex, asexual, nonbinary or  
20 another minority gender identity or sexual orientation; and

21 (b) Has experienced disproportionate results in education due to historical practices, as identi-  
22 fied by the State Board of Education by rule.

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

25 (b) The department shall form an advisory group to advise the department regarding the  
26 adoption and implementation of the plan. The advisory group must consist of:

27 (A) Individuals who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex,  
28 asexual, nonbinary or another minority gender identity or sexual orientation;

29 (B) Students who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex,  
30 asexual, nonbinary or another minority gender identity or sexual orientation;

31 (C) Representatives of community-based organizations that serve lesbian, gay, bisexual,  
32 transgender, queer, two-spirit, intersex, asexual, nonbinary or another minority gender identity or  
33 sexual orientation population; and

34 (D) Education stakeholders, including representatives of the [*Early Learning Division*] **Depart-**  
35 **ment of Early Learning and Care**, the Youth Development Division and the Higher Education  
36 Coordinating Commission.

37 (c) When implementing the plan, the Department of **Education** shall consult with:

38 (A) The advisory group described in paragraph (b) of this subsection;

39 (B) Advisory groups formed by the department to develop and implement [*a*] statewide education  
40 [*plan*] **plans** for plan students; and

41 (C) Any other advisory groups or education stakeholders identified by the department.

42 (d) The department shall be responsible for:

43 (A) Implementing the plan developed under this section;

44 (B) Developing eligibility criteria, the applicant selection process and expectations for recipients  
45 of grant awards described in this section; and

1 (C) Advising the State Board of Education on the adoption of rules under this section.

2 (3) The plan developed under this section must address:

3 (a) The disparities experienced by plan students in every indicator of academic success, as doc-  
4 umented by the [*department's*] statewide report card and other relevant reports related to plan stu-  
5 dents;

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

7 (c) The educational needs of plan students from early childhood through post-secondary educa-  
8 tion as determined by examining culturally appropriate best practices in this state and across the  
9 nation.

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

11 (a) Address the disproportionate rate of disciplinary incidents involving plan students as com-  
12 pared to all students in the education system;

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

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

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

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

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

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

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

25 (i) Increase attendance of plan students in early childhood programs through post-secondary and  
26 professional certification programs; and

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

28 (5) The department shall submit a biennial report concerning the progress of the plan developed  
29 and implemented under this section to a committee of the Legislative Assembly related to education  
30 at each even-numbered year regular session of the Legislative Assembly.

31 (6) The department, in consultation with the advisory group, may award grants to Early Learn-  
32 ing Hubs, providers of early learning services, school districts, education service districts, post-  
33 secondary institutions of education, tribal governments, community-based organizations or a  
34 consortium of these entities to implement the strategies provided in the plan developed and imple-  
35 mented under this section.

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

39 **SECTION 14.** ORS 327.254, as amended by section 11 of this 2023 Act, is amended to read:

40 327.254. (1) The Department of Education shall use moneys in the Statewide Education Initi-  
41 atives Account to provide funding for statewide education initiatives, including:

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

44 (b) Expanding school breakfast and lunch programs;

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

1 (d) Establishing and maintaining the Statewide School Safety and Prevention System under ORS  
2 339.341;

3 (e) Developing and providing statewide equity initiatives, including any statewide education plan  
4 developed and implemented by the department;

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

7 (g) Funding early warning systems to assist students in graduating from high school, as de-  
8 scribed in ORS 327.367;

9 (h) Developing and implementing professional development programs and training programs, in-  
10 cluding programs that increase educator diversity and retain diverse educators;

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

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

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

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

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

18 (L) Funding public charter schools, as described in ORS 327.362;

19 (m) Funding education service districts, as described in subsection (2) of this section; *[and]*

20 **(n) Funding for homeless students, as provided by section 2 of this 2023 Act; and**

21 *[(n)]* (o) Funding costs incurred by the department in implementing this section and ORS 327.175  
22 to 327.235 and 327.274.

23 (2)(a) The amount of a distribution to an education service district under this section shall be  
24 made as provided by paragraph (b) of this subsection after calculating the following for each edu-  
25 cation service district:

26 (A) One percent of the total amount available for distribution to education service districts in  
27 each biennium.

28 (B) The education service district's  $ADMw \times$  (the total amount available for distribution to  
29 education service districts in each biennium  $\div$  the total ADMw of all education service districts  
30 that receive a distribution).

31 (b) The amount of the distribution to an education service district shall be the greater of the  
32 amounts calculated under paragraph (a) of this subsection, except that, for distributions made as  
33 provided by paragraph (a)(B) of this subsection, the total amount available for distribution to edu-  
34 cation service districts shall be the amount remaining after any distributions required under para-  
35 graph (a)(A) of this subsection have been made.

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

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

44 (e) A plan developed under this subsection must:

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

1 school districts developing the plan;

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

4 (C) Provide for coordination with the department in administering and providing technical as-  
5 sistance to school districts, including coordinating any coaching programs established under ORS  
6 327.214; and

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

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

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

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

14 (3) The State Board of Education shall adopt rules necessary for the distribution of moneys un-  
15 der this section.

16 **SECTION 15. The amendments to ORS 327.254 by section 14 of this 2023 Act become op-**  
17 **erative on July 1, 2024.**

18 **SECTION 16.** ORS 327.254, as amended by sections 11 and 14 of this 2023 Act, is amended to  
19 read:

20 327.254. (1) The Department of Education shall use moneys in the Statewide Education Initi-  
21 atives Account to provide funding for statewide education initiatives, including:

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

24 (b) Expanding school breakfast and lunch programs;

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

26 (d) Establishing and maintaining the Statewide School Safety and Prevention System under ORS  
27 339.341;

28 (e) Developing and providing statewide equity initiatives, including any statewide education plan  
29 developed and implemented by the department;

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

32 (g) Funding early warning systems to assist students in graduating from high school, as de-  
33 scribed in ORS 327.367;

34 (h) Developing and implementing professional development programs and training programs, in-  
35 cluding programs that increase educator diversity and retain diverse educators;

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

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

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

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

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

43 (L) Funding public charter schools, as described in ORS 327.362;

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

45 *[(n) Funding for homeless students, as provided by section 2 of this 2023 Act; and]*

1        [(o)] (n) Funding costs incurred by the department in implementing this section and ORS 327.175  
2 to 327.235 and 327.274.

3        (2)(a) The amount of a distribution to an education service district under this section shall be  
4 made as provided by paragraph (b) of this subsection after calculating the following for each edu-  
5 cation service district:

6            (A) One percent of the total amount available for distribution to education service districts in  
7 each biennium.

8            (B) The education service district's  $ADMw \times$  (the total amount available for distribution to  
9 education service districts in each biennium  $\div$  the total ADMw of all education service districts  
10 that receive a distribution).

11        (b) The amount of the distribution to an education service district shall be the greater of the  
12 amounts calculated under paragraph (a) of this subsection, except that, for distributions made as  
13 provided by paragraph (a)(B) of this subsection, the total amount available for distribution to edu-  
14 cation service districts shall be the amount remaining after any distributions required under para-  
15 graph (a)(A) of this subsection have been made.

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

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

24        (e) A plan developed under this subsection must:

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

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

29            (C) Provide for coordination with the department in administering and providing technical as-  
30 sistance to school districts, including coordinating any coaching programs established under ORS  
31 327.214; and

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

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

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

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

39        (3) The State Board of Education shall adopt rules necessary for the distribution of moneys un-  
40 der this section.

41        **SECTION 17. The amendments to ORS 327.254 by section 16 of this 2023 Act become op-**  
42 **erative on July 1, 2025.**

43        **SECTION 18. This 2023 Act being necessary for the immediate preservation of the public**  
44 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**  
45 **on its passage.**

