

# Senate Bill 854

Sponsored by Senators MANNING JR, PATTERSON (at the request of Oregon Educators for Climate Education)

## 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 **as introduced**.

Requires each school district board to develop written plan establishing climate change instructional program for kindergarten through grade 12 no later than June 1, 2026. Establishes requirements for instructional program. Requires school district board to review and update plan every seven years.

Requires Department of Education to establish model plan to provide guidance to school districts and to develop academic content standards for climate change instructional program.

Requires Superintendent of Public Instruction to withhold from noncompliant school districts amounts otherwise to be distributed as grants from Student Investment Account.

Provides that purposes of grants distributed from Student Investment Account includes meeting requirements for climate change instructional program. Requires eligible applicants to describe in grant application how school district is meeting climate change instructional program requirements.

Requires career and technical education programs to integrate climate change instruction to support climate-focused sustainability career pathways.

## A BILL FOR AN ACT

1  
2 Relating to climate change instruction in public schools; creating new provisions; and amending ORS  
3 327.180, 327.185 and 327.865.

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 329.**

6 **SECTION 2. (1) No later than June 1, 2026, each school district board shall develop a  
7 written plan establishing a climate change instructional program for students in  
8 kindergarten through grade 12. A school district that establishes a climate change instruc-  
9 tional program must meet the following requirements:**

10 (a) **The school district shall invite representatives from federally recognized Indian tribes  
11 in this state to review and provide feedback regarding the plan.**

12 (b) **The school district shall submit a written plan describing the program to the De-  
13 partment of Education for department approval, along with the reasons for incorporating or  
14 excluding any feedback received under paragraph (a) of this subsection.**

15 (c) **Every seven years, the school district shall conduct a review of the plan and submit  
16 an updated plan to the department for reauthorization and approval.**

17 (2) **Instruction provided under the program must, at a minimum, be designed to:**

18 (a) **Educate students on how to confront the current and expected impacts of climate  
19 change from diverse decision-making perspectives.**

20 (b) **Increase understanding about the interconnection between the earth's physical and  
21 biological systems and the effects that certain life choices, including choices regarding food,  
22 water, clothing, construction and transportation, may have on those systems.**

23 (c) **Equip students with the knowledge, tools and skills to address psychological and  
24 mental health challenges associated with ongoing changes to the climate and natural re-  
25 source availability.**

**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 (d) Examine the human rights implications of climate change.

2 (e) Increase understanding about the scientific causes of and the ways to prepare for and  
3 reduce the effects of climate change.

4 (f) Inform students on how to meaningfully respond to the negative impacts of climate  
5 change by engaging in stewardship activities, policy-making and civic participation.

6 (g) Increase understanding regarding the relationship between the ecological, societal and  
7 cultural aspects of climate change.

8 (h) Require students to study how climate change disproportionately impacts the envi-  
9 ronment and natural resources of historically underserved populations.

10 (i) Educate students on natural resource management, economics, and labor as those  
11 topics relate to climate change mitigation and adaptation within the context of students' lo-  
12 cal communities.

13 (j) Inform students about historic and contemporary Indigenous practices and principles  
14 for approaching environmental sustainability and ecological knowledge.

15 (k) Teach students to assess the cycles of garbage, waste, emissions, and other bypro-  
16 ducts, including the short-term and long-term impacts on human communities and larger  
17 ecosystems.

18 (L) Facilitate discussion about the economic and political factors contributing to climate  
19 change.

20 (m) Provide information regarding the social movements aimed at climate change miti-  
21 gation and adaptation, environmental sustainability and stewardship of natural resources.

22 (3) A school district must first offer a climate change instructional program that meets  
23 the requirements established under subsection (2) of this section no later than the 2026-2027  
24 school year.

25 (4) The Department of Education shall:

26 (a) In consultation with the Department of Environmental Quality, the Oregon Health  
27 Authority and other interested stakeholders, develop and adopt a model plan to provide  
28 guidance to school districts in establishing a climate change instructional program under  
29 this section.

30 (b)(A) Develop academic content standards for a climate change instructional program  
31 and shall prepare materials to support school district training and classroom instruction in  
32 climate change education; and

33 (B) Provide academic content standards developed under this paragraph to ensure that  
34 school districts are able to establish a climate change instructional program to offer in-  
35 struction that meets the academic content standards no later than the 2026-2027 school year.

36 (c) Review and approve activities, resources and materials developed by the Department  
37 of Environmental Quality, the Oregon Health Authority and interested stakeholders that  
38 meet the academic content standards for the climate change instructional program developed  
39 by the Department of Education and make available a list of the approved activities, re-  
40 sources and materials to school districts.

41 (5) If a school district fails to develop and implement a climate change instructional  
42 program as required under this section, the Superintendent of Public Instruction shall  
43 withhold from distribution to the school district amounts otherwise to be distributed as  
44 grants under ORS 327.195.

45 **SECTION 3.** ORS 327.180 is amended to read:

1       327.180. (1) In addition to those moneys distributed through the State School Fund, the Depart-  
2       ment of Education shall award grants from the Student Investment Account. Grants shall be dis-  
3       tributed as provided under ORS 327.195.

4       (2) The purposes of grants distributed under ORS 327.195 shall be to:

5       (a) Meet students' mental or behavioral health needs; *[and]*

6       (b) Increase academic achievement for students, including reducing academic disparities for:

7       (A) Economically disadvantaged students, as determined based on rules adopted by the State  
8       Board of Education;

9       (B) Students from racial or ethnic groups that have historically experienced academic dispari-  
10       ties, as determined under rules adopted by the State Board of Education;

11       (C) Students with disabilities;

12       (D) Students who are English language learners;

13       (E) Students who are foster children, as defined in ORS 30.297;

14       (F) Students who are homeless, as determined under rules adopted by the State Board of Edu-  
15       cation; and

16       (G) Any other student groups that have historically experienced academic disparities, as deter-  
17       mined by the State Board of Education by rule[.]; **and**

18       (c) **Meet the climate change instructional program requirements under section 2 of this**  
19       **2023 Act.**

20       (3) Grant moneys received under ORS 327.195 may be used by a grant recipient only for:

21       (a) Increasing instructional time, which may include:

22       (A) More hours or days of instructional time;

23       (B) Summer programs;

24       (C) Before-school or after-school programs; or

25       (D) Technological investments that minimize class time used for assessments administered to  
26       students.

27       (b) Addressing students' health or safety needs, which may include:

28       (A) Social-emotional learning and development;

29       (B) Student mental and behavioral health;

30       (C) Improvements to teaching and learning practices or organizational structures that lead to  
31       better interpersonal relationships at the school;

32       (D) Student health and wellness;

33       (E) Trauma-informed practices;

34       (F) School health professionals and assistants; or

35       (G) Facility improvements directly related to improving student health or safety.

36       (c) Reducing class sizes, which may include increasing the use of instructional assistants, by  
37       using evidence-based criteria to ensure appropriate student-teacher ratios or staff caseloads.

38       (d) Expanding availability of and student participation in well-rounded learning experiences,  
39       which may include:

40       (A) Developmentally appropriate and culturally responsive early literacy practices and programs  
41       in prekindergarten through third grade;

42       (B) Culturally responsive practices and programs in grades six through eight, including learning,  
43       counseling and student support that is connected to colleges and careers;

44       (C) Broadened curricular options at all grade levels, including access to:

45       (i) Art, music and physical education classes;

- 1 (ii) Science, technology, engineering and mathematics education;
- 2 (iii) Career and technical education, including career and technical student organization pro-
- 3 grams and payment of student fees, costs and instructors of those programs;
- 4 (iv) Electives that are engaging to students;
- 5 (v) Accelerated college credit programs, including dual credit programs, International
- 6 Baccalaureate programs and advanced placement programs;
- 7 (vi) Dropout prevention programs and transition supports;
- 8 (vii) Life skills classes; or
- 9 (viii) Talented and gifted programs; or
- 10 (D) Access to licensed educators with a library media endorsement.

11 **SECTION 4.** ORS 327.185 is amended to read:

12 327.185. (1) As used in this section, “eligible applicant” means any of the following entities:

- 13 (a) Common school districts and union high school districts.
- 14 (b) The Youth Corrections Education Program or the Juvenile Detention Education Program.
- 15 (c) Public charter schools that are not virtual public charter schools, as defined in ORS 338.005,
- 16 and that have a student population of which:

17 (A) At least 35 percent of the student population is composed of students from the following

18 student groups:

- 19 (i) Economically disadvantaged, as described in ORS 327.180 (2)(b)(A);
- 20 (ii) Racial or ethnic groups that have historically experienced academic disparities, as described
- 21 in ORS 327.180 (2)(b)(B); or
- 22 (iii) Students with disabilities, as described in ORS 327.180 (2)(b)(C); and

23 (B) The percentage of the students from student groups identified under subparagraph (A) of this

24 paragraph is greater than:

- 25 (i) The percentage of all students in the school district who are economically disadvantaged, if
- 26 eligibility is determined based on the percentage of students who are economically disadvantaged;
- 27 (ii) The percentage of all students in the school district who are from racial or ethnic groups
- 28 that have historically experienced academic disparities, if eligibility is determined based on the
- 29 percentage of students who are from those racial or ethnic groups; or
- 30 (iii) The percentage of all students in the school district who are disabled, if eligibility is de-
- 31 termined based on the percentage of students who are disabled.

32 (2)(a) Eligible applicants may apply for a grant from the Student Investment Account to receive

33 a distribution under ORS 327.190.

34 (b) Notwithstanding ORS 338.155 (9), a public charter school that is not an eligible applicant

35 may not apply for a grant under this section.

36 (3) Prior to preparing a grant application, an eligible applicant must:

37 (a) If the eligible applicant is a school district, determine whether the school district will allow

38 public charter schools sponsored by, or located within, the school district to participate in the grant

39 application and the grant agreement.

40 (b) If the eligible applicant is a public charter school, determine whether the public charter

41 school intends to apply for a grant and provide notice of that intent to the school district in which

42 the public charter school is located and to the Department of Education.

43 (4)(a) If an eligible applicant is a school district and decides to include public charter schools

44 in the grant application and grant agreement, the school district must provide all public charter

45 schools sponsored by, or located within, the school district the opportunity to participate in the

1 grant application and grant agreement.

2 (b)(A) A public charter school is not required to participate in the grant application and grant  
3 agreement of a school district.

4 (B) If a public charter school does not participate in a grant application and grant agreement  
5 under this subsection:

6 (i) The ADMw of the public charter school may not be used in the calculation of the school  
7 district ADMw for grants distributed under ORS 327.195; and

8 (ii) The public charter school is not entitled to any grant moneys distributed under ORS 327.195.

9 (C) If a public charter school participates in a grant application and grant agreement under this  
10 subsection:

11 (i) The public charter school and school district shall enter into an agreement for the distrib-  
12 ution of moneys or the provision of services, including any accountability measures required of the  
13 public charter school by the school district;

14 (ii) The ADMw of the public charter school shall be used in the calculation of the school district  
15 ADMw for grants distributed under ORS 327.195; and

16 (iii) The public charter school is entitled to any grant moneys or services provided for in the  
17 agreement entered into under this subparagraph.

18 (5)(a) For the purpose of preparing a grant application, an eligible applicant must determine:

19 (A) Which of the allowed uses identified in ORS 327.180 (3) the eligible applicant will fund with  
20 grant moneys; and

21 (B) Which of the eligible uses identified under subparagraph (A) of this paragraph the eligible  
22 applicant will designate to meeting student mental and behavioral health needs.

23 (b) An eligible applicant shall make the determinations required under paragraph (a) of this  
24 subsection by:

25 (A) Engaging in strategic planning; and

26 (B) Considering the recommendations of the Quality Education Commission established under  
27 ORS 327.500.

28 (6)(a) The strategic planning required under subsection (5) of this section must include:

29 (A) A completed needs assessment, as described in ORS 329.095;

30 (B) An analysis of the potential academic impact, both for the students of the eligible applicant  
31 and for student groups identified in ORS 327.180 (2)(b), from the allowed uses that would be funded  
32 by grant moneys; and

33 (C) The creation of budgets for the allowed uses that would be funded by grant moneys.

34 (b) The strategic planning required under subsection (5) of this section must take into consid-  
35 eration:

36 (A) Input from the community of the eligible applicant, including school employees, students  
37 from student groups identified in ORS 327.180 (2)(b) and parents of those students; and

38 (B) Data collected by the eligible applicant to enable the eligible applicant to make equity-based  
39 decisions.

40 (7) Based on the strategic planning described in subsection (6) of this section, the eligible ap-  
41 plicant shall develop a four-year plan for the use of grant moneys. The plan must be updated every  
42 two years and must:

43 (a) Identify which allowed uses identified in ORS 327.180 (3) will be funded with grant moneys  
44 and which of those uses will be designated to meet student mental and behavioral health needs.

45 (b) Describe how the allowed uses identified under paragraph (a) of this subsection will be used

1 to:

2 (A) Meet students' mental and behavioral health needs;

3 (B) Increase academic achievement for students of the eligible applicant; and

4 (C) Reduce academic disparities for student groups identified in ORS 327.180 (2)(b) who are  
5 served by the eligible applicant, and identify which of those student groups will benefit from the  
6 allowed uses that are being funded with grant moneys.

7 (c) Include the budgets for the allowed uses to be funded with grant moneys.

8 (d) Be approved by the governing body of the eligible applicant at an open meeting, following:

9 (A) Provision of the plan at the main office of the eligible applicant and on the eligible  
10 applicant's website;

11 (B) Oral presentation of the plan by an administrator of the eligible applicant to the governing  
12 body of the eligible applicant; and

13 (C) Opportunity for the public to comment on the plan at an open meeting.

14 (e) Be a part of the local district continuous improvement plan described in ORS 329.095, if the  
15 eligible applicant is a school district.

16 (8) To apply for a grant, an eligible applicant must submit an application every two years in a  
17 format and according to timelines prescribed by the Department of Education. The application must  
18 include:

19 (a) A completed needs assessment, as described in ORS 329.095;

20 (b) The plan developed under subsection (7) of this section; *[and]*

21 (c) Budget estimates for each of the allowed uses identified in the plan developed under sub-  
22 section (7) of this section that will be funded by grant moneys[.]; **and**

23 **(d) If applicable, a statement describing how a school district is meeting the climate**  
24 **change instructional program requirements under section 2 of this 2023 Act.**

25 **SECTION 5.** ORS 327.865 is amended to read:

26 327.865. (1) A school district shall use a portion of the funds apportioned under ORS 327.859 to  
27 establish or expand career and technical education programs in high schools that:

28 (a) Are relevant to the job market in the community or region the school district serves; **and**

29 **(b) Integrate the climate change instructional program described in section 2 of this 2023**  
30 **Act to support climate-focused sustainability career pathways.**

31 (2) For purposes of this section, establishment or expansion of a career and technical education  
32 program includes the purchase of equipment, the construction of facilities and the recruitment, li-  
33 censing, employment and training of personnel to provide career and technical education.

34 (3) The portion of funds to be used as described in this section shall be determined as provided  
35 by ORS 327.874.

36