

Senate Bill 575

Sponsored by Senator GELSER BLOUIN, Representative HUDSON (Presession 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 **as introduced**.

Directs Department of Education to develop and implement statewide education plan for students who are eligible for special education and who have experienced disproportionate results in education due to historical practices.

Requires school districts to establish special education advisory council. Authorizes use of moneys from Student Investment Account for councils.

Requires all statewide education plans to include strategies that provide for alignment with other statewide education plans.

Declares emergency, effective July 1, 2023.

A BILL FOR AN ACT

1
2 Relating to statewide education plans; creating new provisions; amending ORS 327.180, 327.254,
3 329.841, 329.843, 329.845 and 329.847 and sections 64 and 68, chapter 631, Oregon Laws 2021; and
4 declaring an emergency.

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

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

8 (a) **Is a student eligible for special education as a child with a disability, as defined in**
9 **ORS 343.035; and**

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

12 (2)(a) **The Department of Education shall develop and implement a statewide education**
13 **plan for plan students, including:**

14 (A) **Consulting with the advisory groups formed for other similar statewide education**
15 **plans;**

16 (B) **Establishing criteria and administering the selection and accountability requirements**
17 **for grants awarded under this section;**

18 (C) **Providing technical assistance to special education advisory councils established as**
19 **provided by section 5 of this 2023 Act; and**

20 (D) **Advising the State Board of Education on the adoption of rules for implementation**
21 **of the plan.**

22 (b) **When developing and implementing the plan, the department shall consult with:**

23 (A) **Local, state and national organizations that have expertise in the best practices for**
24 **providing special education and related services; and**

25 (B) **The advisory group formed under paragraph (c) of this subsection.**

26 (c) **The department shall form an advisory group consisting of individuals who are:**

27 (A) **Students who are eligible for special education and related services and who repre-**
28 **sent a diversity of:**

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 (i) Disability types;
- 2 (ii) Geographic locations, including urban and rural communities; and
- 3 (iii) Demographics, including students who are plan students under other statewide edu-
- 4 cation plans and students who are eligible for and enrolled in an English language learner
- 5 program;
- 6 (B) Parents or other family members of students who are eligible for special education
- 7 and related services;
- 8 (C) Representatives of a local parent training and information center that serves parents
- 9 of children with disabilities; and
- 10 (D) Representatives of special education stakeholders, including community-based or-
- 11 ganizations, members of the disability community and representatives of the Early Learning
- 12 Division, the Youth Development Division and the Higher Education Coordinating Commis-
- 13 sion.
- 14 (d) The advisory group formed as provided in paragraph (c) of this subsection shall advise
- 15 the department regarding:
- 16 (A) Development and implementation of the plan;
- 17 (B) Eligibility criteria, applicant selection processes and expectations for recipients of
- 18 grant awards described in this section; and
- 19 (C) Adoption of rules by the State Board of Education for the implementation of the plan.
- 20 (3) The plan developed under this section must address:
- 21 (a) The disparities experienced by plan students in every indicator of academic success,
- 22 as documented by the department's annual performance report to the United States De-
- 23 partment of Education, the statewide report card and other relevant reports related to plan
- 24 students;
- 25 (b) The historical and ongoing systemic inequities experienced by plan students that lead
- 26 to disproportionate results for plan students;
- 27 (c) The educational needs of plan students from early childhood through post-secondary
- 28 education as determined by examining best practices in inclusive education in this state and
- 29 other states;
- 30 (d) The importance of having high expectations for all plan students and ensuring that
- 31 teachers, students, parents and others involved in the education of plan students hold plan
- 32 students to a high standard; and
- 33 (e) Strategies and goals to increase educational rigor and expectations for plan students,
- 34 which must be developed by collaborating closely with other statewide education plan advi-
- 35 sory groups in recognition that many plan students identify under more than one statewide
- 36 education plan and that intersections in how a plan student is identified may have com-
- 37 pounding effects for plan students.
- 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 through the use of
- 42 special education advisory councils in each school district as required by section 5 of this
- 43 2023 Act;
- 44 (c) Increase the engagement of plan students in student leadership, nonacademic classes
- 45 and extracurricular opportunities and activities before, during and after regular school

1 hours;

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

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

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

7 (g) Support pedagogy and best practices that promote the inclusion of plan students from
8 early childhood through post-secondary education by such strategies as model schools, grant
9 distributions and the establishment of professional communities of practice;

10 (h) Support investments and changes in teacher and school administrator credentialing
11 and degree programs and in educator professional development to support plan students and
12 increase inclusionary practices, either as teachers of special education or as general educa-
13 tion teachers and school administrators;

14 (i) Regularly review academic content standards from the perspective of persons with
15 disabilities and with the intent of incorporating content relating to disability awareness,
16 disability history, disability rights and the social justice movement, ableism,
17 intersectionality, universal design and other topics important to the disability community;

18 (j) Review educational facilities in this state and make capital investments to support
19 needed modifications to the facilities to ensure facilities are accessible to plan students;

20 (k) Ensure that every plan student has the opportunity to attain the most rigorous high
21 school diploma option possible for that student, and provide disaggregated data collection on
22 diplomas awarded to plan students;

23 (L) Support the development and expansion of an array of post-secondary education and
24 career options for plan students;

25 (m) Provide support in preparing plan students for post-secondary opportunities, includ-
26 ing accessing career and technical education, trade schools, apprenticeships, internships and
27 other opportunities;

28 (n) Address disproportionate rates of students leaving school without earning a high
29 school diploma or having only received an alternative certificate; and

30 (o) Align the plan with similar statewide education plans developed and implemented by
31 the department.

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

35 (6) The department, in consultation with the advisory group, shall award grants to Early
36 Learning Hubs, providers of early learning services, school districts, education service dis-
37 tricts, post-secondary institutions of education, tribal governments, community-based or-
38 ganizations or a consortium of these entities to implement the strategies provided in the plan
39 developed and implemented under this section and to support the implementation of best
40 practices in inclusive education in order to address the disparities in educational outcomes
41 for plan students.

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

45 **SECTION 2.** Section 1 of this 2023 Act is amended to read:

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

3 (a) Is a student eligible for special education as a child with a disability, as defined in ORS
4 343.035; and

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

7 (2)(a) The Department of Education shall develop and implement a statewide education plan for
8 plan students, including:

9 (A) Consulting with the advisory groups formed for other similar statewide education plans;

10 (B) Establishing criteria and administering the selection and accountability requirements for
11 grants awarded under this section;

12 (C) Providing technical assistance to special education advisory councils established as provided
13 by section 5 of this 2023 Act; and

14 (D) Advising the State Board of Education on the adoption of rules for implementation of the
15 plan.

16 (b) When developing and implementing the plan, the Department **of Education** shall consult
17 with:

18 (A) Local, state and national organizations that have expertise in the best practices for provid-
19 ing special education and related services; and

20 (B) The advisory group formed under paragraph (c) of this subsection.

21 (c) The Department **of Education** shall form an advisory group consisting of individuals who
22 are:

23 (A) Students who are eligible for special education and related services and who represent a
24 diversity of:

25 (i) Disability types;

26 (ii) Geographic locations, including urban and rural communities; and

27 (iii) Demographics, including students who are plan students under other statewide education
28 plans and students who are eligible for and enrolled in an English language learner program;

29 (B) Parents or other family members of students who are eligible for special education and re-
30 lated services;

31 (C) Representatives of a local parent training and information center that serves parents of
32 children with disabilities; and

33 (D) Representatives of special education stakeholders, including community-based organizations,
34 members of the disability community and 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 (d) The advisory group formed as provided in paragraph (c) of this subsection shall advise the
38 Department **of Education** regarding:

39 (A) Development and implementation of the plan;

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

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

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

44 (a) The disparities experienced by plan students in every indicator of academic success, as doc-
45 umented by the [*department's*] **Department of Education's** annual performance report to the United

1 States Department of Education, the statewide report card and other relevant reports related to plan
2 students;

3 (b) The historical and ongoing systemic inequities experienced by plan students that lead to
4 disproportionate results for plan students;

5 (c) The educational needs of plan students from early childhood through post-secondary educa-
6 tion as determined by examining best practices in inclusive education in this state and other states;

7 (d) The importance of having high expectations for all plan students and ensuring that teachers,
8 students, parents and others involved in the education of plan students hold plan students to a high
9 standard; and

10 (e) Strategies and goals to increase educational rigor and expectations for plan students, which
11 must be developed by collaborating closely with other statewide education plan advisory groups in
12 recognition that many plan students identify under more than one statewide education plan and that
13 intersections in how a plan student is identified may have compounding effects for plan students.

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

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

17 (b) Increase parental engagement in the education of plan students through the use of special
18 education advisory councils in each school district as required by section 5 of this 2023 Act;

19 (c) Increase the engagement of plan students in student leadership, nonacademic classes and
20 extracurricular opportunities and activities before, during and after regular school hours;

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

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

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

26 (g) Support pedagogy and best practices that promote the inclusion of plan students from early
27 childhood through post-secondary education by such strategies as model schools, grant distributions
28 and the establishment of professional communities of practice;

29 (h) Support investments and changes in teacher and school administrator credentialing and de-
30 gree programs and in educator professional development to support plan students and increase
31 inclusionary practices, either as teachers of special education or as general education teachers and
32 school administrators;

33 (i) Regularly review academic content standards from the perspective of persons with disabilities
34 and with the intent of incorporating content relating to disability awareness, disability history, dis-
35 ability rights and the social justice movement, ableism, intersectionality, universal design and other
36 topics important to the disability community;

37 (j) Review educational facilities in this state and make capital investments to support needed
38 modifications to the facilities to ensure facilities are accessible to plan students;

39 (k) Ensure that every plan student has the opportunity to attain the most rigorous high school
40 diploma option possible for that student, and provide disaggregated data collection on diplomas
41 awarded to plan students;

42 (L) Support the development and expansion of an array of post-secondary education and career
43 options for plan students;

44 (m) Provide support in preparing plan students for post-secondary opportunities, including ac-
45 cessing career and technical education, trade schools, apprenticeships, internships and other oppor-

1 tunities;

2 (n) Address disproportionate rates of students leaving school without earning a high school di-
3 ploma or having only received an alternative certificate; and

4 (o) Align the plan with similar statewide education plans developed and implemented by the
5 Department **of Education**.

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

9 (6) The Department **of Education**, in consultation with the advisory group, shall award grants
10 to Early Learning Hubs, providers of early learning services, school districts, education service
11 districts, post-secondary institutions of education, tribal governments, community-based organiza-
12 tions or a consortium of these entities to implement the strategies provided in the plan developed
13 and implemented under this section and to support the implementation of best practices in inclusive
14 education in order to address the disparities in educational outcomes for plan students.

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

18 **SECTION 3.** Section 64, chapter 631, Oregon Laws 2021, as amended by section 1, chapter 27,
19 Oregon Laws 2022, is amended to read:

20 **Sec. 64.** (1) ORS 326.432 and 329A.750, the amendments to ORS 131A.360, 131A.365, 183.459,
21 279A.050, 326.425, 326.430, 326.435, 327.269, 327.274, 329.155, 329.156, 329.165, 329.170, 329.172,
22 329.175, 329.181, 329.183, 329.185, 329.195, 329.200, 329.219, 329.841, 329.843, 329.845, 329A.010,
23 329A.120, 329A.135, 329A.250, 329A.261, 329A.712, 336.101, 336.104, 343.465, 343.475, 343.499, 417.781,
24 417.782, 417.784, 417.788, 417.790, 417.793, 417.795, 417.796, 417.827, 417.829, 419B.005, 433.301,
25 609.652, 805.205 and 805.207 by sections 11 and 14 to 62, chapter 631, Oregon Laws 2021, **the**
26 **amendments to ORS 329.847 by section 16 of this 2023 Act, the amendments to section 1 of**
27 **this 2023 Act by section 2 of this 2023 Act** and the repeal of ORS 329.145, 329.150, 329.190,
28 329A.490 and 329A.493 by section 63, chapter 631, Oregon Laws 2021, become operative on July 1,
29 2023.

30 (2) Notwithstanding the operative date set forth in subsection (1) of this section, the Early
31 Learning Division and the Department of Education may take any action before the operative date
32 set forth in subsection (1) of this section that is necessary for the Department of Early Learning and
33 Care to exercise, on and after the operative date set forth in subsection (1) of this section, all of the
34 duties, functions and powers conferred on the Department of Early Learning and Care by ORS
35 326.432 and 329A.750 and the amendments to ORS 131A.360, 131A.365, 183.459, 279A.050, 326.425,
36 326.430, 326.435, 327.269, 327.274, 329.155, 329.156, 329.165, 329.170, 329.172, 329.175, 329.181, 329.183,
37 329.185, 329.195, 329.200, 329.219, 329.841, 329.843, 329.845, 329A.010, 329A.120, 329A.135, 329A.250,
38 329A.261, 329A.712, 336.101, 336.104, 343.465, 343.475, 343.499, 417.781, 417.782, 417.784, 417.788,
39 417.790, 417.793, 417.795, 417.796, 417.827, 417.829, 419B.005, 433.301, 609.652, 805.205 and 805.207 by
40 sections 11 and 14 to 62, chapter 631, Oregon Laws 2021.

41 (3) For the purpose of ensuring that the Department of Early Learning and Care may exercise,
42 on and after the operative date set forth in subsection (1) of this section, all of the duties, functions
43 and powers conferred on the Department of Early Learning and Care by ORS 326.432 and 329A.750
44 and the amendments to ORS 131A.360, 131A.365, 183.459, 279A.050, 326.425, 326.430, 326.435, 327.269,
45 327.274, 329.155, 329.156, 329.165, 329.170, 329.172, 329.175, 329.181, 329.183, 329.185, 329.195, 329.200,

1 329.219, 329.841, 329.843, 329.845, 329A.010, 329A.120, 329A.135, 329A.250, 329A.261, 329A.712,
 2 336.101, 336.104, 343.465, 343.475, 343.499, 417.781, 417.782, 417.784, 417.788, 417.790, 417.793, 417.795,
 3 417.796, 417.827, 417.829, 419B.005, 433.301, 609.652, 805.205 and 805.207 by sections 11 and 14 to 62,
 4 chapter 631, Oregon Laws 2021, the Early Learning Division and the Department of Education shall
 5 develop and implement a plan that provides for a seamless transfer of duties, functions and powers.

6 (4) The Governor shall resolve any disputes related to the plan developed and implemented under
 7 subsection (3) of this section, and the Governor’s decision is final.

8 **SECTION 4.** Section 68, chapter 631, Oregon Laws 2021, is amended to read:

9 **Sec. 68.** (1) Nothing in [*sections 12 and 13 of this 2021 Act*] **ORS 326.432 and 329A.750**, the
 10 amendments to ORS 131A.360, 131A.365, 183.459, 279A.050, 326.425, 326.430, 326.435, 327.269, 327.274,
 11 329.155, 329.156, 329.165, 329.170, 329.172, 329.175, 329.181, 329.183, 329.185, 329.195, 329.200, 329.219,
 12 329.841, 329.843, 329.845, 329A.010, 329A.120, 329A.135, 329A.250, 329A.261, 329A.712, 336.101,
 13 336.104, 343.465, 343.475, 343.499, 417.781, 417.782, 417.784, 417.788, 417.790, 417.793, 417.795, 417.796,
 14 417.827, 417.829, 419B.005, 433.301, 609.652, 805.205 and 805.207 by sections 11 and 14 to 62 [*of this*
 15 *2021 Act*], **chapter 631, Oregon Laws 2021, the amendments to ORS 329.847 by section 16 of**
 16 **this 2023 Act and the amendments to section 1 of this 2023 Act by section 2 of this 2023 Act,**
 17 or the repeal of ORS 329.145, 329.150, 329.190, 329A.490 and 329A.493 by section 63 [*of this 2021*
 18 *Act*], **chapter 631, Oregon Laws 2021,** relieves a person of a liability, duty or obligation accruing
 19 under or with respect to the duties, functions and powers transferred by the amendments to ORS
 20 326.430 by section 11 [*of this 2021 Act*], **chapter 631, Oregon Laws 2021.** The Department of Early
 21 Learning and Care may undertake the collection or enforcement of any such liability, duty or obli-
 22 gation.

23 (2) The rights and obligations of the Early Learning Division or the Department of Education
 24 on behalf of the Early Learning Division legally incurred under contracts, leases and business
 25 transactions executed, entered into or begun before the operative date of the amendments to ORS
 26 326.430 by section 11 [*of this 2021 Act*], **chapter 631, Oregon Laws 2021,** are transferred to the
 27 Department of Early Learning and Care. For the purpose of succession to these rights and obli-
 28 gations, the Department of Early Learning and Care is a continuation of the Early Learning Divi-
 29 sion and not a new authority.

30 **SECTION 5.** (1)(a) **Except as provided by paragraph (b) of this subsection, each school**
 31 **district shall establish a special education advisory council.**

32 (b) **If a school district has an average daily membership, as defined in ORS 327.006, of**
 33 **fewer than 2,500 students, the school district may participate in a regional special education**
 34 **advisory council that complies with the requirements established by the State Board of Ed-**
 35 **ucation by rule.**

36 (2) **The duties of a special education advisory council shall include:**

37 (a) **Assisting the school district in complying with the statewide education plan estab-**
 38 **lished and implemented as provided by section 1 of this 2023 Act;**

39 (b) **Advising the school district board about the educational impacts of policy decisions**
 40 **on students with disabilities;**

41 (c) **Advising the school district superintendent about the educational impacts of policy**
 42 **decisions on students with disabilities; and**

43 (d) **Informing the school district board and school district superintendent when a situ-**
 44 **ation arises in a school of the school district that negatively impacts students with disabili-**
 45 **ties and advising the board and superintendent on how best to address the situation.**

1 **(3)(a) The members of each special education advisory council shall be selected by the**
 2 **school district superintendent. Members must include employees, parents, students and**
 3 **community members from the school district. The superintendent shall ensure that at least**
 4 **half of the members are parents of students with a disability and that the student members**
 5 **represent students with disabilities and students from other underserved student groups.**

6 **(b) For the purpose of selecting members, the school district superintendent shall solicit**
 7 **names of possible members from the school district and from the school district's commu-**
 8 **nity.**

9 **(4) The Department of Education shall issue basic guidelines and forms to assist school**
 10 **districts in establishing and administering a special education advisory council. The number**
 11 **of members, frequency of meetings and operational procedures of a special education advi-**
 12 **sory council shall be determined by the school district in accordance with guidelines issued**
 13 **by the department.**

14 **(5)(a) No later than June 30 of each year, the special education advisory council for each**
 15 **school district shall prepare a report that provides the following information:**

16 **(A) The successes and challenges the school district experienced during the school year**
 17 **in meeting the educational inclusion needs of students with disabilities in the school district;**

18 **(B) Recommendations the council made to the school district board and the school dis-**
 19 **trict superintendent, and the actions that were taken in response to those recommendation;**
 20 **and**

21 **(C) Any other information required by the State Board of Education by rule.**

22 **(b) The report prepared under paragraph (a) of this subsection must be:**

23 **(A) Distributed to the parents of the students of the school district;**

24 **(B) Posted on the school district's website;**

25 **(C) Presented to the school district board in an open meeting with adequate opportunity**
 26 **for public comment;**

27 **(D) Submitted to the State Advisory Council for Special Education; and**

28 **(E) Submitted to the State Board of Education.**

29 **(6) The State Board of Education shall adopt any rules necessary for the administration**
 30 **of this section.**

31 **SECTION 6. A school district must first convene a special education advisory council as**
 32 **provided by section 5 of this 2023 Act no later than September 15, 2023.**

33 **SECTION 7. ORS 327.180 is amended to read:**

34 327.180. (1) In addition to those moneys distributed through the State School Fund, the Depart-
 35 **ment of Education shall award grants from the Student Investment Account. Grants shall be dis-**
 36 **tributed as provided under ORS 327.195.**

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

38 (a) Meet students' mental or behavioral health needs; and

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

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

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

44 (C) Students with disabilities;

45 (D) Students who are English language learners;

- 1 (E) Students who are foster children, as defined in ORS 30.297;
- 2 (F) Students who are homeless, as determined under rules adopted by the State Board of Edu-
- 3 cation; and
- 4 (G) Any other student groups that have historically experienced academic disparities, as deter-
- 5 mined by the State Board of Education by rule.
- 6 (3) Grant moneys received under ORS 327.195 may be used by a grant recipient only for:
- 7 (a) Increasing instructional time, which may include:
- 8 (A) More hours or days of instructional time;
- 9 (B) Summer programs;
- 10 (C) Before-school or after-school programs; or
- 11 (D) Technological investments that minimize class time used for assessments administered to
- 12 students.
- 13 (b) Addressing students' health or safety needs, which may include:
- 14 (A) Social-emotional learning and development;
- 15 (B) Student mental and behavioral health;
- 16 (C) Improvements to teaching and learning practices or organizational structures that lead to
- 17 better interpersonal relationships at the school;
- 18 (D) Student health and wellness;
- 19 (E) Trauma-informed practices;
- 20 (F) School health professionals and assistants; or
- 21 (G) Facility improvements directly related to improving student health or safety.
- 22 (c) Reducing class sizes, which may include increasing the use of instructional assistants, by
- 23 using evidence-based criteria to ensure appropriate student-teacher ratios or staff caseloads.
- 24 (d) Expanding availability of and student participation in well-rounded learning experiences,
- 25 which may include:
- 26 (A) Developmentally appropriate and culturally responsive early literacy practices and programs
- 27 in prekindergarten through third grade;
- 28 (B) Culturally responsive practices and programs in grades six through eight, including learning,
- 29 counseling and student support that is connected to colleges and careers;
- 30 (C) Broadened curricular options at all grade levels, including access to:
- 31 (i) Art, music and physical education classes;
- 32 (ii) Science, technology, engineering and mathematics education;
- 33 (iii) Career and technical education, including career and technical student organization pro-
- 34 grams and payment of student fees, costs and instructors of those programs;
- 35 (iv) Electives that are engaging to students;
- 36 (v) Accelerated college credit programs, including dual credit programs, International
- 37 Baccalaureate programs and advanced placement programs;
- 38 (vi) Dropout prevention programs and transition supports;
- 39 (vii) Life skills classes; or
- 40 (viii) Talented and gifted programs; or
- 41 (D) Access to licensed educators with a library media endorsement.
- 42 (e) **The establishment and operation of special education advisory councils established as**
- 43 **provided by section 5 of this 2023 Act.**

44 **SECTION 8.** ORS 327.254 is amended to read:

45 327.254. (1) The Department of Education shall use moneys in the Statewide Education Initi-

1 atives Account to provide funding for statewide education initiatives, including:

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

4 (b) Expanding school breakfast and lunch programs;

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

6 (d) Establishing and maintaining the Statewide School Safety and Prevention System under ORS
7 339.341;

8 (e) Developing and providing statewide equity initiatives, including [*the Black or African-*
9 *American education plan developed under ORS 329.841, the American Indian or Alaska Native edu-*
10 *cation plan developed under ORS 329.843, the Latino or Hispanic education plan developed under ORS*
11 *329.845 or any similar*] **any statewide** education plan [*identified*] **developed and implemented** by
12 the department;

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

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

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

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

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

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

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

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

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

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

28 (n) Funding costs incurred by the department in implementing this section and ORS 327.175 to
29 327.235 and 327.274.

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

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

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

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

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

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

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

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

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

11 (C) Provide for coordination with the department in administering and providing technical as-
 12 sistance to school districts, including coordinating any coaching programs established under ORS
 13 327.214; and

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

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

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

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

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

23 **SECTION 9.** ORS 329.841 is amended to read:

24 329.841. (1) For the purposes of this section, "plan student" means a student enrolled in early
 25 childhood through post-secondary education who:

26 (a) Is Black or African-American; and

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

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

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

34 (A) Development and implementation of the plan;

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

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

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

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

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

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

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

45 (a) Address the disproportionate rate of disciplinary incidents for plan students compared to all

1 students in the education system;

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

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

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

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

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

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

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

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

16 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];
17 **and**

18 **(k) Align the plan with similar statewide education plans developed and implemented by**
19 **the department.**

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

24 (6) The department, in consultation with the advisory group, shall award grants to Early
25 Learning Hubs, providers of early learning services, school districts, education service districts,
26 post-secondary institutions of education and community-based organizations to implement the strat-
27 egies developed in the plan developed and implemented under this section.

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

31 **SECTION 10.** ORS 329.841, as amended by section 34, chapter 631, Oregon Laws 2021, is
32 amended to read:

33 329.841. (1) For the purposes of this section, “plan student” means a student enrolled in early
34 childhood through post-secondary education who:

35 (a) Is Black or African-American; and

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

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

40 (b) The Department of Education shall form an advisory group consisting of community mem-
41 bers, education stakeholders and representatives of the Department of Early Learning and Care, the
42 Youth Development Division and the Higher Education Coordinating Commission to advise the De-
43 partment of Education regarding:

44 (A) Development and implementation of the plan;

45 (B) Eligibility criteria, applicant selection process and expectations for recipients of grant

1 awards described in this section; and

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

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

4 (a) The disparities experienced by plan students in every indicator of academic success, as doc-
5 umented by the statewide report card;

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 by examining culturally appropriate best practices in this state and across the nation.

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

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

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

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

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

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

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

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

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

24 (i) Increase attendance of plan students in community colleges and professional certification
25 programs; *[and]*

26 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];
27 **and**

28 **(k) Align the plan with similar statewide education plans developed and implemented by**
29 **the Department of Education.**

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

34 (6) The Department of Education, in consultation with the advisory group, shall award grants
35 to Early Learning Hubs, providers of early learning services, school districts, education service
36 districts, post-secondary institutions of education and community-based organizations to implement
37 the strategies developed in the plan developed and implemented under this section.

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

41 **SECTION 11.** ORS 329.843 is amended to read:

42 329.843. (1) As used in this section, "plan student" means a student enrolled in early childhood
43 through post-secondary education who:

44 (a) Is an American Indian or Alaska Native; and

45 (b) Has experienced disproportionate results in education due to historical practices, as identi-

1 filed by the State Board of Education by rule.

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

4 (b) When developing the plan, the department shall consult with representatives from tribal
5 governments and from executive branch agencies who have formed government-to-government re-
6 lations to focus on education. Additionally, the department may receive input from an advisory
7 group consisting of community members, education stakeholders and representatives of the Early
8 Learning Division, the Youth Development Division and the Higher Education Coordinating Com-
9 mission.

10 (c) The department shall be responsible for:

11 (A) Implementing the plan developed under this subsection;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

38 (i) Increase attendance of plan students in early childhood programs through post-secondary and
39 professional certification programs; *[and]*

40 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];
41 **and**

42 **(k) Align the plan with similar statewide education plans developed and implemented by**
43 **the department.**

44 (5) The department shall submit a biennial report concerning the progress of the plan developed
45 and implemented under this section to a committee of the Legislative Assembly related to education

1 at each even-numbered year regular session of the Legislative Assembly.

2 (6) The department, in consultation with the advisory group, shall award grants to Early
3 Learning Hubs, providers of early learning services, school districts, education service districts,
4 post-secondary institutions of education, tribal governments and community-based organizations to
5 implement the strategies provided in the plan developed and implemented under this section.

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

9 **SECTION 12.** ORS 329.843, as amended by section 35, chapter 631, Oregon Laws 2021, is
10 amended to read:

11 329.843. (1) As used in this section, "plan student" means a student enrolled in early childhood
12 through post-secondary education who:

13 (a) Is an American Indian or Alaska Native; and

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

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

18 (b) When developing the plan, the Department of Education shall consult with representatives
19 from tribal governments and from executive branch agencies who have formed government-to-
20 government relations to focus on education. Additionally, the Department of Education may receive
21 input from an advisory group consisting of community members, education stakeholders and repre-
22 sentatives of the Department of Early Learning and Care, the Youth Development Division and the
23 Higher Education Coordinating Commission.

24 (c) The Department of Education shall be responsible for:

25 (A) Implementing the plan developed under this subsection;

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

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

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

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

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

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

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

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

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

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

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

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

45 (f) Support plan student transitions to middle school and through the middle school and high

1 school grades to maintain and improve academic performance;

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

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

6 (i) Increase attendance of plan students in early childhood programs through post-secondary and
7 professional certification programs; [and]

8 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];
9 **and**

10 **(k) Align the plan with similar statewide education plans developed and implemented by**
11 **the Department of Education.**

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

15 (6) The Department of Education, in consultation with the advisory group, shall award grants
16 to Early Learning Hubs, providers of early learning services, school districts, education service
17 districts, post-secondary institutions of education, tribal governments and community-based organ-
18 izations to implement the strategies provided in the plan developed and implemented under this
19 section.

20 (7) To qualify for and receive grants described in this section, an applicant must identify and
21 demonstrate that the applicant meets the eligibility criteria adopted by the State Board of Education
22 by rule.

23 **SECTION 13.** ORS 329.845 is amended to read:

24 329.845. (1) As used in this section, "plan student" means a student enrolled in early childhood
25 through post-secondary education who:

26 (a) Is Latino or Hispanic, including individuals of Mexican, Cuban, Puerto Rican, South Ameri-
27 can, Central American or Spanish descent; and

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

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

32 (b) The department shall form an advisory group consisting of individuals representing:

33 (A) Urban and rural communities;

34 (B) Indigenous and immigrant populations;

35 (C) English language learners;

36 (D) Individuals with disabilities;

37 (E) Parents and students;

38 (F) Youth who are lesbian, gay, bisexual, transgender, queer or another minority gender or
39 sexual orientation;

40 (G) Community-based organizations serving Latino or Hispanic youth and families; and

41 (H) Education stakeholders, including representatives of the Early Learning Division, the Youth
42 Development Division and the Higher Education Coordinating Commission.

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

45 (A) Development and implementation of the plan;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (i) Increase attendance of plan students in community colleges and professional certification
28 programs; *[and]*

29 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];
30 **and**

31 **(k) Align the plan with similar statewide education plans developed and implemented by**
32 **the department.**

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

36 (6) The department, in consultation with the advisory group, shall award grants to Early
37 Learning Hubs, providers of early learning services, school districts, education service districts,
38 post-secondary institutions of education, tribal governments and community-based organizations to
39 implement the strategies provided in the plan developed and implemented under this section.

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

43 **SECTION 14.** ORS 329.845, as amended by section 36, chapter 631, Oregon Laws 2021, is
44 amended to read:

45 329.845. (1) As used in this section, "plan student" means a student enrolled in early childhood

1 through post-secondary education who:

2 (a) Is Latino or Hispanic, including individuals of Mexican, Cuban, Puerto Rican, South American,
3 can, Central American or Spanish descent; and

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

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

8 (b) The Department of Education shall form an advisory group consisting of individuals representing:
9

10 (A) Urban and rural communities;

11 (B) Indigenous and immigrant populations;

12 (C) English language learners;

13 (D) Individuals with disabilities;

14 (E) Parents and students;

15 (F) Youth who are lesbian, gay, bisexual, transgender, queer or another minority gender or
16 sexual orientation;

17 (G) Community-based organizations serving Latino or Hispanic youth and families; and

18 (H) Education stakeholders, including representatives of the Department of Early Learning and
19 Care, the Youth Development Division and the Higher Education Coordinating Commission.

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

22 (A) Development and implementation of the plan;

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

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

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

27 (a) The disparities experienced by plan students in every indicator of academic success, as documented
28 by the statewide report card and other relevant reports related to plan students;

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

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

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

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

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

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

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

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

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

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

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

3 (i) Increase attendance of plan students in community colleges and professional certification
4 programs; *[and]*

5 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];
6 **and**

7 **(k) Align the plan with similar statewide education plans developed and implemented by**
8 **the Department of Education.**

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

12 (6) The Department of Education, in consultation with the advisory group, shall award grants
13 to Early Learning Hubs, providers of early learning services, school districts, education service
14 districts, post-secondary institutions of education, tribal governments and community-based organ-
15 izations to implement the strategies provided in the plan developed and implemented under this
16 section.

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

20 **SECTION 15.** ORS 329.847 is amended to read:

21 329.847. (1) As used in this section, “plan student” means a student enrolled in early childhood
22 through post-secondary education who:

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

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

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

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

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

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

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

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

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

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

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

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

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

3 **(B) Advisory groups formed by the department to develop and implement a statewide**
 4 **education plan for plan students; and**

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

6 (d) The department shall be responsible for:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 (7) To qualify for and receive a grant described in this section, an applicant must identify and

1 demonstrate that the applicant meets the eligibility criteria established by the State Board of Edu-
2 cation by rule.

3 **SECTION 16.** ORS 329.847, as amended by section 15 of this 2023 Act, is amended to read:

4 329.847. (1) As used in this section, “plan student” means a student enrolled in early childhood
5 through post-secondary education who:

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

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

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

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

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

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

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

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

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

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

26 (B) Advisory groups formed by the department to develop and implement a statewide education
27 plan for plan students; and

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

29 (d) The department shall be responsible for:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 **SECTION 17. This 2023 Act being necessary for the immediate preservation of the public**
27 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
28 **July 1, 2023.**

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