

HB 3231
Relating to Youth

HB 3231 establishes the Youth Development Division in the Oregon Department of Education. The mission of this new Division is to ensure that services provided to youth through 20 years of age are integrated, measurable, accountable and supports academic success. Another goal is to reduce the criminal involvement of youth across the state. The Youth Development Director who is appointed by the Governor will lead the Division and the Youth Development Council will provide direction for programs under the Division.

The programs are transferred to the new Division are currently part of the Office of Governor and include the Title XX Youth Investment Program, Juvenile Crime Prevention Program, Community Schools, and Gang Involved Youth Program.

The Subcommittee recommends amending the bill to authorize the Council and Division to enter into performance based intergovernmental agreements with regional, county or tribal governments to locally provide services. The budget of the Department of Education assumes passage of this bill.

The Education Subcommittee recommends HB 3231 be amended and reported out do pass as amended.

Joint Committee on Ways and Means

Carrier – House: Rep. Komp
Carrier – Senate: Sen. Monroe

Revenue:

Fiscal: Fiscal statement issued

Action: Do Pass the A-Engrossed Measure as Amended and be Printed B-Engrossed

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Doug Wilson, Legislative Fiscal Office

Meeting Date: June 21, 2013

WHAT THE MEASURE DOES: Establishes Youth Development Division in Oregon Department of Education (ODE) for purpose of ensuring services provided to youth through 20 years of age in manner that is integrated, measurable, and accountable and supports academic success and reduces criminal involvement. Creates position of Youth Development Director to be appointed by the Governor and serve under the Superintendent of Public Instruction. Transfers responsibility for administration and enforcement of Youth Development Council (YDC) to Youth Development Division of ODE. Directs chairperson of YDC to deliver to ODE records, property, and employees relating to duties, functions, and powers transferred by Act. Directs Superintendent of Public Instruction to take possession of records and property, and to take charge of employees and employ them in exercise of duties, functions and powers transferred by Act without reduction of compensation but subject to change or termination of employment. Provides Governor shall resolve any dispute between YDC and ODE relating to transfer of records, property and employees under Act. Transfers monies from YDC to ODE for purpose of administering and enforcing duties. Retains any applicable expenditure classifications. Renames Youth Development Council Fund to Youth Development Division Fund in Treasury, separate and distinct from the General Fund.

ISSUES DISCUSSED:

- How this fits into the Oregon Department of Education's (ODE) budget
- Impact on providers of youth development services
- How Youth Development Division Director fits into management structure of ODE

EFFECT OF COMMITTEE AMENDMENT: Clarifies the duties of the division and the Youth Development Council. The Council is also authorized to enter into performance based intergovernmental agreements with regional, county or tribal governments to locally provide services. Finally, the Council must report to the appropriate legislative committee before July 2014 with a funding allocation plan.

BACKGROUND: The Youth Development Council (YDC) was created by House Bill 4165 (2012) for the purpose of assisting the Oregon Education Investment Board in overseeing a unified system that provides services to school-age children through 20 years of age in a manner that supports academic success, reduces criminal involvement and is integrated, measurable and accountable. The council is composed of no fewer than 15 members who are appointed by the Governor. The membership of the council must satisfy federal requirements for membership of a state advisory committee on juvenile justice, and includes tribal representation.

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3231 - B

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Tim Walker
Reviewed by: Doug Wilson, Daron Hill, Laurie Byerly
Date: 06/18/2013

Measure Description:

Establishes Youth Development Division in Department of Education.

Government Unit(s) Affected:

Department of Community Colleges and Workforce Development, Department of Education, Office of the Governor, Oregon Educational Investment Board

Summary of Expenditure Impact:

Summary of Expenditure Impact		
	2013-15 Biennium	2015-17 Biennium
General Fund	\$8,423,560	\$8,423,560
Lottery Funds		
Other Funds	7,407,055	7,407,055
Federal Funds	3,767,893	3,767,893
Total Funds	\$19,598,508	\$19,598,508
Positions	10	10
FTE	9.88	9.88

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis: This bill establishes the Youth Development Division in Oregon Department of Education (ODE), and moves the Youth Development Council from the Governor's Office to the new Youth Development Division. The Division functions under the direction and control of the Youth Development Council, with the Director serving as administrative officer to the Council. The Director of the Division is appointed by and serves at the pleasure of the Governor and is directly responsible to the Superintendent of Public Instruction (the Governor). The Youth Development Council remains under the direction and control of the Oregon Education Investment Board. Programs transferred into ODE include Title XX Youth Investment Program, Juvenile Crime Prevention Program, Gang Involved Youth Program, Community Schools, and the Safe and Equitable Foster Care Reduction program.

The effects of this bill have been incorporated into the budgets of the Oregon Department of Education and the Office of the Governor.

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3231**

1 On page 1 of the printed A-engrossed bill, line 8, after “supports” delete
2 the rest of the line and insert “educational success, focuses on crime pre-
3 vention, reduces high risk behaviors”.

4 In line 9, delete “criminal involvement”.

5 On page 3, delete lines 9 through 45.

6 On page 4, delete lines 1 through 33 and insert:

7 **“SECTION 4.** Section 21, chapter 37, Oregon Laws 2012, as amended by
8 section 23, chapter 37, Oregon Laws 2012, is amended to read:

9 **“Sec. 21.** (1) The Youth Development Council is established. **The coun-**
10 **cil shall function under the direction and control of the Oregon Edu-**
11 **cation Investment Board established by section 1, chapter 519, Oregon**
12 **Laws 2011.**

13 **“(2)** The council is established for the purpose of **assisting the board in**
14 **overseeing a unified system that provides services to school-age children**
15 **through youth 20 years of age in a manner that supports [*academic success,***
16 ***reduces criminal involvement*] **educational success, focuses on crime pre-**
17 **vention, reduces high risk behaviors** and is integrated, measurable and
18 **accountable. The council shall provide direction to the Youth Develop-**
19 **ment Division.****

20 **“(3)** The council consists of no fewer than 15 members who are appointed
21 by the Governor. The Governor shall ensure that membership of the council
22 satisfies any federal requirements for membership of a state advisory com-

1 mittee on juvenile justice.

2 “(4) The council shall:

3 “[*(a) Prioritize funding for prevention and intervention services related to*
4 *gang violence and gang involvement.*]

5 “(a) **Determine the availability of funding to support community-**
6 **based youth development programs, services and initiatives with**
7 **demonstrated outcomes and strategic objectives established by the**
8 **council by rule.**

9 “(b) **Prioritize funding for services related to:**

10 “(A) **The prevention of and intervention in the risk factors that lead**
11 **to juvenile delinquency and the promotion of protective factors that**
12 **improve the health and well-being of children and youth, as supported**
13 **by evidence-based program models and other research-based models;**
14 **and**

15 “(B) **The prevention of and intervention in gang violence and gang**
16 **involvement.**

17 “(5) **The council may:**

18 “(a) **Enter into performance-based intergovernmental agreements**
19 **with regional and county entities, and tribal governments, to contract**
20 **for the provision of youth development programs, services and initi-**
21 **atives that will achieve demonstrated outcomes and strategic objec-**
22 **tives established by the council by rule.**

23 “(b) **Determine the means by which services to children and youth may**
24 **be provided effectively and efficiently across multiple programs to improve**
25 **the academic and social outcomes of children and youth.**

26 “(c) **Assess state programs and services related to youth development and**
27 **training, and identify methods by which programs and services may be co-**
28 **ordinated or consolidated.**

29 “(d) **Establish common academic and social indicators to support attain-**
30 **ment of goals established by the [council] board.**

1 “(e) Establish common program outcome measurements and coordinate
2 data collection across multiple programs and services.

3 “(f) Ensure implementation of best practices that:

4 “(A) Are evidence based;

5 “(B) Are culturally, gender and age appropriate;

6 “(C) Address individual risk factors;

7 “(D) Build upon factors that [*increase*] **improve** the health and well-being
8 of children and youth; and

9 “(E) Include tribal best practices.

10 “(5) The Governor may designate one member of the council to serve as
11 the chairperson or, if the Governor chooses not to designate a chairperson,
12 the council may elect one of its members to serve as chairperson.

13 “(6) In accordance with applicable provisions of ORS chapter 183, the
14 council may adopt rules necessary for the administration of the laws that the
15 council is charged with administering.

16 “**SECTION 5.** Section 21, chapter 37, Oregon Laws 2012, as amended by
17 section 23, chapter 37, Oregon Laws 2012, and section 4 of this 2013 Act, is
18 amended to read:

19 “**Sec. 21.** (1) The Youth Development Council is established. [*The council*
20 *shall function under the direction and control of the Oregon Education In-*
21 *vestment Board established by section 1, chapter 519, Oregon Laws 2011.*]

22 “(2) The council is established for the purpose of [*assisting the board in*]
23 overseeing a unified system that provides services to school-age children
24 through youth 20 years of age in a manner that supports educational success,
25 focuses on crime prevention, reduces high risk behaviors and is integrated,
26 measurable and accountable. The council shall provide direction to the
27 Youth Development Division.

28 “(3) The council consists of no fewer than 15 members who are appointed
29 by the Governor. The Governor shall ensure that membership of the council
30 satisfies any federal requirements for membership of a state advisory com-

1 mittee on juvenile justice.

2 “(4) The council shall:

3 “(a) Determine the availability of funding to support community-based
4 youth development programs, services and initiatives with demonstrated
5 outcomes and strategic objectives established by the council by rule.

6 “(b) Prioritize funding for services related to:

7 “(A) The prevention of and intervention in the risk factors that lead to
8 juvenile delinquency and the promotion of protective factors that improve
9 the health and well-being of children and youth, as supported by evidence-
10 based program models and other research-based models; and

11 “(B) The prevention of and intervention in gang violence and gang in-
12 volvement.

13 “(5) The council may:

14 “(a) Enter into performance-based intergovernmental agreements with re-
15 gional and county entities, and tribal governments, to contract for the pro-
16 vision of youth development programs, services and initiatives that will
17 achieve demonstrated outcomes and strategic objectives established by the
18 council by rule.

19 “(b) Determine the means by which services to children and youth may
20 be provided effectively and efficiently across multiple programs to improve
21 the academic and social outcomes of children and youth.

22 “(c) Assess state programs and services related to youth development and
23 training, and identify methods by which programs and services may be co-
24 ordinated or consolidated.

25 “(d) Establish common academic and social indicators to support attain-
26 ment of goals established by the [*board*] **council**.

27 “(e) Establish common program outcome measurements and coordinate
28 data collection across multiple programs and services.

29 “(f) Ensure implementation of best practices that:

30 “(A) Are evidence based;

1 “(B) Are culturally, gender and age appropriate;

2 “(C) Address individual risk factors;

3 “(D) Build upon factors that improve the health and well-being of children
4 and youth; and

5 “(E) Include tribal best practices.

6 “(5) The Governor may designate one member of the council to serve as
7 the chairperson or, if the Governor chooses not to designate a chairperson,
8 the council may elect one of its members to serve as chairperson.

9 “(6) In accordance with applicable provisions of ORS chapter 183, the
10 council may adopt rules necessary for the administration of the laws that the
11 council is charged with administering.”.

12 On page 20, after line 21, insert:

13 **“SECTION 23. The Youth Development Council shall submit a re-**
14 **port to the appropriate interim legislative committees on or before**
15 **January 1, 2014. The report must provide a funding allocation plan that**
16 **can be implemented no later than July 1, 2014, and that is for:**

17 **“(1) All services provided by the council;**

18 **“(2) Juvenile crime prevention programs; and**

19 **“(3) New investments in youth development programs and services**
20 **that align with and support goals established by the Oregon Education**
21 **Investment Board.”.**

22 In line 22, delete “23” and insert “24”.

23