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# MEMORANDUM

Legislative Fiscal Office  
900 Court St. NE, Room H-178  
Salem, Oregon 97301  
Phone 503-986-1828  
FAX 503-373-7807

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**To:** Members of the Education Subcommittee  
**From:** Doug Wilson, Legislative Fiscal Office  
(503) 986-1837  
**Date:** June 10, 2015  
**Subject:** HB 2016 Work Session Recommendations

## **Background Information**

HB 2016-A directs the Oregon Department of Education (ODE) to develop and implement a statewide education plan for Black or African American students or other students who are not covered under an existing culturally specific statewide plan and have experienced disproportionate result in education due to historical practices. Student in this case is defined as an eligible student who is in an early learning through post-secondary program. ODE is directed to form an advisory group consisting of community members, education stakeholders and representatives of Youth Development Division, the Early Learning Division, and the Higher Education Coordinating Commission. This work group is to help develop a plan (general requirements included in the bill) and grant program for early learning hubs, providers of early learning services, school districts, post-secondary institutions of education and community-based organizations. ODE is also directed to report to the Legislature on, prior to January 1, 2016, the progress of the plan and biennially report on the implementation of the plan.

## **Recommended Changes to the Bill:**

The Legislative Fiscal Office recommends the –A9 amendment to the bill to remove the appropriation section. Funding for implementation of the plan will be part of the overall Oregon Department of Education budget.

*Please see the attached amendment (-A9) for the LFO recommend changes to the bill.*

*Sen./Rep. \_\_\_\_\_ moves the –A9 amendment to HB 2016.*

## **HB 2016 Final Subcommittee Action:**

### ***Final Motion:***

*Sen./Rep. \_\_\_\_\_ moves HB 2016 to the full committee as amended with a “do pass” recommendation.*

**STAFF MEASURE SUMMARY****House Committee On Rules**

**Fiscal:** Fiscal impact issued  
**Revenue:** No Revenue Impact

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**Action Date:** 05/08/15  
**Action:** Do Pass As Amended, Be Printed Engrossed, And Bill Be Referred To Ways And Means.  
**Meeting Dates:** 05/08  
**Vote:**  
Yeas: 6 - Barnhart, Hoyle, Nosse, Rayfield, Smith Warner, Wilson  
Exc: 3 - Gilliam, Kennemer, McLane

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**Prepared By:** Erin Seiler, Committee Administrator

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**WHAT THE MEASURE DOES:**

Requires Oregon Department of Education (ODE) to develop and implement statewide education plan for students enrolled in early childhood through post-secondary education who are black or African-American or students not covered under existing culturally specific statewide education plan, who have experienced disproportionate results in education due to historical practices, as identified in rule by State Board of Education (SBE). ODE will form advisory group including representatives from community, education stakeholders, Early Learning Division, Youth Development Division and Higher Education Coordinating Commission to advise ODE on development, implementation and grant eligibility criteria. SBE will adopt rules for implementation of plan. Specifies issues and strategies that plan must contain to address disparities amongst identified students. Requires ODE to submit biennial report to legislature. Directs ODE to award grants to early learning hubs, providers of early learning services, school districts, post-secondary institutions of education and community-based organizations to implement plan. Requires ODE to submit progress report to interim committee of legislature no later than January 1, 2016. Appropriates money from General Fund to ODE to implement plan. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Gap in student achievement between white students and students of color, as well as poor students
- Addressing disproportionate rates of discipline for African-American students vs. other student groups
- Historical challenges facing traditionally underserved groups

**EFFECT OF COMMITTEE AMENDMENT:**

Replaces original measure.

**BACKGROUND:**

In January, 2013, The Oregonian reported that in 2012, less than 55 percent of African Americans, Native Americans and students learning English as a second language in Oregon earned a diploma in four years.

House Bill 2016-A requires Oregon Department of Education (ODE) to develop and implement a statewide education plan for students who are black or African-American or students not covered under existing culturally specific statewide education plan, who have experienced disproportionate results in education due to historical practices. The plan must address: disparities experienced by students in achieving academic success, the historical practices leading to disproportionate outcomes for students and examine culturally appropriate best practices.

**FISCAL IMPACT OF PROPOSED LEGISLATION**

Measure: HB 2016 - A

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session  
Legislative Fiscal Office***Only Impacts on Original or Engrossed  
Versions are Considered Official***

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Prepared by: Krista McDowell  
Reviewed by: Doug Wilson  
Date: 5/11/2015

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**Measure Description:**

Directs Department of Education to develop and implement statewide education plan for educationally disadvantaged youth.

**Government Unit(s) Affected:**

Department of Education, Early Learning Council, Higher Education Coordinating Commission

**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:**

The fiscal impact of this measure is indeterminate, because the size and funding amount of the grant program is undefined by the bill. The bill directs the Oregon Department of Education (ODE) to develop and implement a statewide education plan for Black or African American students or other students who are covered under an existing culturally specific statewide plan and have experienced disproportionate result in education due to historical practices. ODE is directed to form an advisory group consisting of community members, education stakeholders and representatives of Youth Development Division, the Early Learning Division, and the Higher Education Coordinating Commission. This work group is to help develop a plan and grant program for early learning hubs, providers of early learning services, school districts, post-secondary institutions of education and community-based organizations. ODE is also directed to report to the Legislature on a biennial basis, prior to January 1, 2016, about the progress of the plan.

Assuming the workgroup meets on a monthly or bimonthly basis ODE anticipates the need for one Education Specialist 2 position (1.00 FTE) for an estimated cost of \$235,717 General Fund per biennium. This position will help draft the plan with the workgroup, manage grants, provide assistance to school districts on issues relating to students from disadvantaged groups, and draft legislative reports. Since a portion of the workload for the position will be driven by the quantity, size and level of complexity of the grant program it is not known if this position will remain as a permeant position after the plan and grant program are developed; nor is it know if the position will need to be full-time to manage the grant program.

The fiscal impact to the Higher Education Coordination Commission is minimal and absorbable within the existing parameters of the agency budget.

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2016**

1 On page 3 of the printed A-engrossed bill, line 17, delete “and im-”.

2 In line 18, delete “plemented”.

3 Delete lines 20 through 24 and insert:

4 **“SECTION 3. Notwithstanding section 1 of this 2015 Act, the De-**  
5 **partment of Education may not do any of the following prior to April**  
6 **1, 2016:**

7 **“(1) Implement the statewide education plan developed under sec-**  
8 **tion 1 of this 2015 Act, including awarding any grants to implement**  
9 **the plan; or**

10 **“(2) Make any expenditures from any appropriations made to the**  
11 **department for the implementation of the statewide education plan**  
12 **developed under section 1 of this 2015 Act.”.**

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