

HB 2166 A STAFF MEASURE SUMMARY

House Committee On Rules

Action Date: 05/21/21
Action: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)
Vote: 4-3-0-0
Yeas: 4 - Fahey, Holvey, Salinas, Smith Warner
Nays: 3 - Bonham, Drazan, Zika
Fiscal: Fiscal impact issued
Revenue: No revenue impact
Prepared By: Lisa Gezelter
Meeting Dates: 5/6, 5/20, 5/21

WHAT THE MEASURE DOES:

Enacts recommendations of Racial Justice Council to establish Early Childhood Suspension and Expulsion Prevention Program, establish statewide social emotional learning framework, enact provisions to diversify Oregon's educator workforce, and establish grant program for charter schools with large populations of historically underserved students and students with disabilities.

- Establishes Early Childhood Suspension and Expulsion Prevention Program to be administered by Early Learning Division. Establishes program requirements. Authorizes Early Learning Council to adopt rules necessary to administer program. Requires participation in program for certification of child care facilities or registration of child care homes.
- Requires Oregon Department of Education (ODE) to convene advisory group by September 1, 2021 to propose social emotional learning standards and a statewide social emotional framework for adoption by the State Board of Education. Establishes requirements for standards and framework. Establishes reporting requirements by September 15, 2022. Requires adoption of standards and framework by September 15, 2023 and implementation by school districts by July 1, 2024.
- Requires State Board of Education to adopt rules relating to educator equity. Allows Teacher Standards and Practices Commission (TSPC) to approve school districts, education service districts, or other entities as educator preparation providers. Allows educator preparation programs to operate provisionally without accreditation by national organization for up to four years under certain circumstances. Requires TSPC to establish standards for nontraditional pathways to licensure. Prescribes requirements for those standards. Allows accredited educator preparation programs to offer nontraditional pathways to licensure. Extends sunset date of Teacher Education Program Accreditation Account to July 1, 2025. Raises scholarship amounts for diverse teacher candidates from \$5,000 annually to \$10,000 annually. Modifies parties to and parameters of intergovernmental agreement governing the Educator Advancement Council (EAC). Modifies EAC membership and status.
- Beginning July 1, 2022, establishes grant program for eligible public charter schools to be funded out of Statewide Education Initiatives Account. Establishes eligibility requirements based on percentage of students from racial or ethnic groups that have historically experienced academic disparities and students with disabilities. Prescribes grant amount formula as follows: the public charter school's weighted average daily membership (ADMw) multiplied by the difference between the school district's general purpose grant per ADMw and the charter school's contractual general purpose grant per ADMw. Prescribes purpose of grants and application process. Requires grant application to identify any existing applicable longitudinal performance growth targets. Requires grant agreements to include longitudinal performance growth targets using certain metrics. Requires grantees to deposit funds into separate account to be used only for purposes of grant. Requires annual report from grant recipients to ODE, but reduces reporting redundancies for charter schools already receiving a grant from the Student Investment Account. Prohibits grant program funding from

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supplanting any funding that districts are contractually obligated to pay to eligible charter schools.

ISSUES DISCUSSED:

- Provisions of amendment
- Applicability of Early Childhood Suspension and Expulsion Prevention Program to certain providers
- Public charter school eligibility and formula

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Governor Brown convened a Racial Justice Council (RJC) in September 2020 to recommend changes to policy and long-term strategies to align with the administration's racial justice and equity goals. House Bill 2166 A represents the vehicle for the RJC's policy recommendations related to education. The measure requires an equity-based review of Oregon's education system.

In 2016, the U.S. Department of Health and Human Service's Administration for Children and Families issued a policy statement on expulsion and suspension policies in early childhood settings. That statement recommended that states establish policies applicable in both publicly and privately funded settings to promote mental and behavioral health and eliminate or limit the use of exclusionary discipline in early childhood settings. The National Association for the Education of Young Children estimates that over 8,000 children are suspended or expelled from early learning settings annually in the United States. In Oregon, the Early Learning Division reports that 6.3 percent of families report being asked to leave early learning settings or take a break. For children with disabilities, that rate rises to 14.7 percent. For Hispanic and Latinx children, that figure is 9.5 percent and for American Indian or Alaska Native children it is 9.0 percent. For African American children, the rate is 6.4 percent. House Bill 2166 A establishes a support and assistance program for early learning and care providers to reduce the number of suspensions and expulsions in Oregon.

Social emotional learning is the process in which students learn how to manage emotions, establish healthy relationships, make responsible decisions, and achieve goals. Oregon currently has early learning and kindergarten guidelines related to social emotional learning. House Bill 2166 A requires the creation of statewide social emotional learning standards to be implemented in Oregon schools.

Oregon's existing educator equity initiatives include its scholarship program, efforts by local districts to diversify their own workforces, and efforts by the Educator Advancement Council. According to the 2020 Oregon Educator Equity Report, Oregon's growing student diversity continues to outpace the state's incremental increases in educator diversity, particularly in rural districts. In 2020, Oregon's ethnically diverse students represent 38.5 percent of the total student population, while ethnically diverse teachers represented only 10.9 percent of the total teaching workforce. House Bill 2166 A authorizes new educator preparation programs and providers, particularly for school districts' grow-your-own programs, in which community members can become trained as teachers.

Oregon's charter school statutes allow authorizing districts to establish contractual funding levels for their charter schools. State law allows school districts to pay charters 80 percent of the district's general purpose grant per weighted average daily membership (ADMw) for kindergarten through eighth grade, and 95 percent of the district's general purpose grant per ADMw for high school. The Student Success Act (House Bill 3427 (2019)) established the ability of some charter schools with highly diverse populations to apply for grants on their own. House Bill 2166 A authorizes the use of the Statewide Education Initiatives Account for grants to highly diverse charter schools to make up for the amount of general purpose grant withheld by their authorizing districts.