

House Bill 2030

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Oregon Advocacy Commissions Office)

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**.

Modifies provisions relating to advocacy commissions.
Capitalizes "Black" in references to Black persons.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to advocacy; amending ORS 185.010, 185.310, 185.330, 185.410, 185.420, 185.430, 185.510,
3 185.540, 185.620, 185.625, 327.254 and 329.841; repealing ORS 185.560; and declaring an emer-
4 gency.

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

6 **SECTION 1.** ORS 185.010 is amended to read:

7 185.010. (1) The Oregon Advocacy Commissions Office shall be staffed by an administrator, who
8 is responsible for the performance of the duties, functions and powers of the office.

9 (2) A board consisting of the chairpersons of the commissions served by the office and the
10 [*Commissioner of the Bureau of Labor and Industries*] **Governor** shall establish the qualifications for
11 and appoint the Administrator of the Oregon Advocacy Commissions Office.

12 (3) The Administrator of the Oregon Advocacy Commissions Office shall receive a salary as
13 prescribed by law, or as prescribed by the board described in subsection (2) of this section if a salary
14 is not prescribed by law.

15 (4) The Administrator of the Oregon Advocacy Commissions Office is in the unclassified service.

16 (5) The Administrator of the Oregon Advocacy Commissions Office shall provide each commis-
17 sion served by the office with the administrative support needed by the commission to carry out the
18 statutory duties of the commission. Subject to any applicable provisions of the State Personnel Re-
19 lations Law, the administrator shall employ all persons necessary for the operation of the office,
20 prescribe the duties of those employees and establish the compensation payable to those employees.

21 **SECTION 2.** ORS 185.310 is amended to read:

22 185.310. (1) It is declared to be the policy and intent of the Legislative Assembly that the Com-
23 mission on Hispanic Affairs is created to work for the implementation and establishment of eco-
24 nomic, social, legal and political [*equality*] **equity** for Hispanics in Oregon.

25 (2) The commission shall make recommendations to the Governor and shall report to each odd-
26 numbered year regular session of the Legislative Assembly.

27 **SECTION 3.** ORS 185.330 is amended to read:

28 185.330. In carrying out the duties of ORS 185.310 to 185.330, the Commission on Hispanic Af-
29 fairs shall:

30 (1) Monitor existing programs and legislation designed to meet the needs of the Hispanic popu-

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 lation.

2 (2) Identify and research problem areas and issues affecting the Hispanic community and re-
3 commend actions to the Governor and the Legislative Assembly, including recommendations on
4 legislative programs.

5 (3) Maintain a liaison between the Hispanic community and government entities.

6 (4) **Assist the Governor on the Governor's equity-focused initiatives with policy advice,**
7 **the study of long-standing community issues and the provision of community input, a com-**
8 **munity voice and leadership, as requested.**

9 [(4)] (5) Encourage Hispanic representation on state boards and commissions.

10 [(5)] (6) Meet at least annually in a joint meeting of the Commission on Hispanic Affairs, the
11 Commission on Black Affairs, the Commission for Women and the Commission on Asian and Pacific
12 Islander Affairs to consider and act upon issues of mutual importance to the missions and statutory
13 duties of the commissions.

14 **SECTION 4.** ORS 185.410 is amended to read:

15 185.410. (1) It is declared to be the policy and intent of the Legislative Assembly that the Com-
16 mission on Black Affairs is created to work for the implementation and establishment of economic,
17 social, legal and political [*equality for blacks*] **equity for Blacks** in Oregon.

18 (2) The commission shall make recommendations to the Governor and shall report to each odd-
19 numbered year regular session of the Legislative Assembly.

20 **SECTION 5.** ORS 185.420 is amended to read:

21 185.420. (1) The Commission on Black Affairs shall be comprised of 11 members, to include two
22 representatives from the Legislative Assembly, one appointed by the President of the Senate, one
23 appointed by the Speaker of the House of Representatives. Nine members shall be appointed by the
24 Governor and confirmed by the Senate pursuant to section 4, Article III, Oregon Constitution. To
25 the extent possible, members appointed by the Governor shall provide for representation from all
26 areas of the state. All of the members of the commission shall be residents of this state.

27 (2) Members appointed by the Governor shall serve four-year terms. Legislators shall serve
28 two-year terms.

29 (3) The commission members shall elect a chairperson and vice chairperson.

30 (4) A majority of the members of the commission constitute a quorum for the transaction of
31 business.

32 (5) Appointments to the commission shall be made to ensure representation of [*blacks*] **Blacks**
33 in Oregon.

34 (6) Members of the commission who are not legislators shall be paid compensation and expenses
35 as provided in ORS 292.495 from funds appropriated to the Oregon Advocacy Commissions Office.

36 (7) Members of the commission who are legislators shall be paid compensation and expense re-
37 imbursement as provided in ORS 171.072, payable from funds appropriated to the Legislative As-
38 sembly.

39 **SECTION 6.** ORS 185.430 is amended to read:

40 185.430. In carrying out the duties of ORS 185.410 to 185.430, the Commission on Black Affairs
41 shall:

42 (1) Monitor existing programs and legislation designed to meet the needs of the [*black*] **Black**
43 population.

44 (2) Identify and research problem areas and issues affecting the [*black*] **Black** community and
45 recommend actions to the Governor and the Legislative Assembly, including recommendations on

1 legislative programs.

2 **(3) Assist the Governor on the Governor’s equity-focused initiatives with policy advice,**
 3 **the study of long-standing community issues and the provision of community input, a com-**
 4 **munity voice and leadership, as requested.**

5 [(3)] (4) Maintain a liaison between the [black] **Black** community and government entities.

6 [(4)] (5) Encourage [black] **Black** representation on state boards and commissions.

7 [(5)] (6) Meet at least annually in a joint meeting of the Commission on Black Affairs, the
 8 Commission on Hispanic Affairs, the Commission for Women and the Commission on Asian and
 9 Pacific Islander Affairs to consider and act upon issues of mutual importance to the missions and
 10 statutory duties of the commissions.

11 **SECTION 7.** ORS 185.510 is amended to read:

12 185.510. (1) It is declared to be the policy and intent of the Legislative Assembly that the Com-
 13 mission for Women is created to work for the implementation and establishment of economic, social,
 14 legal and political [equality] **equity** for women and to maintain a continuing assessment of the issues
 15 and needs confronting women in Oregon.

16 (2) The commission shall submit to the Governor at the commencement of each biennium a re-
 17 port containing the concerns and issues confronting the women of Oregon which have been identi-
 18 fied pursuant to the terms of ORS 185.510 to 185.550 and further identifying the programs, projects
 19 and activities which the commission will undertake regarding those issues.

20 **SECTION 8.** ORS 185.540 is amended to read:

21 185.540. The Commission for Women shall:

22 (1)(a) Analyze the [legal] status of women and men under the laws of Oregon relating to civil
 23 rights, contracts, income, property and the family in order to assure full [equality] **equity** and
 24 treatment under the law;

25 (b) Monitor the implementation of laws affecting the legal rights [and duties] of women; and

26 (c) Educate women about their legal rights and responsibilities under the law.

27 (2)(a) Work for [equal] **equity of** opportunity and treatment for women in employment through
 28 an analysis of the employment policies and practices of employers, both public and private;

29 (b) Evaluate the development of methods to assure fuller employment options for women in-
 30 cluding nontraditional job opportunities, child care, job sharing and flextime and part-time employ-
 31 ment; and

32 (c) Examine methods to develop greater employment opportunities and potentials for women
 33 with particular consideration for the needs of minority women, older women, rural women and dis-
 34 placed homemakers.

35 (3)(a) Evaluate the progress of providing [equality] **equity** of educational opportunities for
 36 women in Oregon as mandated by state and federal law;

37 (b) Assist efforts to inform women about nontraditional educational and employment opportu-
 38 nities; and

39 (c) Promote the elimination of [sexist] **gender, nonconforming** and racist barriers in the edu-
 40 cational process, such as staffing patterns, teacher training, curriculum and textbook selection.

41 **(4) Assist the Governor on the Governor’s equity-focused initiatives with policy advice,**
 42 **the study of long-standing community issues and the provision of community input, a com-**
 43 **munity voice and leadership, as requested.**

44 [(4)(a)] (5)(a) Encourage women to pursue a variety of roles in life[, both in the community and
 45 in the family];

1 (b) Promote the full recognition of the contributions of women whether in the home, as volun-
 2 teers in the community or in the labor market;

3 (c) Promote the valuation of work within the home at a level comparable with work outside the
 4 home; and

5 (d) Investigate family relationships which are detrimental to women and to the development of
 6 productive family life.

7 [(5)] (6) Encourage and recommend women to serve on appointive boards and commissions and
 8 encourage them to seek elective office.

9 [(6)] (7) Identify and address issues which may be unique to special categories of women in-
 10 cluding minority women, juvenile women, older women, rural women and displaced homemakers.

11 [(7)] (8) Meet at least annually in a joint meeting of the Commission for Women, the Commission
 12 on Hispanic Affairs, the Commission on Black Affairs and the Commission on Asian and Pacific
 13 Islander Affairs to consider and act upon issues of mutual importance to the missions and statutory
 14 duties of the commissions.

15 **SECTION 9.** ORS 185.620 is amended to read:

16 185.620. (1) The Commission on Asian and Pacific Islander Affairs shall:

17 (a) Identify barriers to the economic development and trade opportunities of Asian and Pacific
 18 Islander Americans within this state, and advise state agencies and officials on issues related to
 19 those barriers.

20 (b) Establish an Asian and Pacific Islander Affairs Network to facilitate the work of the com-
 21 mission.

22 (c) Identify and examine the needs of Asian and Pacific Islander American residents of this
 23 state.

24 (d) Compile information relating to services available to Asian and Pacific Islander American
 25 residents of this state, including but not limited to education and training programs, work programs,
 26 dispute resolution programs, trade opportunities, housing programs, health programs, mental health
 27 programs including alcohol and drug services, and welfare programs from local, state and federal
 28 sources and through private agencies.

29 (e) Develop and sponsor programs in cooperation with Asian and Pacific Islander American
 30 groups and organizations to inform Asian and Pacific Islander American residents of this state of
 31 services available to them.

32 (f) Assess all programs of state agencies operating for the benefit of **equity for** Asian and
 33 Pacific Islander American residents of this state and make recommendations to the appropriate
 34 agencies for the improvement of those programs.

35 (g) Serve as liaison to other state boards and commissions as required by law.

36 **(h) Assist the Governor on the Governor's equity-focused initiatives with policy advice,**
 37 **the study of long-standing community issues and the provision of community input, a com-**
 38 **munity voice and leadership, as requested.**

39 [(h)] (i) Submit to the Governor at the beginning of each biennium a report that describes the
 40 needs of Asian and Pacific Islander Americans identified under paragraph (c) of this subsection and
 41 that specifies the programs, projects and activities that the commission will undertake regarding
 42 those needs.

43 [(i)] (j) Meet at least annually in a joint meeting of the Commission on Asian and Pacific
 44 Islander Affairs, the Commission on Hispanic Affairs, the Commission on Black Affairs and the
 45 Commission for Women to consider and act upon issues of mutual importance to the missions and

1 statutory duties of the commissions.

2 (2) As used in this section, “Asian and Pacific Islander American” means a resident of the
 3 United States who is of Asian or Pacific Islander ancestry.

4 **SECTION 10.** ORS 185.625 is amended to read:

5 185.625. The Legislative Assembly declares that the Commission on Asian and Pacific Islander
 6 Affairs shall work for the implementation and establishment of economic, social, legal and political
 7 [equality] **equity** for Asian and Pacific Islander Americans in this state and to maintain a continuing
 8 assessment of the issues and needs confronting Asian and Pacific Islander Americans in this state.

9 **SECTION 11.** ORS 327.254 is amended to read:

10 327.254. (1) The Department of Education shall use moneys in the Statewide Education Initi-
 11 atives Account to provide funding for statewide education initiatives, including:

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

14 (b) Expanding school breakfast and lunch programs;

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

16 (d) Establishing and maintaining the Statewide School Safety and Prevention System under ORS
 17 339.341;

18 (e) Developing and providing statewide equity initiatives, including the [black] **Black** or
 19 African-American education plan developed under ORS 329.841, the American Indian or Alaskan
 20 Native education plan developed under ORS 329.843, the Latino or Hispanic education plan devel-
 21 oped under ORS 329.845 or any similar education plan identified by the department;

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

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

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

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

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

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

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

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

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

36 (m) Funding costs incurred by the department in implementing this section and ORS 327.175 to
 37 327.235 and 327.274.

38 (2)(a) The amount of a distribution to an education service district under this section = the
 39 education service district’s ADMw × (the total amount available for distribution to education ser-
 40 vice districts in each biennium ÷ the total ADMw of all education service districts that receive a
 41 distribution).

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

45 (c) An education service district shall use moneys received under this section as provided by a

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

5 (d) A plan developed under this subsection must:

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

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

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

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

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

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

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

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

22 **SECTION 12.** ORS 329.841 is amended to read:

23 329.841. (1) For the purposes of this section, "plan student" means a student enrolled in early
 24 childhood through post-secondary education who:

25 (a) Is [*black*] **Black** or African-American or a member of a student group that is not covered
 26 under an existing culturally specific statewide education plan; 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 (5) The department shall submit a biennial report concerning the progress of the plan developed
18 and implemented under this section at each even-numbered year regular session of the Legislative
19 Assembly in the manner provided by ORS 192.245 to an interim committee of the Legislative As-
20 sembly related to education.

21 (6) The department, in consultation with the advisory group, shall award grants to early learn-
22 ing hubs, providers of early learning services, school districts, post-secondary institutions of educa-
23 tion and community-based organizations to implement the strategies developed in the plan developed
24 and implemented under this section.

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

28 **SECTION 13. ORS 185.560 is repealed.**

29 **SECTION 14. This 2021 Act being necessary for the immediate preservation of the public
30 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
31 on its passage.**

32