

A-Engrossed
House Bill 3288

Ordered by the House April 10
Including House Amendments dated April 10

Sponsored by Representatives BOWMAN, NGUYEN H (at the request of Coalition of Communities of Color)

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.

Directs State Board of Education to adopt uniform standards related to collection of specified data. **Requires board to convene advisory committee to assist board in adopting, reviewing and updating standards.**

Directs [*Department of Education and*] school districts to use standards [*in surveys and*] in programs **and procedures** in which specified data is collected, recorded or reported.

A BILL FOR AN ACT

1
2 Relating to data collection standards in schools.

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

4 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 329.**

5 **SECTION 2. (1) The State Board of Education shall adopt by rule uniform standards,**
6 **based on local, statewide and national best practices, for the collection of data on race,**
7 **ethnicity and preferred spoken and written languages for public school students in**
8 **kindergarten through grade 12. The board shall review and update the standards at least**
9 **once every two years to ensure that the standards are efficient, uniform and consistent with**
10 **best practices.**

11 **(2) Standards described in subsection (1) of this section shall be adopted, reviewed and**
12 **updated:**

13 **(a) In a manner to ensure alignment with federal reporting requirements;**

14 **(b) In consultation with the Oregon Health Authority to ensure, to the greatest extent**
15 **practicable, alignment with standards adopted by the authority under ORS 413.161;**

16 **(c) In consultation with representatives from tribal governments; and**

17 **(d) In consultation with the advisory committee convened under subsection (3) of this**
18 **section.**

19 **(3) The State Board of Education shall convene an advisory committee in accordance**
20 **with ORS 183.333 to assist the board in adopting, reviewing and updating the standards de-**
21 **scribed in subsection (1) of this section. The advisory committee shall be composed of indi-**
22 **viduals likely to be affected by the standards, advocates for individuals likely to be affected**
23 **by the standards and individuals likely to collect or use the data in educational or community**
24 **settings, including:**

25 **(a) Individuals who have lived experiences with, or a demonstrated understanding of, is-**
26 **sues facing persons who are:**

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 (A) American Indian or Alaska Native;
- 2 (B) Black or African American;
- 3 (C) Hispanic or Latino, including individuals of Mexican, Cuban, Puerto Rican, South
- 4 American, Central American or Spanish descent;
- 5 (D) Middle Eastern or North African; or
- 6 (E) Native Hawaiian or Pacific Islander;
- 7 (b) Representatives of culturally specific organizations;
- 8 (c) Representatives of community-based organizations with recognized expertise in data
- 9 justice issues;
- 10 (d) Representatives of student and parent organizations; and
- 11 (e) Representatives of organizations representing school district boards, school district
- 12 administrators, licensed school employees and classified school employees.

13 **SECTION 3.** For the purpose of section 2 of this 2023 Act, the Department of Education
14 shall:

15 (1) Consult with representatives from the Oregon Health Authority, tribal governments
16 and the advisory committee convened under section 2 (3) of this 2023 Act to, no later than
17 March 15, 2025:

18 (a) Develop and propose the standards required under section 2 of this 2023 Act for con-
19 sideration and possible adoption by the State Board of Education.

20 (b) Develop a plan for implementation of the standards by school districts. The plan must
21 include:

22 (A) A statewide needs assessment describing how school districts in this state currently
23 collect and report data on the race, ethnicity and preferred spoken and written languages for
24 public school students in kindergarten through grade 12.

25 (B) A statewide implementation strategy for the proposed standards that includes a
26 timeline and costs associated with data governance, data system upgrades, strategic com-
27 munications, training needs, ongoing revisions to the standards in response to emergent
28 needs and federal reporting requirements, community outreach, data quality and reporting.

29 (C) Recommendations for how to make the collected data publicly available at the school
30 district level with safeguards needed to protect student privacy.

31 (D) Recommendations for a regular review process and accountability requirements to
32 ensure school district compliance with the standards.

33 (2) Report to the interim committees of the Legislative Assembly related to education,
34 in the manner provided in ORS 192.245, on the implementation of section 2 of this 2023 Act
35 no later than September 15, 2024. The report must include, at a minimum, a description of
36 the progress and challenges of implementing section 2 of this 2023 Act.

37 **SECTION 4.** Section 2 of this 2023 Act is amended to read:

38 **Sec. 2.** (1) The State Board of Education shall adopt by rule uniform standards, based on local,
39 statewide and national best practices, for the collection of data on race, ethnicity and preferred
40 spoken and written languages for public school students in kindergarten through grade 12. The
41 board shall review and update the standards at least once every two years to ensure that the stan-
42 dards are efficient, uniform and consistent with best practices.

43 (2) Standards described in subsection (1) of this section shall be adopted, reviewed and updated:

44 (a) In a manner to ensure alignment with federal reporting requirements;

45 (b) In consultation with the Oregon Health Authority to ensure, to the greatest extent practi-

1 cable, alignment with standards adopted by the authority under ORS 413.161;

2 (c) In consultation with representatives from tribal governments; and

3 (d) In consultation with the advisory committee convened under subsection (3) of this section.

4 (3) The State Board of Education shall convene an advisory committee in accordance with ORS
5 183.333 to assist the board in adopting, reviewing and updating the standards described in subsection
6 (1) of this section. The advisory committee shall be composed of individuals likely to be affected by
7 the standards, advocates for individuals likely to be affected by the standards and individuals likely
8 to collect or use the data in educational or community settings, including:

9 (a) Individuals who have lived experiences with, or a demonstrated understanding of, issues
10 facing persons who are:

11 (A) American Indian or Alaska Native;

12 (B) Black or African American;

13 (C) Hispanic or Latino, including individuals of Mexican, Cuban, Puerto Rican, South American,
14 Central American or Spanish descent;

15 (D) Middle Eastern or North African; or

16 (E) Native Hawaiian or Pacific Islander;

17 (b) Representatives of culturally specific organizations;

18 (c) Representatives of community-based organizations with recognized expertise in data justice
19 issues;

20 (d) Representatives of student and parent organizations; and

21 (e) Representatives of organizations representing school district boards, school district adminis-
22 trators, licensed school employees and classified school employees.

23 **(4) All school districts in this state must apply the uniform standards adopted by the**
24 **State Board of Education under this section in all programs and procedures used to collect,**
25 **record or report data described in subsection (1) of this section.**

26 **SECTION 5. The amendments to section 2 of this 2023 Act by section 4 of this 2023 Act**
27 **become operative on July 1, 2026.**

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