

A-Engrossed
Senate Bill 421

Ordered by the Senate April 3
Including Senate Amendments dated April 3

Sponsored by Senator DEMBROW, Representatives VALDERRAMA, DEXTER, Senators FREDERICK, JAMA, Representatives NERON, REYNOLDS; Senators CAMPOS, MANNING JR, SOLLMAN, Representatives GOMBERG, PHAM K (Pre-session filed.)

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.

Establishes youth advisory council. Prescribes membership and duties of youth advisory council.
Directs Department of Education to establish work group to establish standards for selection process of members of youth advisory council. Sunsets work group on August 30, 2024.
Declares emergency, effective July 1, 2023.

A BILL FOR AN ACT

1
2 Relating to a youth advisory council; and declaring an emergency.

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

4 **SECTION 1. (1) The Department of Education shall establish a work group to develop**
5 **standards that are used to select the members of the youth advisory council established by**
6 **section 4 of this 2023 Act.**

7 **(2) The work group shall consist of members selected by the Department of Education**
8 **in consultation with the Youth Development Division, the Higher Education Coordinating**
9 **Commission, the Oregon Health Authority and the Racial Justice Council.**

10 **(3) To the extent practicable, the work group shall consist of:**

11 **(a) Youth representing tribal youth councils;**

12 **(b) Youth representing youth and student leadership organizations;**

13 **(c) Youth participating in alternative education pathways;**

14 **(d) Youth from immigrant and refugee communities;**

15 **(e) Individuals representing culturally and ethnically specific community-based organiza-**
16 **tions, including organizations that assist immigrant and refugee communities;**

17 **(f) Individuals who are administrators, teachers and other school staff who support youth**
18 **and student leadership in public schools, including education service districts, school dis-**
19 **tricts, schools and youth reengagement programs;**

20 **(g) Youth who serve as advisors to the State Board of Education or serve on Department**
21 **of Education work groups related to student success initiatives;**

22 **(h) Youth who serve on the Youth Development Council or who participate in Youth**
23 **Development Division programs;**

24 **(i) Youth who serve on Oregon Health Authority work groups;**

25 **(j) Youth who serve on Higher Education Coordinating Commission work groups;**

26 **(k) Youth who serve on Racial Justice Council work groups; and**

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 (L) Additional members identified and recommended by the work group, in consultation
2 with the Department of Education.

3 (4) Members of the work group selected as provided by subsection (3) of this section must
4 consist of individuals who:

5 (a) Have lived experiences with, or a demonstrated understanding of, issues facing per-
6 sons who are from racial or ethnic communities that historically have been, or currently are,
7 underrepresented or underserved, including communities for which a plan has been developed
8 and implemented under ORS 329.841, 329.843 or 329.845;

9 (b) Have lived experiences with, or a demonstrated understanding of, issues facing per-
10 sons who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex, asexual,
11 nonbinary or another minority gender identity or sexual orientation;

12 (c) Are English language learners;

13 (d) Are identifiable as being a child with a disability, as defined in ORS 343.035;

14 (e) Are navigating poverty;

15 (f) Are a foster child or have a parent involved in the criminal justice system; or

16 (g) Have experienced disproportionate results in education due to historical practices, as
17 identified by the State Board of Education by rule.

18 (5) Youth members of the work group selected as provided by subsection (3) of this sec-
19 tion must be between the ages of 11 and 21 years during their term of service on the work
20 group.

21 (6) The work group shall:

22 (a) Develop a process for individuals to apply to become a member of the youth advisory
23 council, based on considerations of equity.

24 (b) Develop and implement a youth outreach and recruitment plan for connecting with
25 prospective members of the youth advisory council.

26 (c) Review applications of prospective members of the youth advisory council and re-
27 commend to the Governor prospective members of the youth advisory council.

28 (d) Develop the orientation for members of the youth advisory council.

29 (e) Work to reduce bias and remove barriers related to becoming a member of the youth
30 advisory council and to support members of the youth advisory council.

31 (f) Identify mentors for youth members of the youth advisory council.

32 **SECTION 2.** The work group established by section 1 of this 2023 Act must first meet no
33 later than October 31, 2023.

34 **SECTION 3.** Section 1 of this 2023 Act is repealed on August 30, 2024.

35 **SECTION 4.** (1) A youth advisory council is established for the purposes of this section.

36 (2)(a) The Governor, in consultation with the Department of Education and the work
37 group established by section 1 of this 2023 Act, shall appoint members of the youth advisory
38 council as provided by this subsection. The term of office of each member is two years, but
39 a member serves at the pleasure of the Governor.

40 (b) The majority of the members of the youth advisory council must be youth between
41 the ages of 11 and 21 years of age during their term of service on the youth advisory council.
42 The youth members of the youth advisory council must include at least two youth from each
43 education service district identified in ORS 334.013.

44 (c) When selecting the members of the youth advisory council, the Governor shall:

45 (A) Consult with the Department of Education, the Youth Development Division, the

1 **Higher Education Coordinating Commission, the Oregon Health Authority and the Racial**
2 **Justice Council to appoint members of the youth advisory council who are one or more of**
3 **the following:**

4 (i) **Youth and staff representing tribal youth councils;**

5 (ii) **Youth and staff representing youth and student leadership organizations;**

6 (iii) **Youth and staff representing alternative education pathways;**

7 (iv) **Youth from immigrant and refugee communities;**

8 (v) **Individuals representing culturally and ethnically specific community-based organiza-**
9 **tions, including organizations that assist immigrant and refugee communities;**

10 (vi) **Individuals who are administrators, teachers and other school staff who support**
11 **youth and student leadership in public schools, including education service districts, school**
12 **districts, schools and youth reengagement programs;**

13 (vii) **Youth who serve as advisors to the State Board of Education or serve on Depart-**
14 **ment of Education work groups related to student success initiatives;**

15 (viii) **Youth who serve on the Youth Development Council or who participate in Youth**
16 **Development Division programs;**

17 (ix) **Youth who serve on Oregon Health Authority work groups;**

18 (x) **Youth who serve on Higher Education Coordinating Commission work groups;**

19 (xi) **Youth who serve on Racial Justice Council work groups; and**

20 (xii) **Additional members identified and recommended by the youth advisory council, in**
21 **consultation with the Department of Education.**

22 (B) **Consult with the Youth Development Division to appoint members of the youth ad-**
23 **visory council who are youth who have been reengaged and to appoint program staff who**
24 **support the statewide youth reengagement system developed and administered by the divi-**
25 **sion under ORS 417.859 or who otherwise provide education opportunities to youth or support**
26 **the educational success of youth.**

27 (d) **In addition to the members of the youth advisory council described in paragraphs (b)**
28 **and (c) of this subsection, the youth advisory council may include the following members**
29 **appointed by the Governor in consultation with the Department of Education and the work**
30 **group established by section 1 of this 2023 Act:**

31 (A) **Additional youth members who represent more populous regions in this state than**
32 **the regions identified in paragraph (b) of this subsection; and**

33 (B) **Any other members identified and recommended by the youth advisory council.**

34 (e) **The Governor, in consultation with the Department of Education, may provide for**
35 **alternate members for the youth members of the youth advisory council described in para-**
36 **graph (b) of this subsection.**

37 (f)(A) **When making appointments under this subsection, the Governor must ensure that:**

38 (i) **At least 70 percent of the members of the youth advisory council have lived experi-**
39 **ences with, or a demonstrated understanding of, issues facing persons who are from racial**
40 **or ethnic communities that historically have been, or currently are, underrepresented or**
41 **underserved;**

42 (ii) **At least 50 percent of the youth members of the youth advisory council from each**
43 **of the regions identified in paragraph (b) of this subsection have lived experiences with, or**
44 **a demonstrated understanding of, issues facing persons who are from racial or ethnic com-**
45 **munities that historically have been, or currently are, underrepresented or underserved; and**

1 (iii) The youth members of the youth advisory council must include youth who:

2 (I) Have lived experiences with, or a demonstrated understanding of, issues facing per-
3 sons who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex, asexual,
4 nonbinary or another minority gender identity or sexual orientation;

5 (II) Are English language learners;

6 (III) Are identified as being a child with a disability, as defined in ORS 343.035;

7 (IV) Are navigating poverty;

8 (V) Are a foster child or have a parent involved in the criminal justice system; or

9 (VI) Have experienced disproportionate results in education due to historical practices,
10 as identified by the State Board of Education by rule.

11 (B) For the purpose of this paragraph, racial or ethnic communities that historically have
12 been, or currently are, underrepresented or underserved include communities for which a
13 plan has been developed and implemented under ORS 329.841, 329.843 and 329.845.

14 (g) A member of the youth advisory council is eligible for reappointment for up to two
15 terms. If there is a vacancy for any cause, the Governor, in consultation with other members
16 of the youth advisory council, shall make an appointment to become immediately effective
17 for the unexpired term.

18 (h) Upon the expiration of a term of office, a person who had been a member of the youth
19 advisory council may choose to become a mentor for any of the members of the youth advi-
20 sory council.

21 (3)(a) The Department of Education shall ensure that each youth member of the youth
22 advisory council has:

23 (A) Sufficient support to enable participation in youth advisory council meetings, which
24 may include accommodations, stipends, travel expenses, appropriate technological access and
25 academic credit; and

26 (B) Resources available to reimburse any adult who provides transportation or other
27 supports in helping the youth member to participate in the youth advisory council.

28 (b) Each school, school district or program enrolled in by a youth member of the youth
29 advisory council shall ensure that the youth member has:

30 (A) Access to counseling support, including mental health support; and

31 (B) Access to tutoring.

32 (c) The adult members of the youth advisory council shall ensure that each youth mem-
33 ber of the youth advisory council has:

34 (A) Access to an adult mentor; and

35 (B) An opportunity to provide peer support or be a youth mentor.

36 (4) The youth advisory council, with support from the Department of Education, shall
37 take into consideration racial equity and justice and align with other statewide efforts for
38 racial equity and justice when performing the following duties:

39 (a) Developing the youth advisory council's goals, success criteria and progress measures
40 related to youth and student leadership and engagement in the policymaking process in this
41 state. When performing the duties described in this paragraph, the youth advisory council
42 may modify the youth advisory council's decision-making process, scope of work, work plans
43 and meeting structures, and the roles and responsibilities of youth advisory council mem-
44 bers.

45 (b) Examining current Department of Education, Youth Development Division and

1 Oregon Health Authority initiatives and practices related to youth and student leadership
2 and engagement in the policymaking process and making recommendations on how to elevate
3 and support youth and student leadership and youth-led and student-led accountability in the
4 policymaking process at the state and local level. When performing the duties described in
5 this paragraph, the youth advisory council must give careful consideration to youth and
6 student leadership and to engagement by youth described in subsection (2)(f)(A)(ii) and (iii)
7 of this section. The youth advisory council may recommend methods for evaluating current
8 initiatives, practices and progress relating to youth and student leadership and engagement
9 at the state level.

10 (c) Connecting with youth and student leaders and exploring youth and student leader-
11 ship networks, including culturally and ethnically specific, community-based models and
12 Youth Development Division programs, to identify best practices in youth-led and student-led
13 accountability in this state and on a national level. Based on the performance of the duties
14 described in this paragraph, the youth advisory council shall make recommendations to the
15 Department of Education, the Youth Development Division, the Legislative Assembly and the
16 Governor's office on how to support youth and student leadership networks on a regional
17 level for the purposes of connecting youths with youth organizations, connecting students
18 with student organizations, elevating youth and student leadership and voice and supporting
19 youth-led and student-led accountability, with special consideration given to youth described
20 in subsection (2)(f)(A)(ii) and (iii) of this section.

21 (d) Helping the Department of Education, the Youth Development Division and the
22 Oregon Health Authority with the surveys that are administered to youth and students by
23 assisting with reviews of the findings and making recommendations on the content and ad-
24 ministration of the surveys.

25 (e) Evaluating current processes in this state to identify best practices for youth and
26 students reporting a bias incident as defined in ORS 147.380 or a hate or bias crime. Based
27 on the performance of the duty described in this paragraph, the youth advisory council shall
28 make recommendations for providing support to youth and students who have experienced
29 bias incidents or hate or bias crimes.

30 (f) Reporting on the youth advisory council's work, progress and recommendations to the
31 Legislative Assembly and the Governor's office every two years and providing interim up-
32 dates to youth and student leadership networks and organizations, education service dis-
33 tricts, school districts and local entities that serve youth and students.

34 (5) The youth advisory council shall meet at least six times each year in the manner and
35 on the dates determined by a majority of the members of the youth advisory council. The
36 youth advisory council shall also meet at other times specified or requested by a majority
37 of the members of the youth advisory council.

38 (6) The Department of Education shall:

39 (a) Provide staff support to the youth advisory council; and

40 (b) Support youth advisory council members in participating in the youth advisory
41 council.

42 **SECTION 5.** The Governor, in consultation with the work group established by section 1
43 of this 2023 Act, shall appoint the members of the youth advisory council described in section
44 4 of this 2023 Act no later than February 15, 2024.

45 **SECTION 6.** Section 4 of this 2023 Act is amended to read:

1 **Sec. 4.** (1) A youth advisory council is established for the purposes of this section.

2 (2)(a) The Governor, in consultation with the Department of Education and [*the work group es-*
3 *tablished by section 1 of this 2023 Act*] **current members of the youth advisory council**, shall ap-
4 point members of the youth advisory council as provided by this subsection. The term of office of
5 each member is two years, but a member serves at the pleasure of the Governor.

6 (b) The majority of the members of the youth advisory council must be youth between the ages
7 of 11 and 21 years of age during their term of service on the youth advisory council. The youth
8 members of the youth advisory council must include at least two youth from each education service
9 district identified in ORS 334.013.

10 (c) When selecting the members of the youth advisory council, the Governor shall:

11 (A) Consult with the Department of Education, the Youth Development Division, the Higher
12 Education Coordinating Commission, the Oregon Health Authority and the Racial Justice Council
13 to appoint members of the youth advisory council who are one or more of the following:

14 (i) Youth and staff representing tribal youth councils;

15 (ii) Youth and staff representing youth and student leadership organizations;

16 (iii) Youth and staff representing alternative education pathways;

17 (iv) Youth from immigrant and refugee communities;

18 (v) Individuals representing culturally and ethnically specific community-based organizations,
19 including organizations that assist immigrant and refugee communities;

20 (vi) Individuals who are administrators, teachers and other school staff who support youth and
21 student leadership in public schools, including education service districts, school districts, schools
22 and youth reengagement programs;

23 (vii) Youth who serve as advisors to the State Board of Education or serve on Department of
24 Education work groups related to student success initiatives;

25 (viii) Youth who serve on the Youth Development Council or who participate in Youth Devel-
26 opment Division programs;

27 (ix) Youth who serve on Oregon Health Authority work groups;

28 (x) Youth who serve on Higher Education Coordinating Commission work groups;

29 (xi) Youth who serve on Racial Justice Council work groups; and

30 (xii) Additional members identified and recommended by the youth advisory council, in consul-
31 tation with the Department of Education.

32 (B) Consult with the Youth Development Division to appoint members of the youth advisory
33 council who are youth who have been reengaged and to appoint program staff who support the
34 statewide youth reengagement system developed and administered by the division under ORS 417.859
35 or who otherwise provide education opportunities to youth or support the educational success of
36 youth.

37 (d) In addition to the members of the youth advisory council described in paragraphs (b) and (c)
38 of this subsection, the youth advisory council may include the following members appointed by the
39 Governor in consultation with the Department of Education and [*the work group established by sec-*
40 *tion 1 of this 2023 Act*] **current members of the youth advisory council**:

41 (A) Additional youth members who represent more populous regions in this state than the re-
42 gions identified in paragraph (b) of this subsection; and

43 (B) Any other members identified and recommended by the youth advisory council.

44 (e) The Governor, in consultation with the Department of Education, may provide for alternate
45 members for the youth members of the youth advisory council described in paragraph (b) of this

1 subsection.

2 (f)(A) When making appointments under this subsection, the Governor must ensure that:

3 (i) At least 70 percent of the members of the youth advisory council have lived experiences with,
4 or a demonstrated understanding of, issues facing persons who are from racial or ethnic communities
5 that historically have been, or currently are, underrepresented or underserved;

6 (ii) At least 50 percent of the youth members of the youth advisory council from each of the
7 regions identified in paragraph (b) of this subsection have lived experiences with, or a demonstrated
8 understanding of, issues facing persons who are from racial or ethnic communities that historically
9 have been, or currently are, underrepresented or underserved; and

10 (iii) The youth members of the youth advisory council must include youth who:

11 (I) Have lived experiences with, or a demonstrated understanding of, issues facing persons who
12 identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex, asexual, nonbinary or an-
13 other minority gender identity or sexual orientation;

14 (II) Are English language learners;

15 (III) Are identified as being a child with a disability, as defined in ORS 343.035;

16 (IV) Are navigating poverty;

17 (V) Are a foster child or have a parent involved in the criminal justice system; or

18 (VI) Have experienced disproportionate results in education due to historical practices, as
19 identified by the State Board of Education by rule.

20 (B) For the purpose of this paragraph, racial or ethnic communities that historically have been,
21 or currently are, underrepresented or underserved include communities for which a plan has been
22 developed and implemented under ORS 329.841, 329.843 and 329.845.

23 (g) A member of the youth advisory council is eligible for reappointment for up to two terms.
24 If there is a vacancy for any cause, the Governor, in consultation with other members of the youth
25 advisory council, shall make an appointment to become immediately effective for the unexpired term.

26 (h) Upon the expiration of a term of office, a person who had been a member of the youth ad-
27 visory council may choose to become a mentor for any of the members of the youth advisory council.

28 (3)(a) The Department of Education shall ensure that each youth member of the youth advisory
29 council has:

30 (A) Sufficient support to enable participation in youth advisory council meetings, which may
31 include accommodations, stipends, travel expenses, appropriate technological access and academic
32 credit; and

33 (B) Resources available to reimburse any adult who provides transportation or other supports
34 in helping the youth member to participate in the youth advisory council.

35 (b) Each school, school district or program enrolled in by a youth member of the youth advisory
36 council shall ensure that the youth member has:

37 (A) Access to counseling support, including mental health support; and

38 (B) Access to tutoring.

39 (c) The adult members of the youth advisory council shall ensure that each youth member of the
40 youth advisory council has:

41 (A) Access to an adult mentor; and

42 (B) An opportunity to provide peer support or be a youth mentor.

43 (4) The youth advisory council, with support from the Department of Education, shall take into
44 consideration racial equity and justice and align with other statewide efforts for racial equity and
45 justice when performing the following duties:

1 (a) Developing the youth advisory council’s goals, success criteria and progress measures related
2 to youth and student leadership and engagement in the policymaking process in this state. When
3 performing the duties described in this paragraph, the youth advisory council may modify the youth
4 advisory council’s decision-making process, scope of work, work plans and meeting structures, and
5 the roles and responsibilities of youth advisory council members.

6 (b) Examining current Department of Education, Youth Development Division and Oregon
7 Health Authority initiatives and practices related to youth and student leadership and engagement
8 in the policymaking process and making recommendations on how to elevate and support youth and
9 student leadership and youth-led and student-led accountability in the policymaking process at the
10 state and local level. When performing the duties described in this paragraph, the youth advisory
11 council must give careful consideration to youth and student leadership and to engagement by youth
12 described in subsection (2)(f)(A)(ii) and (iii) of this section. The youth advisory council may recom-
13 mend methods for evaluating current initiatives, practices and progress relating to youth and stu-
14 dent leadership and engagement at the state level.

15 (c) Connecting with youth and student leaders and exploring youth and student leadership net-
16 works, including culturally and ethnically specific, community-based models and Youth Development
17 Division programs, to identify best practices in youth-led and student-led accountability in this state
18 and on a national level. Based on the performance of the duties described in this paragraph, the
19 youth advisory council shall make recommendations to the Department of Education, the Youth
20 Development Division, the Legislative Assembly and the Governor’s office on how to support youth
21 and student leadership networks on a regional level for the purposes of connecting youths with
22 youth organizations, connecting students with student organizations, elevating youth and student
23 leadership and voice and supporting youth-led and student-led accountability, with special consider-
24 ation given to youth described in subsection (2)(f)(A)(ii) and (iii) of this section.

25 (d) Helping the Department of Education, the Youth Development Division and the Oregon
26 Health Authority with the surveys that are administered to youth and students by assisting with
27 reviews of the findings and making recommendations on the content and administration of the sur-
28 veys.

29 (e) Evaluating current processes in this state to identify best practices for youth and students
30 reporting a bias incident as defined in ORS 147.380 or a hate or bias crime. Based on the perform-
31 ance of the duty described in this paragraph, the youth advisory council shall make recommen-
32 dations for providing support to youth and students who have experienced bias incidents or hate or
33 bias crimes.

34 (f) Reporting on the youth advisory council’s work, progress and recommendations to the Leg-
35 islative Assembly and the Governor’s office every two years and providing interim updates to youth
36 and student leadership networks and organizations, education service districts, school districts and
37 local entities that serve youth and students.

38 (5) The youth advisory council shall meet at least six times each year in the manner and on the
39 dates determined by a majority of the members of the youth advisory council. The youth advisory
40 council shall also meet at other times specified or requested by a majority of the members of the
41 youth advisory council.

42 (6) The Department of Education shall:

43 (a) Provide staff support to the youth advisory council; and

44 (b) Support youth advisory council members in participating in the youth advisory council.

45 **SECTION 7. The amendments to section 4 of this 2023 Act by section 6 of this 2023 Act**

1 **become operative on August 30, 2024.**

2 **SECTION 8. In addition to and not in lieu of any other appropriation, there is appropri-**
3 **ated to the Department of Education, for the biennium beginning July 1, 2023, out of the**
4 **General Fund, the amount of \$_____ , which shall be expended for the purposes of section**
5 **4 of this 2023 Act.**

6 **SECTION 9. This 2023 Act being necessary for the immediate preservation of the public**
7 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
8 **July 1, 2023.**

9
