

A-Engrossed
Senate Bill 575

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

Sponsored by Senator GELSER BLOUIN, Representative HUDSON, Senator WAGNER (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.

Directs Department of Education to develop and implement statewide education plan for students who are eligible for special education and who have experienced disproportionate results in education due to historical practices.

Requires school districts to establish special education advisory council. Authorizes use of moneys from Student Investment Account for councils.

Requires all statewide education plans to include strategies that provide for alignment with other statewide education plans.

Declares emergency, effective July 1, 2023.

A BILL FOR AN ACT

1
2 Relating to statewide education plans; creating new provisions; amending ORS 327.180, 327.254,
3 329.841, 329.843, 329.845 and 329.847 and sections 64 and 68, chapter 631, Oregon Laws 2021; and
4 declaring an emergency.

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

6 **SECTION 1. (1) As used in this section, "plan student" means a student enrolled in early**
7 **childhood through post-secondary education who:**

8 **(a) Is a student eligible for special education as a child with a disability, as defined in**
9 **ORS 343.035; and**

10 **(b) Has experienced disproportionate results in education due to historical practices, as**
11 **identified by the State Board of Education by rule.**

12 **(2)(a) The Department of Education shall develop and implement a statewide education**
13 **plan for plan students, including:**

14 **(A) Consulting with the advisory groups formed for other similar statewide education**
15 **plans;**

16 **(B) Establishing criteria and administering the selection and accountability requirements**
17 **for grants awarded under this section;**

18 **(C) Providing technical assistance to special education advisory councils established as**
19 **provided by section 5 of this 2023 Act; and**

20 **(D) Advising the State Board of Education on the adoption of rules for implementation**
21 **of the plan.**

22 **(b) When developing and implementing the plan, the department shall consult with:**

23 **(A) Local, state and national organizations that have expertise in the best practices for**
24 **providing special education and related services; and**

25 **(B) The advisory group formed under paragraph (c) of this subsection.**

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 (c) The department shall form an advisory group consisting of individuals who are:

2 (A) Students who are eligible for special education and related services and who repre-
3 sent a diversity of:

4 (i) Disability types;

5 (ii) Geographic locations, including urban and rural communities; and

6 (iii) Demographics, including students who are plan students under other statewide edu-
7 cation plans and students who are eligible for and enrolled in an English language learner
8 program;

9 (B) Parents or other family members of students who are eligible for special education
10 and related services;

11 (C) Representatives of a local parent training and information center that serves parents
12 of children with disabilities; and

13 (D) Representatives of special education stakeholders, including community-based or-
14 ganizations, members of the disability community and representatives of the Early Learning
15 Division, the Youth Development Division and the Higher Education Coordinating Commis-
16 sion.

17 (d) The advisory group formed as provided in paragraph (c) of this subsection shall advise
18 the department regarding:

19 (A) Development and implementation of the plan;

20 (B) Eligibility criteria, applicant selection processes and expectations for recipients of
21 grant awards described in this section; and

22 (C) Adoption of rules by the State Board of Education for the implementation of the plan.

23 (3) The plan developed under this section must address:

24 (a) The disparities experienced by plan students in every indicator of academic success,
25 as documented by the department's annual performance report to the United States De-
26 partment of Education, the statewide report card and other relevant reports related to plan
27 students;

28 (b) The historical and ongoing systemic inequities experienced by plan students that lead
29 to disproportionate results for plan students;

30 (c) The educational needs of plan students from early childhood through post-secondary
31 education as determined by examining best practices in inclusive education in this state and
32 other states;

33 (d) The importance of having high expectations for all plan students and ensuring that
34 teachers, students, parents and others involved in the education of plan students hold plan
35 students to a high standard; and

36 (e) Strategies and goals to increase educational rigor and expectations for plan students,
37 which must be developed by collaborating closely with other statewide education plan advi-
38 sory groups in recognition that many plan students identify under more than one statewide
39 education plan and that intersections in how a plan student is identified may have com-
40 pounding effects for plan students.

41 (4) The plan developed and implemented under this section must provide strategies to:

42 (a) Address the disproportionate rate of disciplinary incidents involving plan students
43 compared to all students in the education system;

44 (b) Increase parental engagement in the education of plan students through the use of
45 special education advisory councils in each school district as required by section 5 of this

1 **2023 Act;**

2 (c) **Increase the engagement of plan students in student leadership, nonacademic classes**
3 **and extracurricular opportunities and activities before, during and after regular school**
4 **hours;**

5 (d) **Increase early childhood education and kindergarten readiness for plan students;**

6 (e) **Improve literacy and numeracy levels among plan students between kindergarten and**
7 **grade three;**

8 (f) **Support plan student transitions to middle school and through the middle school and**
9 **high school grades to maintain and improve academic performance;**

10 (g) **Support pedagogy and best practices that promote the inclusion of plan students from**
11 **early childhood through post-secondary education by such strategies as model schools, grant**
12 **distributions and the establishment of professional communities of practice;**

13 (h) **Support investments and changes in teacher and school administrator credentialing**
14 **and degree programs and in educator professional development to support plan students and**
15 **increase inclusionary practices, either as teachers of special education or as general educa-**
16 **tion teachers and school administrators;**

17 (i) **Regularly review academic content standards from the perspective of persons with**
18 **disabilities and with the intent of incorporating content relating to disability awareness,**
19 **disability history, disability rights and the social justice movement, ableism,**
20 **intersectionality, universal design and other topics important to the disability community;**

21 (j) **Review educational facilities in this state and make capital investments to support**
22 **needed modifications to the facilities to ensure facilities are accessible to plan students;**

23 (k) **Ensure that every plan student has the opportunity to attain the most rigorous high**
24 **school diploma option possible for that student, and provide disaggregated data collection on**
25 **diplomas awarded to plan students based on:**

26 (A) **Race and ethnicity; and**

27 (B) **Disability category under ORS 343.035, and as further disaggregated by race and**
28 **ethnicity;**

29 (L) **Support the development and expansion of an array of post-secondary education and**
30 **career options for plan students;**

31 (m) **Provide support in preparing plan students for post-secondary opportunities, includ-**
32 **ing accessing career and technical education, trade schools, apprenticeships, internships and**
33 **other opportunities;**

34 (n) **Address disproportionate rates of students leaving school without earning a high**
35 **school diploma or having only received an alternative certificate; and**

36 (o) **Align the plan with similar statewide education plans developed and implemented by**
37 **the department.**

38 (5) **The department shall submit a biennial report concerning the progress of the plan**
39 **developed and implemented under this section to a committee of the Legislative Assembly**
40 **related to education at each even-numbered year regular session of the Legislative Assembly.**

41 (6) **The department, in consultation with the advisory group, shall award grants to Early**
42 **Learning Hubs, providers of early learning services, school districts, education service dis-**
43 **tricts, post-secondary institutions of education, tribal governments, community-based or-**
44 **ganizations or a consortium of these entities to implement the strategies provided in the plan**
45 **developed and implemented under this section and to support the implementation of best**

1 **practices in inclusive education in order to address the disparities in educational outcomes**
2 **for plan students.**

3 **(7) To qualify for and receive a grant described in this section, an applicant must identify**
4 **and demonstrate that the applicant meets the eligibility criteria established by the State**
5 **Board of Education by rule.**

6 **SECTION 2.** Section 1 of this 2023 Act is amended to read:

7 **Sec. 1.** (1) As used in this section, “plan student” means a student enrolled in early childhood
8 through post-secondary education who:

9 (a) Is a student eligible for special education as a child with a disability, as defined in ORS
10 343.035; and

11 (b) Has experienced disproportionate results in education due to historical practices, as identi-
12 fied by the State Board of Education by rule.

13 (2)(a) The Department of Education shall develop and implement a statewide education plan for
14 plan students, including:

15 (A) Consulting with the advisory groups formed for other similar statewide education plans;

16 (B) Establishing criteria and administering the selection and accountability requirements for
17 grants awarded under this section;

18 (C) Providing technical assistance to special education advisory councils established as provided
19 by section 5 of this 2023 Act; and

20 (D) Advising the State Board of Education on the adoption of rules for implementation of the
21 plan.

22 (b) When developing and implementing the plan, the Department **of Education** shall consult
23 with:

24 (A) Local, state and national organizations that have expertise in the best practices for provid-
25 ing special education and related services; and

26 (B) The advisory group formed under paragraph (c) of this subsection.

27 (c) The Department **of Education** shall form an advisory group consisting of individuals who
28 are:

29 (A) Students who are eligible for special education and related services and who represent a
30 diversity of:

31 (i) Disability types;

32 (ii) Geographic locations, including urban and rural communities; and

33 (iii) Demographics, including students who are plan students under other statewide education
34 plans and students who are eligible for and enrolled in an English language learner program;

35 (B) Parents or other family members of students who are eligible for special education and re-
36 lated services;

37 (C) Representatives of a local parent training and information center that serves parents of
38 children with disabilities; and

39 (D) Representatives of special education stakeholders, including community-based organizations,
40 members of the disability community and representatives of the [*Early Learning Division*] **Depart-**
41 **ment of Early Learning and Care**, the Youth Development Division and the Higher Education
42 Coordinating Commission.

43 (d) The advisory group formed as provided in paragraph (c) of this subsection shall advise the
44 Department **of Education** regarding:

45 (A) Development and implementation of the plan;

1 (B) Eligibility criteria, applicant selection processes and expectations for recipients of grant
2 awards described in this section; and

3 (C) Adoption of rules by the State Board of Education for the implementation of the plan.

4 (3) The plan developed under this section must address:

5 (a) The disparities experienced by plan students in every indicator of academic success, as doc-
6 umented by the [*department's*] **Department of Education's** annual performance report to the United
7 States Department of Education, the statewide report card and other relevant reports related to plan
8 students;

9 (b) The historical and ongoing systemic inequities experienced by plan students that lead to
10 disproportionate results for plan students;

11 (c) The educational needs of plan students from early childhood through post-secondary educa-
12 tion as determined by examining best practices in inclusive education in this state and other states;

13 (d) The importance of having high expectations for all plan students and ensuring that teachers,
14 students, parents and others involved in the education of plan students hold plan students to a high
15 standard; and

16 (e) Strategies and goals to increase educational rigor and expectations for plan students, which
17 must be developed by collaborating closely with other statewide education plan advisory groups in
18 recognition that many plan students identify under more than one statewide education plan and that
19 intersections in how a plan student is identified may have compounding effects for plan students.

20 (4) The plan developed and implemented under this section must provide strategies to:

21 (a) Address the disproportionate rate of disciplinary incidents involving plan students compared
22 to all students in the education system;

23 (b) Increase parental engagement in the education of plan students through the use of special
24 education advisory councils in each school district as required by section 5 of this 2023 Act;

25 (c) Increase the engagement of plan students in student leadership, nonacademic classes and
26 extracurricular opportunities and activities before, during and after regular school hours;

27 (d) Increase early childhood education and kindergarten readiness for plan students;

28 (e) Improve literacy and numeracy levels among plan students between kindergarten and grade
29 three;

30 (f) Support plan student transitions to middle school and through the middle school and high
31 school grades to maintain and improve academic performance;

32 (g) Support pedagogy and best practices that promote the inclusion of plan students from early
33 childhood through post-secondary education by such strategies as model schools, grant distributions
34 and the establishment of professional communities of practice;

35 (h) Support investments and changes in teacher and school administrator credentialing and de-
36 gree programs and in educator professional development to support plan students and increase
37 inclusionary practices, either as teachers of special education or as general education teachers and
38 school administrators;

39 (i) Regularly review academic content standards from the perspective of persons with disabilities
40 and with the intent of incorporating content relating to disability awareness, disability history, dis-
41 ability rights and the social justice movement, ableism, intersectionality, universal design and other
42 topics important to the disability community;

43 (j) Review educational facilities in this state and make capital investments to support needed
44 modifications to the facilities to ensure facilities are accessible to plan students;

45 (k) Ensure that every plan student has the opportunity to attain the most rigorous high school

1 diploma option possible for that student, and provide disaggregated data collection on diplomas
2 awarded to plan students based on:

3 (A) Race and ethnicity; and

4 (B) Disability category under ORS 343.035, and as further disaggregated by race and ethnicity;

5 (L) Support the development and expansion of an array of post-secondary education and career
6 options for plan students;

7 (m) Provide support in preparing plan students for post-secondary opportunities, including ac-
8 cessing career and technical education, trade schools, apprenticeships, internships and other oppor-
9 tunities;

10 (n) Address disproportionate rates of students leaving school without earning a high school di-
11 ploma or having only received an alternative certificate; and

12 (o) Align the plan with similar statewide education plans developed and implemented by the
13 Department of Education.

14 (5) The Department of Education shall submit a biennial report concerning the progress of the
15 plan developed and implemented under this section to a committee of the Legislative Assembly re-
16 lated to education at each even-numbered year regular session of the Legislative Assembly.

17 (6) The Department of Education, in consultation with the advisory group, shall award grants
18 to Early Learning Hubs, providers of early learning services, school districts, education service
19 districts, post-secondary institutions of education, tribal governments, community-based organiza-
20 tions or a consortium of these entities to implement the strategies provided in the plan developed
21 and implemented under this section and to support the implementation of best practices in inclusive
22 education in order to address the disparities in educational outcomes for plan students.

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

26 **SECTION 3.** Section 64, chapter 631, Oregon Laws 2021, as amended by section 1, chapter 27,
27 Oregon Laws 2022, is amended to read:

28 **Sec. 64.** (1) ORS 326.432 and 329A.750, the amendments to ORS 131A.360, 131A.365, 183.459,
29 279A.050, 326.425, 326.430, 326.435, 327.269, 327.274, 329.155, 329.156, 329.165, 329.170, 329.172,
30 329.175, 329.181, 329.183, 329.185, 329.195, 329.200, 329.219, 329.841, 329.843, 329.845, 329A.010,
31 329A.120, 329A.135, 329A.250, 329A.261, 329A.712, 336.101, 336.104, 343.465, 343.475, 343.499, 417.781,
32 417.782, 417.784, 417.788, 417.790, 417.793, 417.795, 417.796, 417.827, 417.829, 419B.005, 433.301,
33 609.652, 805.205 and 805.207 by sections 11 and 14 to 62, chapter 631, Oregon Laws 2021, **the**
34 **amendments to ORS 329.847 by section 16 of this 2023 Act, the amendments to section 1 of**
35 **this 2023 Act by section 2 of this 2023 Act** and the repeal of ORS 329.145, 329.150, 329.190,
36 329A.490 and 329A.493 by section 63, chapter 631, Oregon Laws 2021, become operative on July 1,
37 2023.

38 (2) Notwithstanding the operative date set forth in subsection (1) of this section, the Early
39 Learning Division and the Department of Education may take any action before the operative date
40 set forth in subsection (1) of this section that is necessary for the Department of Early Learning and
41 Care to exercise, on and after the operative date set forth in subsection (1) of this section, all of the
42 duties, functions and powers conferred on the Department of Early Learning and Care by ORS
43 326.432 and 329A.750 and the amendments to ORS 131A.360, 131A.365, 183.459, 279A.050, 326.425,
44 326.430, 326.435, 327.269, 327.274, 329.155, 329.156, 329.165, 329.170, 329.172, 329.175, 329.181, 329.183,
45 329.185, 329.195, 329.200, 329.219, 329.841, 329.843, 329.845, 329A.010, 329A.120, 329A.135, 329A.250,

1 329A.261, 329A.712, 336.101, 336.104, 343.465, 343.475, 343.499, 417.781, 417.782, 417.784, 417.788,
 2 417.790, 417.793, 417.795, 417.796, 417.827, 417.829, 419B.005, 433.301, 609.652, 805.205 and 805.207 by
 3 sections 11 and 14 to 62, chapter 631, Oregon Laws 2021.

4 (3) For the purpose of ensuring that the Department of Early Learning and Care may exercise,
 5 on and after the operative date set forth in subsection (1) of this section, all of the duties, functions
 6 and powers conferred on the Department of Early Learning and Care by ORS 326.432 and 329A.750
 7 and the amendments to ORS 131A.360, 131A.365, 183.459, 279A.050, 326.425, 326.430, 326.435, 327.269,
 8 327.274, 329.155, 329.156, 329.165, 329.170, 329.172, 329.175, 329.181, 329.183, 329.185, 329.195, 329.200,
 9 329.219, 329.841, 329.843, 329.845, 329A.010, 329A.120, 329A.135, 329A.250, 329A.261, 329A.712,
 10 336.101, 336.104, 343.465, 343.475, 343.499, 417.781, 417.782, 417.784, 417.788, 417.790, 417.793, 417.795,
 11 417.796, 417.827, 417.829, 419B.005, 433.301, 609.652, 805.205 and 805.207 by sections 11 and 14 to 62,
 12 chapter 631, Oregon Laws 2021, the Early Learning Division and the Department of Education shall
 13 develop and implement a plan that provides for a seamless transfer of duties, functions and powers.

14 (4) The Governor shall resolve any disputes related to the plan developed and implemented un-
 15 der subsection (3) of this section, and the Governor's decision is final.

16 **SECTION 4.** Section 68, chapter 631, Oregon Laws 2021, is amended to read:

17 **Sec. 68.** (1) Nothing in [*sections 12 and 13 of this 2021 Act*] **ORS 326.432 and 329A.750**, the
 18 amendments to ORS 131A.360, 131A.365, 183.459, 279A.050, 326.425, 326.430, 326.435, 327.269, 327.274,
 19 329.155, 329.156, 329.165, 329.170, 329.172, 329.175, 329.181, 329.183, 329.185, 329.195, 329.200, 329.219,
 20 329.841, 329.843, 329.845, 329A.010, 329A.120, 329A.135, 329A.250, 329A.261, 329A.712, 336.101,
 21 336.104, 343.465, 343.475, 343.499, 417.781, 417.782, 417.784, 417.788, 417.790, 417.793, 417.795, 417.796,
 22 417.827, 417.829, 419B.005, 433.301, 609.652, 805.205 and 805.207 by sections 11 and 14 to 62 [*of this*
 23 *2021 Act*], **chapter 631, Oregon Laws 2021, the amendments to ORS 329.847 by section 16 of**
 24 **this 2023 Act and the amendments to section 1 of this 2023 Act by section 2 of this 2023 Act**,
 25 or the repeal of ORS 329.145, 329.150, 329.190, 329A.490 and 329A.493 by section 63 [*of this 2021*
 26 *Act*], **chapter 631, Oregon Laws 2021**, relieves a person of a liability, duty or obligation accruing
 27 under or with respect to the duties, functions and powers transferred by the amendments to ORS
 28 326.430 by section 11 [*of this 2021 Act*], **chapter 631, Oregon Laws 2021**. The Department of Early
 29 Learning and Care may undertake the collection or enforcement of any such liability, duty or obli-
 30 gation.

31 (2) The rights and obligations of the Early Learning Division or the Department of Education
 32 on behalf of the Early Learning Division legally incurred under contracts, leases and business
 33 transactions executed, entered into or begun before the operative date of the amendments to ORS
 34 326.430 by section 11 [*of this 2021 Act*], **chapter 631, Oregon Laws 2021**, are transferred to the
 35 Department of Early Learning and Care. For the purpose of succession to these rights and obli-
 36 gations, the Department of Early Learning and Care is a continuation of the Early Learning Divi-
 37 sion and not a new authority.

38 **SECTION 5.** (1)(a) **Except as provided by paragraph (b) of this subsection, each school**
 39 **district shall establish a special education advisory council.**

40 **(b) If a school district has an average daily membership, as defined in ORS 327.006, of**
 41 **fewer than 2,500 students, the school district may participate in a regional special education**
 42 **advisory council that complies with the requirements established by the State Board of Ed-**
 43 **ucation by rule.**

44 **(2) The duties of a special education advisory council shall include:**

45 **(a) Assisting the school district in complying with the statewide education plan estab-**

1 lished and implemented as provided by section 1 of this 2023 Act;

2 (b) Advising the school district board about the educational impacts of policy decisions
3 on students with disabilities;

4 (c) Advising the school district superintendent about the educational impacts of policy
5 decisions on students with disabilities; and

6 (d) Informing the school district board and school district superintendent when a situ-
7 ation arises in a school of the school district that negatively impacts students with disabili-
8 ties and advising the board and superintendent on how best to address the situation.

9 (3)(a) The members of each special education advisory council shall be selected by the
10 school district superintendent. Members must include employees, parents, students and
11 community members from the school district. The superintendent shall ensure that at least
12 half of the members are parents of students with a disability and that the student members
13 represent students with disabilities and students from other underserved student groups.

14 (b) For the purpose of selecting members, the school district superintendent shall solicit
15 names of possible members from the school district and from the school district's commu-
16 nity.

17 (4) The Department of Education shall issue basic guidelines and forms to assist school
18 districts in establishing and administering a special education advisory council. The number
19 of members, frequency of meetings and operational procedures of a special education advi-
20 sory council shall be determined by the school district in accordance with guidelines issued
21 by the department.

22 (5)(a) No later than June 30 of each year, the special education advisory council for each
23 school district shall prepare a report that provides the following information:

24 (A) The successes and challenges the school district experienced during the school year
25 in meeting the educational inclusion needs of students with disabilities in the school district;

26 (B) Recommendations the council made to the school district board and the school dis-
27 trict superintendent, and the actions that were taken in response to those recommendation;
28 and

29 (C) Any other information required by the State Board of Education by rule.

30 (b) The report prepared under paragraph (a) of this subsection must be:

31 (A) Distributed to the parents of the students of the school district;

32 (B) Posted on the school district's website;

33 (C) Presented to the school district board in an open meeting with adequate opportunity
34 for public comment;

35 (D) Submitted to the State Advisory Council for Special Education; and

36 (E) Submitted to the State Board of Education.

37 (6) The State Board of Education shall adopt any rules necessary for the administration
38 of this section.

39 **SECTION 6.** A school district must first convene a special education advisory council as
40 provided by section 5 of this 2023 Act no later than February 1, 2024.

41 **SECTION 7.** ORS 327.180 is amended to read:

42 327.180. (1) In addition to those moneys distributed through the State School Fund, the Depart-
43 ment of Education shall award grants from the Student Investment Account. Grants shall be dis-
44 tributed as provided under ORS 327.195.

45 (2) The purposes of grants distributed under ORS 327.195 shall be to:

- 1 (a) Meet students' mental or behavioral health needs; and
- 2 (b) Increase academic achievement for students, including reducing academic disparities for:
 - 3 (A) Economically disadvantaged students, as determined based on rules adopted by the State
 - 4 Board of Education;
 - 5 (B) Students from racial or ethnic groups that have historically experienced academic dispari-
 - 6 ties, as determined under rules adopted by the State Board of Education;
 - 7 (C) Students with disabilities;
 - 8 (D) Students who are English language learners;
 - 9 (E) Students who are foster children, as defined in ORS 30.297;
 - 10 (F) Students who are homeless, as determined under rules adopted by the State Board of Edu-
 - 11 cation; and
 - 12 (G) Any other student groups that have historically experienced academic disparities, as deter-
 - 13 mined by the State Board of Education by rule.
- 14 (3) Grant moneys received under ORS 327.195 may be used by a grant recipient only for:
 - 15 (a) Increasing instructional time, which may include:
 - 16 (A) More hours or days of instructional time;
 - 17 (B) Summer programs;
 - 18 (C) Before-school or after-school programs; or
 - 19 (D) Technological investments that minimize class time used for assessments administered to
 - 20 students.
 - 21 (b) Addressing students' health or safety needs, which may include:
 - 22 (A) Social-emotional learning and development;
 - 23 (B) Student mental and behavioral health;
 - 24 (C) Improvements to teaching and learning practices or organizational structures that lead to
 - 25 better interpersonal relationships at the school;
 - 26 (D) Student health and wellness;
 - 27 (E) Trauma-informed practices;
 - 28 (F) School health professionals and assistants; or
 - 29 (G) Facility improvements directly related to improving student health or safety.
 - 30 (c) Reducing class sizes, which may include increasing the use of instructional assistants, by
 - 31 using evidence-based criteria to ensure appropriate student-teacher ratios or staff caseloads.
 - 32 (d) Expanding availability of and student participation in well-rounded learning experiences,
 - 33 which may include:
 - 34 (A) Developmentally appropriate and culturally responsive early literacy practices and programs
 - 35 in prekindergarten through third grade;
 - 36 (B) Culturally responsive practices and programs in grades six through eight, including learning,
 - 37 counseling and student support that is connected to colleges and careers;
 - 38 (C) Broadened curricular options at all grade levels, including access to:
 - 39 (i) Art, music and physical education classes;
 - 40 (ii) Science, technology, engineering and mathematics education;
 - 41 (iii) Career and technical education, including career and technical student organization pro-
 - 42 grams and payment of student fees, costs and instructors of those programs;
 - 43 (iv) Electives that are engaging to students;
 - 44 (v) Accelerated college credit programs, including dual credit programs, International
 - 45 Baccalaureate programs and advanced placement programs;

- 1 (vi) Dropout prevention programs and transition supports;
- 2 (vii) Life skills classes; or
- 3 (viii) Talented and gifted programs; or
- 4 (D) Access to licensed educators with a library media endorsement.

5 **(e) The establishment and operation of special education advisory councils established as**
6 **provided by section 5 of this 2023 Act.**

7 **SECTION 8.** ORS 327.254 is amended to read:

8 327.254. (1) The Department of Education shall use moneys in the Statewide Education Initi-
9 atives Account to provide funding for statewide education initiatives, including:

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

12 (b) Expanding school breakfast and lunch programs;

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

14 (d) Establishing and maintaining the Statewide School Safety and Prevention System under ORS
15 339.341;

16 (e) Developing and providing statewide equity initiatives, including [*the Black or African-*
17 *American education plan developed under ORS 329.841, the American Indian or Alaska Native edu-*
18 *cation plan developed under ORS 329.843, the Latino or Hispanic education plan developed under ORS*
19 *329.845 or any similar*] **any statewide** education plan [*identified*] **developed and implemented** by
20 the department;

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

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

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

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

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

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

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

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

34 (L) Funding public charter schools, as described in ORS 327.362;

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

36 (n) 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 shall be
39 made as provided by paragraph (b) of this subsection after calculating the following for each edu-
40 cation service district:

41 (A) One percent of the total amount available for distribution to education service districts in
42 each biennium.

43 (B) The education service district's $ADM_w \times$ (the total amount available for distribution to
44 education service districts in each biennium \div the total ADM_w of all education service districts
45 that receive a distribution).

1 (b) The amount of the distribution to an education service district shall be the greater of the
2 amounts calculated under paragraph (a) of this subsection, except that, for distributions made as
3 provided by paragraph (a)(B) of this subsection, the total amount available for distribution to edu-
4 cation service districts shall be the amount remaining after any distributions required under para-
5 graph (a)(A) of this subsection have been made.

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

9 (d) An education service district shall use moneys received under this section as provided by a
10 plan developed by the school districts located within the education service district. A school district
11 that declines to participate in the development of the plan or that has withdrawn from an education
12 service district as provided by ORS 334.015 is not entitled to any moneys distributed to the educa-
13 tion service district under this subsection.

14 (e) A plan developed under this subsection must:

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

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

19 (C) Provide for coordination with the department in administering and providing technical as-
20 sistance to school districts, including coordinating any coaching programs established under ORS
21 327.214; and

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

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

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

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

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

31 **SECTION 9.** ORS 329.841 is amended to read:

32 329.841. (1) For the purposes of this section, "plan student" means a student enrolled in early
33 childhood through post-secondary education who:

34 (a) Is Black or African-American; and

35 (b) Has experienced disproportionate results in education due to historical practices, as identi-
36 fied by the State Board of Education by rule.

37 (2)(a) The Department of Education shall develop and implement a statewide education plan for
38 plan students.

39 (b) The department shall form an advisory group consisting of community members, education
40 stakeholders and representatives of the Early Learning Division, the Youth Development Division
41 and the Higher Education Coordinating Commission to advise the department regarding:

42 (A) Development and implementation of the plan;

43 (B) Eligibility criteria, applicant selection process and expectations for recipients of grant
44 awards described in this section; and

45 (C) Adoption of rules by the State Board of Education for the implementation of the plan.

1 (3) The plan developed under this section shall address:

2 (a) The disparities experienced by plan students in every indicator of academic success, as doc-
3 umented by the department's statewide report card;

4 (b) The historical practices leading to disproportionate outcomes for plan students; and

5 (c) The educational needs of plan students from early childhood through post-secondary educa-
6 tion by examining culturally appropriate best practices in this state and across the nation.

7 (4) The plan developed and implemented under this section must provide strategies to:

8 (a) Address the disproportionate rate of disciplinary incidents for plan students compared to all
9 students in the education system;

10 (b) Increase parental engagement in the education of plan students;

11 (c) Increase the engagement of plan students in educational activities before and after regular
12 school hours;

13 (d) Increase early childhood and kindergarten readiness for plan students;

14 (e) Improve literacy and numeracy levels among plan students between kindergarten and grade
15 three;

16 (f) Support plan student transitions to middle school and through the middle and high school
17 grades to maintain and improve academic performance;

18 (g) Support culturally responsive pedagogy and practices from early childhood through post-
19 secondary education;

20 (h) Support the development of culturally responsive curricula from early childhood through
21 post-secondary education;

22 (i) Increase attendance of plan students in community colleges and professional certification
23 programs; *[and]*

24 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];
25 **and**

26 **(k) Align the plan with similar statewide education plans developed and implemented by**
27 **the department.**

28 (5) The department shall submit a biennial report concerning the progress of the plan developed
29 and implemented under this section at each even-numbered year regular session of the Legislative
30 Assembly in the manner provided by ORS 192.245 to an interim committee of the Legislative As-
31 sembly related to education.

32 (6) The department, in consultation with the advisory group, shall award grants to Early
33 Learning Hubs, providers of early learning services, school districts, education service districts,
34 post-secondary institutions of education and community-based organizations to implement the strat-
35 egies developed in the plan developed and implemented under this section.

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

39 **SECTION 10.** ORS 329.841, as amended by section 34, chapter 631, Oregon Laws 2021, is
40 amended to read:

41 329.841. (1) For the purposes of this section, "plan student" means a student enrolled in early
42 childhood through post-secondary education who:

43 (a) Is Black or African-American; and

44 (b) Has experienced disproportionate results in education due to historical practices, as identi-
45 fied by the State Board of Education by rule.

1 (2)(a) The Department of Education shall develop and implement a statewide education plan for
2 plan students.

3 (b) The Department of Education shall form an advisory group consisting of community mem-
4 bers, education stakeholders and representatives of the Department of Early Learning and Care, the
5 Youth Development Division and the Higher Education Coordinating Commission to advise the De-
6 partment of Education regarding:

7 (A) Development and implementation of the plan;

8 (B) Eligibility criteria, applicant selection process and expectations for recipients of grant
9 awards described in this section; and

10 (C) Adoption of rules by the State Board of Education for the implementation of the plan.

11 (3) The plan developed under this section shall address:

12 (a) The disparities experienced by plan students in every indicator of academic success, as doc-
13 umented by the statewide report card;

14 (b) The historical practices leading to disproportionate outcomes for plan students; and

15 (c) The educational needs of plan students from early childhood through post-secondary educa-
16 tion by examining culturally appropriate best practices in this state and across the nation.

17 (4) The plan developed and implemented under this section must provide strategies to:

18 (a) Address the disproportionate rate of disciplinary incidents for plan students compared to all
19 students in the education system;

20 (b) Increase parental engagement in the education of plan students;

21 (c) Increase the engagement of plan students in educational activities before and after regular
22 school hours;

23 (d) Increase early childhood and kindergarten readiness for plan students;

24 (e) Improve literacy and numeracy levels among plan students between kindergarten and grade
25 three;

26 (f) Support plan student transitions to middle school and through the middle and high school
27 grades to maintain and improve academic performance;

28 (g) Support culturally responsive pedagogy and practices from early childhood through post-
29 secondary education;

30 (h) Support the development of culturally responsive curricula from early childhood through
31 post-secondary education;

32 (i) Increase attendance of plan students in community colleges and professional certification
33 programs; *[and]*

34 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];

35 **and**

36 **(k) Align the plan with similar statewide education plans developed and implemented by**
37 **the Department of Education.**

38 (5) The Department of Education shall submit a biennial report concerning the progress of the
39 plan developed and implemented under this section at each even-numbered year regular session of
40 the Legislative Assembly in the manner provided by ORS 192.245 to an interim committee of the
41 Legislative Assembly related to education.

42 (6) The Department of Education, in consultation with the advisory group, shall award grants
43 to Early Learning Hubs, providers of early learning services, school districts, education service
44 districts, post-secondary institutions of education and community-based organizations to implement
45 the strategies developed in the plan developed and implemented under this section.

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

4 **SECTION 11.** ORS 329.843 is amended to read:

5 329.843. (1) As used in this section, “plan student” means a student enrolled in early childhood
6 through post-secondary education who:

7 (a) Is an American Indian or Alaska Native; and

8 (b) Has experienced disproportionate results in education due to historical practices, as identi-
9 fied by the State Board of Education by rule.

10 (2)(a) The Department of Education shall develop and implement a statewide education plan for
11 plan students.

12 (b) When developing the plan, the department shall consult with representatives from tribal
13 governments and from executive branch agencies who have formed government-to-government re-
14 lations to focus on education. Additionally, the department may receive input from an advisory
15 group consisting of community members, education stakeholders and representatives of the Early
16 Learning Division, the Youth Development Division and the Higher Education Coordinating Com-
17 mission.

18 (c) The department shall be responsible for:

19 (A) Implementing the plan developed under this subsection;

20 (B) Developing eligibility criteria, the applicant selection process and expectations for recipients
21 of grant awards described in this section; and

22 (C) Advising the State Board of Education on the adoption of rules under this section.

23 (3) The plan developed under this section must address:

24 (a) The disparities experienced by plan students in every indicator of academic success, as doc-
25 umented by the department’s statewide report card and other relevant reports related to plan stu-
26 dents;

27 (b) The historical practices leading to disproportionate outcomes for plan students; and

28 (c) The educational needs of plan students from early childhood through post-secondary educa-
29 tion as determined by examining culturally appropriate best practices in this state and across the
30 nation.

31 (4) The plan developed and implemented under this section must provide strategies to:

32 (a) Address the disproportionate rate of disciplinary incidents involving plan students as com-
33 pared to all students in the education system;

34 (b) Increase parental engagement in the education of plan students;

35 (c) Increase the engagement of plan students in educational activities before and after regular
36 school hours;

37 (d) Increase early childhood education and kindergarten readiness for plan students;

38 (e) Improve literacy and numeracy levels among plan students between kindergarten and grade
39 three;

40 (f) Support plan student transitions to middle school and through the middle school and high
41 school grades to maintain and improve academic performance;

42 (g) Support culturally responsive pedagogy and practices from early childhood through post-
43 secondary education;

44 (h) Support the development of culturally responsive curricula from early childhood through
45 post-secondary education;

1 (i) Increase attendance of plan students in early childhood programs through post-secondary and
2 professional certification programs; [and]

3 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];
4 **and**

5 **(k) Align the plan with similar statewide education plans developed and implemented by**
6 **the department.**

7 (5) The department shall submit a biennial report concerning the progress of the plan developed
8 and implemented under this section to a committee of the Legislative Assembly related to education
9 at each even-numbered year regular session of the Legislative Assembly.

10 (6) The department, in consultation with the advisory group, shall award grants to Early
11 Learning Hubs, providers of early learning services, school districts, education service districts,
12 post-secondary institutions of education, tribal governments and community-based organizations to
13 implement the strategies provided in the plan developed and implemented under this section.

14 (7) To qualify for and receive grants described in this section, an applicant must identify and
15 demonstrate that the applicant meets the eligibility criteria adopted by the State Board of Education
16 by rule.

17 **SECTION 12.** ORS 329.843, as amended by section 35, chapter 631, Oregon Laws 2021, is
18 amended to read:

19 329.843. (1) As used in this section, “plan student” means a student enrolled in early childhood
20 through post-secondary education who:

21 (a) Is an American Indian or Alaska Native; and

22 (b) Has experienced disproportionate results in education due to historical practices, as identi-
23 fied by the State Board of Education by rule.

24 (2)(a) The Department of Education shall develop and implement a statewide education plan for
25 plan students.

26 (b) When developing the plan, the Department of Education shall consult with representatives
27 from tribal governments and from executive branch agencies who have formed government-to-
28 government relations to focus on education. Additionally, the Department of Education may receive
29 input from an advisory group consisting of community members, education stakeholders and repre-
30 sentatives of the Department of Early Learning and Care, the Youth Development Division and the
31 Higher Education Coordinating Commission.

32 (c) The Department of Education shall be responsible for:

33 (A) Implementing the plan developed under this subsection;

34 (B) Developing eligibility criteria, the applicant selection process and expectations for recipients
35 of grant awards described in this section; and

36 (C) Advising the State Board of Education on the adoption of rules under this section.

37 (3) The plan developed under this section must address:

38 (a) The disparities experienced by plan students in every indicator of academic success, as doc-
39 umented by the statewide report card and other relevant reports related to plan students;

40 (b) The historical practices leading to disproportionate outcomes for plan students; and

41 (c) The educational needs of plan students from early childhood through post-secondary educa-
42 tion as determined by examining culturally appropriate best practices in this state and across the
43 nation.

44 (4) The plan developed and implemented under this section must provide strategies to:

45 (a) Address the disproportionate rate of disciplinary incidents involving plan students as com-

1 pared to all 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 education 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 school and high
9 school 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 early childhood programs through post-secondary and
15 professional certification programs; *[and]*

16 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];
17 **and**

18 **(k) Align the plan with similar statewide education plans developed and implemented by**
19 **the Department of Education.**

20 (5) The Department of Education shall submit a biennial report concerning the progress of the
21 plan developed and implemented under this section to a committee of the Legislative Assembly re-
22 lated to education at each even-numbered year regular session of the Legislative Assembly.

23 (6) The Department of Education, in consultation with the advisory group, shall award grants
24 to Early Learning Hubs, providers of early learning services, school districts, education service
25 districts, post-secondary institutions of education, tribal governments and community-based organ-
26 izations to implement the strategies provided in the plan developed and implemented under this
27 section.

28 (7) To qualify for and receive grants described in this section, an applicant must identify and
29 demonstrate that the applicant meets the eligibility criteria adopted by the State Board of Education
30 by rule.

31 **SECTION 13.** ORS 329.845 is amended to read:

32 329.845. (1) As used in this section, “plan student” means a student enrolled in early childhood
33 through post-secondary education who:

34 (a) Is Latino or Hispanic, including individuals of Mexican, Cuban, Puerto Rican, South Ameri-
35 can, Central American or Spanish descent; and

36 (b) Has experienced disproportionate results in education due to historical practices, as identi-
37 fied by the State Board of Education by rule.

38 (2)(a) The Department of Education shall develop and implement a statewide education plan for
39 plan students.

40 (b) The department shall form an advisory group consisting of individuals representing:

41 (A) Urban and rural communities;

42 (B) Indigenous and immigrant populations;

43 (C) English language learners;

44 (D) Individuals with disabilities;

45 (E) Parents and students;

1 (F) Youth who are lesbian, gay, bisexual, transgender, queer or another minority gender or
2 sexual orientation;

3 (G) Community-based organizations serving Latino or Hispanic youth and families; and

4 (H) Education stakeholders, including representatives of the Early Learning Division, the Youth
5 Development Division and the Higher Education Coordinating Commission.

6 (c) The advisory group formed as provided in paragraph (b) of this subsection shall advise the
7 department regarding:

8 (A) Development and implementation of the plan;

9 (B) Eligibility criteria, applicant selection processes and expectations for recipients of grant
10 awards described in this section; and

11 (C) Adoption of rules by the State Board of Education for the implementation of the plan.

12 (3) The plan developed under this section must address:

13 (a) The disparities experienced by plan students in every indicator of academic success, as doc-
14 umented by the department's statewide report card and other relevant reports related to plan stu-
15 dents;

16 (b) The historical practices leading to disproportionate outcomes for plan students; and

17 (c) The educational needs of plan students from early childhood through post-secondary educa-
18 tion as determined by examining culturally appropriate best practices in this state and across the
19 nation.

20 (4) The plan developed and implemented under this section must provide strategies to:

21 (a) Address the disproportionate rate of disciplinary incidents involving plan students compared
22 to all students in the education system;

23 (b) Increase parental engagement in the education of plan students;

24 (c) Increase the engagement of plan students in educational activities before and after regular
25 school hours;

26 (d) Increase early childhood education and kindergarten readiness for plan students;

27 (e) Improve literacy and numeracy levels among plan students between kindergarten and grade
28 three;

29 (f) Support plan student transitions to middle school and through the middle school and high
30 school grades to maintain and improve academic performance;

31 (g) Support culturally responsive pedagogy and practices from early childhood through post-
32 secondary education;

33 (h) Support the development of culturally responsive curricula from early childhood through
34 post-secondary education;

35 (i) Increase attendance of plan students in community colleges and professional certification
36 programs; *[and]*

37 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];

38 **and**

39 **(k) Align the plan with similar statewide education plans developed and implemented by**
40 **the department.**

41 (5) The department shall submit a biennial report concerning the progress of the plan developed
42 and implemented under this section to a committee of the Legislative Assembly related to education
43 at each even-numbered year regular session of the Legislative Assembly.

44 (6) The department, in consultation with the advisory group, shall award grants to Early
45 Learning Hubs, providers of early learning services, school districts, education service districts,

1 post-secondary institutions of education, tribal governments and community-based organizations to
2 implement the strategies provided in the plan developed and implemented under this section.

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

6 **SECTION 14.** ORS 329.845, as amended by section 36, chapter 631, Oregon Laws 2021, is
7 amended to read:

8 329.845. (1) As used in this section, “plan student” means a student enrolled in early childhood
9 through post-secondary education who:

10 (a) Is Latino or Hispanic, including individuals of Mexican, Cuban, Puerto Rican, South Ameri-
11 can, Central American or Spanish descent; and

12 (b) Has experienced disproportionate results in education due to historical practices, as identi-
13 fied by the State Board of Education by rule.

14 (2)(a) The Department of Education shall develop and implement a statewide education plan for
15 plan students.

16 (b) The Department of Education shall form an advisory group consisting of individuals repre-
17 senting:

18 (A) Urban and rural communities;

19 (B) Indigenous and immigrant populations;

20 (C) English language learners;

21 (D) Individuals with disabilities;

22 (E) Parents and students;

23 (F) Youth who are lesbian, gay, bisexual, transgender, queer or another minority gender or
24 sexual orientation;

25 (G) Community-based organizations serving Latino or Hispanic youth and families; and

26 (H) Education stakeholders, including representatives of the Department of Early Learning and
27 Care, the Youth Development Division and the Higher Education Coordinating Commission.

28 (c) The advisory group formed as provided in paragraph (b) of this subsection shall advise the
29 Department of Education regarding:

30 (A) Development and implementation of the plan;

31 (B) Eligibility criteria, applicant selection processes and expectations for recipients of grant
32 awards described in this section; and

33 (C) Adoption of rules by the State Board of Education for the implementation of the plan.

34 (3) The plan developed under this section must address:

35 (a) The disparities experienced by plan students in every indicator of academic success, as doc-
36 umented by the statewide report card and other relevant reports related to plan students;

37 (b) The historical practices leading to disproportionate outcomes for plan students; and

38 (c) The educational needs of plan students from early childhood through post-secondary educa-
39 tion as determined by examining culturally appropriate best practices in this state and across the
40 nation.

41 (4) The plan developed and implemented under this section must provide strategies to:

42 (a) Address the disproportionate rate of disciplinary incidents involving plan students compared
43 to all students in the education system;

44 (b) Increase parental engagement in the education of plan students;

45 (c) Increase the engagement of plan students in educational activities before and after regular

1 school hours;

2 (d) Increase early childhood education and kindergarten readiness for plan students;

3 (e) Improve literacy and numeracy levels among plan students between kindergarten and grade
4 three;

5 (f) Support plan student transitions to middle school and through the middle school and high
6 school grades to maintain and improve academic performance;

7 (g) Support culturally responsive pedagogy and practices from early childhood through post-
8 secondary education;

9 (h) Support the development of culturally responsive curricula from early childhood through
10 post-secondary education;

11 (i) Increase attendance of plan students in community colleges and professional certification
12 programs; *[and]*

13 (j) Increase attendance of plan students in four-year post-secondary institutions of education[.];
14 **and**

15 **(k) Align the plan with similar statewide education plans developed and implemented by**
16 **the Department of Education.**

17 (5) The Department of Education shall submit a biennial report concerning the progress of the
18 plan developed and implemented under this section to a committee of the Legislative Assembly re-
19 lated to education at each even-numbered year regular session of the Legislative Assembly.

20 (6) The Department of Education, in consultation with the advisory group, shall award grants
21 to Early Learning Hubs, providers of early learning services, school districts, education service
22 districts, post-secondary institutions of education, tribal governments and community-based organ-
23 izations to implement the strategies provided in the plan developed and implemented under this
24 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 15.** ORS 329.847 is amended to read:

29 329.847. (1) As used in this section, “plan student” means a student enrolled in early childhood
30 through post-secondary education who:

31 (a) May be lesbian, gay, bisexual, transgender, queer, two-spirit, intersex, asexual, nonbinary or
32 another minority gender identity or sexual orientation; and

33 (b) Has experienced disproportionate results in education due to historical practices, as identi-
34 fied by the State Board of Education by rule.

35 (2)(a) The Department of Education shall develop and implement a statewide education plan for
36 plan students.

37 (b) The department shall form an advisory group to advise the department regarding the
38 adoption and implementation of the plan. The advisory group must consist of:

39 (A) Individuals who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex,
40 asexual, nonbinary or another minority gender identity or sexual orientation;

41 (B) Students who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex,
42 asexual, nonbinary or another minority gender identity or sexual orientation;

43 (C) Representatives of community-based organizations that serve lesbian, gay, bisexual,
44 transgender, queer, two-spirit, intersex, asexual, nonbinary or another minority gender identity or
45 sexual orientation population; and

1 (D) Education stakeholders, including representatives of the Early Learning Division, the Youth
2 Development Division and the Higher Education Coordinating Commission.

3 (c) When implementing the plan, the department shall consult with:

4 (A) The advisory group described in paragraph (b) of this subsection;

5 [(B) *The advisory group described in ORS 329.841, related to students who are Black or African-*
6 *American;*]

7 [(C) *The advisory group described in ORS 329.843, related to students who are American Indian*
8 *or Alaska Native;*]

9 [(D) *The advisory group described in ORS 329.845, related to students who are Latino or Hispanic;*
10 *and*]

11 **(B) Advisory groups formed by the department to develop and implement a statewide**
12 **education plan for plan students; and**

13 [(E)] (C) Any other advisory groups or education stakeholders identified by the department.

14 (d) The department shall be responsible for:

15 (A) Implementing the plan developed under this section;

16 (B) Developing eligibility criteria, the applicant selection process and expectations for recipients
17 of grant awards described in this section; and

18 (C) Advising the State Board of Education on the adoption of rules under this section.

19 (3) The plan developed under this section must address:

20 (a) The disparities experienced by plan students in every indicator of academic success, as doc-
21 umented by the department's statewide report card and other relevant reports related to plan stu-
22 dents;

23 (b) The historical practices leading to disproportionate outcomes for plan students; and

24 (c) The educational needs of plan students from early childhood through post-secondary educa-
25 tion as determined by examining culturally appropriate best practices in this state and across the
26 nation.

27 (4) The plan developed and implemented under this section must provide strategies to:

28 (a) Address the disproportionate rate of disciplinary incidents involving plan students as com-
29 pared to all students in the education system;

30 (b) Increase parental engagement in the education of plan students;

31 (c) Increase the engagement of plan students in educational activities before and after regular
32 school hours;

33 (d) Increase early childhood education and kindergarten readiness for plan students;

34 (e) Improve literacy and numeracy levels among plan students between kindergarten and grade
35 three;

36 (f) Support plan student transitions to middle school and through the middle school and high
37 school grades to maintain and improve academic performance;

38 (g) Support culturally responsive pedagogy and practices from early childhood through post-
39 secondary education;

40 (h) Support the development of culturally responsive curricula from early childhood through
41 post-secondary education;

42 (i) Increase attendance of plan students in early childhood programs through post-secondary and
43 professional certification programs; and

44 (j) Increase attendance of plan students in four-year post-secondary institutions of education.

45 (5) The department shall submit a biennial report concerning the progress of the plan developed

1 and implemented under this section to a committee of the Legislative Assembly related to education
2 at each even-numbered year regular session of the Legislative Assembly.

3 (6) The department, in consultation with the advisory group, may award grants to Early Learn-
4 ing Hubs, providers of early learning services, school districts, education service districts, post-
5 secondary institutions of education, tribal governments, community-based organizations or a
6 consortium of these entities to implement the strategies provided in the plan developed and imple-
7 mented under this section.

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

11 **SECTION 16.** ORS 329.847, as amended by section 15 of this 2023 Act, is amended to read:

12 329.847. (1) As used in this section, “plan student” means a student enrolled in early childhood
13 through post-secondary education who:

14 (a) May be lesbian, gay, bisexual, transgender, queer, two-spirit, intersex, asexual, nonbinary or
15 another minority gender identity or sexual orientation; and

16 (b) Has experienced disproportionate results in education due to historical practices, as identi-
17 fied by the State Board of Education by rule.

18 (2)(a) The Department of Education shall develop and implement a statewide education plan for
19 plan students.

20 (b) The department shall form an advisory group to advise the department regarding the
21 adoption and implementation of the plan. The advisory group must consist of:

22 (A) Individuals who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex,
23 asexual, nonbinary or another minority gender identity or sexual orientation;

24 (B) Students who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex,
25 asexual, nonbinary or another minority gender identity or sexual orientation;

26 (C) Representatives of community-based organizations that serve lesbian, gay, bisexual,
27 transgender, queer, two-spirit, intersex, asexual, nonbinary or another minority gender identity or
28 sexual orientation population; and

29 (D) Education stakeholders, including representatives of the [*Early Learning Division*] **Depart-**
30 **ment of Early Learning and Care**, the Youth Development Division and the Higher Education
31 Coordinating Commission.

32 (c) When implementing the plan, the Department of Education shall consult with:

33 (A) The advisory group described in paragraph (b) of this subsection;

34 (B) Advisory groups formed by the department to develop and implement a statewide education
35 plan for plan students; and

36 (C) Any other advisory groups or education stakeholders identified by the department.

37 (d) The department shall be responsible for:

38 (A) Implementing the plan developed under this section;

39 (B) Developing eligibility criteria, the applicant selection process and expectations for recipients
40 of grant awards described in this section; and

41 (C) Advising the State Board of Education on the adoption of rules under this section.

42 (3) The plan developed under this section must address:

43 (a) The disparities experienced by plan students in every indicator of academic success, as doc-
44 umented by the [*department's*] statewide report card and other relevant reports related to plan stu-
45 dents;

1 (b) The historical practices leading to disproportionate outcomes for plan students; and

2 (c) The educational needs of plan students from early childhood through post-secondary educa-
3 tion as determined by examining culturally appropriate best practices in this state and across the
4 nation.

5 (4) The plan developed and implemented under this section must provide strategies to:

6 (a) Address the disproportionate rate of disciplinary incidents involving plan students as com-
7 pared to all students in the education system;

8 (b) Increase parental engagement in the education of plan students;

9 (c) Increase the engagement of plan students in educational activities before and after regular
10 school hours;

11 (d) Increase early childhood education and kindergarten readiness for plan students;

12 (e) Improve literacy and numeracy levels among plan students between kindergarten and grade
13 three;

14 (f) Support plan student transitions to middle school and through the middle school and high
15 school grades to maintain and improve academic performance;

16 (g) Support culturally responsive pedagogy and practices from early childhood through post-
17 secondary education;

18 (h) Support the development of culturally responsive curricula from early childhood through
19 post-secondary education;

20 (i) Increase attendance of plan students in early childhood programs through post-secondary and
21 professional certification programs; and

22 (j) Increase attendance of plan students in four-year post-secondary institutions of education.

23 (5) The department shall submit a biennial report concerning the progress of the plan developed
24 and implemented under this section to a committee of the Legislative Assembly related to education
25 at each even-numbered year regular session of the Legislative Assembly.

26 (6) The department, in consultation with the advisory group, may award grants to Early Learn-
27 ing Hubs, providers of early learning services, school districts, education service districts, post-
28 secondary institutions of education, tribal governments, community-based organizations or a
29 consortium of these entities to implement the strategies provided in the plan developed and imple-
30 mented under this section.

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

34 **SECTION 17. This 2023 Act being necessary for the immediate preservation of the public**
35 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
36 **July 1, 2023.**

37
