

Requested by Senator KNOPP

**PROPOSED AMENDMENTS TO  
SENATE BILL 658**

1 On page 1 of the printed bill, line 2, after “327.254” insert “and 329.847  
2 and sections 64 and 68, chapter 631, Oregon Laws 2021”.

3 Delete lines 6 through 28 and delete pages 2 through 6 and insert:

4 **“SECTION 1. Section 2 of this 2023 Act is added to and made a part  
5 of ORS chapter 327.**

6 **“SECTION 2. (1) As used in this section:**

7 **“(a) ‘ADM’ has the meaning given that term in ORS 327.006.**

8 **“(b) ‘Homeless students’ means students who are considered  
9 homeless children and youths under the McKinney-Vento Homeless  
10 Assistance Act of 1987, 42 U.S.C. 11434a(2).**

11 **“(2) The Department of Education shall establish a pilot program  
12 to provide additional funding to school districts that have a significant  
13 population of homeless students.**

14 **“(3)(a) The department shall award grants to school districts par-  
15 ticipating in the pilot program established by this section.**

16 **“(b) A school district may participate in the pilot program as part  
17 of a consortium with one or more other school districts.**

18 **“(c) A school district, or a consortium of school districts, may  
19 participate in the pilot program in partnership with one or more of the  
20 following:**

21 **“(A) Education service districts.**

1       **“(B) Local governments.**

2       **“(C) Nonprofit organizations.**

3       **“(D) Federally recognized Indian tribes.**

4       **“(4) Grants shall be awarded from the Statewide Education Initi-**  
5 **atives Account and must be used to provide direct assistance to**  
6 **homeless students in kindergarten through grade 12 for the purposes**  
7 **of increasing access to schools and improving academic achievement.**

8       **“(5)(a) The amount of a grant awarded under this section to par-**  
9 **ticipating school districts shall equal the total number of homeless**  
10 **students who make up a school district’s or consortium’s ADM × (the**  
11 **total amount available for distribution to school districts under this**  
12 **section ÷ the total number of homeless students who make up the**  
13 **ADM of all school districts that participate in the pilot program under**  
14 **this section).**

15       **“(b) For the purpose of the calculation made under paragraph (a)**  
16 **of this subsection, the total amount available for distribution to school**  
17 **districts under this section shall equal the amount that is 1.0 of the**  
18 **additional amount used to calculate weighted average daily member-**  
19 **ship under ORS 327.013 for purposes of State School Fund distributions**  
20 **× the total number of homeless students who make up the ADM of**  
21 **all school districts that participate in the pilot program under this**  
22 **section.**

23       **“(6) Any school district may apply to participate in the pilot pro-**  
24 **gram. To the greatest extent practicable, the department shall select**  
25 **school districts that:**

26       **“(a) Have significant populations of homeless students, based on**  
27 **either the total number of homeless students of the school district or**  
28 **the percentage of homeless students of the school district; and**

29       **“(b) Represent a diversity of sizes and geographic locations.**

30       **“(7) The department shall enter into a grant agreement with any**

1 school district the department selects to participate in the pilot pro-  
2 gram.

3 “(8) After a grant agreement has been entered into, the department  
4 shall award a grant in the amount calculated under subsection (5) of  
5 this section. Grant moneys received under this section must be de-  
6 posited into a separate account and applied as provided by the grant  
7 agreement.

8 “(9) Each grant recipient must submit to the department a de-  
9 scription of how grant moneys received under this section were used  
10 to advance the purposes described in subsection (4) of this section. A  
11 grant recipient shall provide the information required under this sub-  
12 section based on the timelines and forms prescribed by the depart-  
13 ment.

14 “(10) The Department of Education may provide technical assist-  
15 ance to school districts participating in the pilot program. Technical  
16 assistance may include collaborating with the Department of Human  
17 Services to identify locations in each school district to use as shelters  
18 for homeless students.

19 “(11) The State Board of Education shall adopt any rules necessary  
20 for the administration of the pilot program under this section.

21 **“SECTION 3. (1) Section 2 of this 2023 Act becomes operative on  
22 July 1, 2024.**

23 “(2) Notwithstanding the operative date set forth in subsection (1)  
24 of this section, the State Board of Education, the Department of Ed-  
25 ucation and school districts may take any action that is necessary for  
26 school districts to use grant moneys during the 2024-2025 school year.

27 “(3) The Department of Education shall submit to the interim leg-  
28 islative committees related to education:

29 “(a) Prior to November 1, 2024, a report that summarizes the  
30 planned uses of grant moneys awarded under section 2 of this 2023 Act;

1 and

2 “(b) Prior to November 1, 2025, a report that summarizes the results  
3 of the pilot program under section 2 of this 2023 Act.

4 “SECTION 4. Section 2 of this 2023 Act is repealed on July 1, 2025.

5 “SECTION 5. No later than September 15, 2026, the Department of  
6 Education, in collaboration with the Department of Human Services,  
7 shall submit to the interim committees of the Legislative Assembly  
8 related to education a report on the education of homeless students  
9 in this state. The report must include, for the 2023-2024, 2024-2025 and  
10 2025-2026 school years, information on:

11 “(1) The percentage of homeless students who received a high  
12 school diploma, both as a percentage of total homeless students and  
13 as a percentage of all students;

14 “(2) The demographics of homeless students; and

15 “(3) The uses of moneys received by school districts under section  
16 2 of this 2023 Act.

17 “SECTION 6. Section 5 of this 2023 Act is repealed on January 2,  
18 2027.

19 “SECTION 7. (1) As used in this section, ‘plan student’ means a  
20 student enrolled in early childhood through post-secondary education  
21 who:

22 “(a) Is considered a homeless child or youth under the  
23 McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. 11434a(2);  
24 and

25 “(b) Has experienced disproportionate results in education due to  
26 historical practices, as identified by the State Board of Education by  
27 rule.

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

30 “(b) The department shall form an advisory group consisting of in-

1 **dividuals who:**

2 **“(A) Represent community-based organizations serving homeless**  
3 **youth and families; and**

4 **“(B) Represent education stakeholders, including representatives**  
5 **of the Early Learning Division, the Youth Development Division and**  
6 **the Higher Education Coordinating Commission.**

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

9 **“(A) Development and implementation of the plan;**

10 **“(B) Eligibility criteria, applicant selection processes and expecta-**  
11 **tions for recipients of grant awards described in this section; and**

12 **“(C) Adoption of rules by the State Board of Education for the im-**  
13 **plementation of the plan.**

14 **“(3) The plan developed under this section must address:**

15 **“(a) The disparities experienced by plan students in every indicator**  
16 **of academic success, as documented by the statewide report card and**  
17 **other relevant reports related to plan students;**

18 **“(b) The historical practices leading to disproportionate outcomes**  
19 **for plan students; and**

20 **“(c) The educational needs of plan students from early childhood**  
21 **through post-secondary education as determined by examining cul-**  
22 **turely appropriate best practices in this state and across the nation.**

23 **“(4) The plan developed and implemented under this section must**  
24 **provide strategies to:**

25 **“(a) Address the disproportionate rate of disciplinary incidents in-**  
26 **volving plan students compared to all students in the education sys-**  
27 **tem;**

28 **“(b) Increase parental engagement in the education of plan stu-**  
29 **dents;**

30 **“(c) Increase the engagement of plan students in educational ac-**

1 **tivities before and after regular school hours;**  
2 **“(d) Increase early childhood education and kindergarten readiness**  
3 **for plan students;**  
4 **“(e) Improve literacy and numeracy levels among plan students**  
5 **between kindergarten and grade three;**  
6 **“(f) Support plan student transitions to middle school and through**  
7 **the middle school and high school grades to maintain and improve**  
8 **academic performance;**  
9 **“(g) Support culturally responsive pedagogy and practices from**  
10 **early childhood through post-secondary education;**  
11 **“(h) Support the development of culturally responsive curricula**  
12 **from early childhood through post-secondary education;**  
13 **“(i) Increase attendance of plan students in community colleges and**  
14 **professional certification programs;**  
15 **“(j) Increase attendance of plan students in four-year post-**  
16 **secondary institutions of education; and**  
17 **“(k) Align the plan with statewide education plans developed and**  
18 **implemented under ORS 329.841, 329.843, 329.845 and 329.847.**  
19 **“(5) The department shall submit a biennial report concerning the**  
20 **progress of the plan developed and implemented under this section to**  
21 **a committee of the Legislative Assembly related to education at each**  
22 **even-numbered year regular session of the Legislative Assembly.**  
23 **“(6) The department, in consultation with the advisory group, shall**  
24 **award grants to Early Learning Hubs, providers of early learning ser-**  
25 **vices, school districts, education service districts, post-secondary in-**  
26 **stitutions of education, tribal governments, community-based**  
27 **organizations or a consortium of these entities to implement the**  
28 **strategies provided in the plan developed and implemented under this**  
29 **section.**  
30 **“(7) To qualify for and receive a grant described in this section, an**

1 **applicant must identify and demonstrate that the applicant meets the**  
2 **eligibility criteria established by the State Board of Education by rule.**

3 **“SECTION 8.** Section 7 of this 2023 Act is amended to read:

4 **“Sec. 7.** (1) As used in this section, ‘plan student’ means a student en-  
5 rolled in early childhood through post-secondary education who:

6 “(a) Is considered a homeless child or youth under the McKinney-Vento  
7 Homeless Assistance Act of 1987, 42 U.S.C. 11434a(2); and

8 “(b) Has experienced disproportionate results in education due to histor-  
9 ical practices, as identified by the State Board of Education by rule.

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

12 “(b) The Department **of Education** shall form an advisory group consist-  
13 ing of individuals who:

14 “(A) Represent community-based organizations serving homeless youth  
15 and families; and

16 “(B) Represent education stakeholders, including representatives of the  
17 [*Early Learning Division*] **the Department of Early Learning and Care,**  
18 the Youth Development Division and the Higher Education Coordinating  
19 Commission.

20 “(c) The advisory group formed as provided in paragraph (b) of this sub-  
21 section shall advise the Department **of Education** regarding:

22 “(A) Development and implementation of the plan;

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

25 “(C) Adoption of rules by the State Board of Education for the imple-  
26 mentation of the plan.

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

28 “(a) The disparities experienced by plan students in every indicator of  
29 academic success, as documented by the statewide report card and other  
30 relevant reports related to plan students;

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

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

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

8 “(a) Address the disproportionate rate of disciplinary incidents involving  
9 plan students compared to all 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  
12 before and after regular school hours;

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

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

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

20 “(g) Support culturally responsive pedagogy and practices from early  
21 childhood through post-secondary education;

22 “(h) Support the development of culturally responsive curricula from early  
23 childhood through post-secondary education;

24 “(i) Increase attendance of plan students in community colleges and pro-  
25 fessional certification programs;

26 “(j) Increase attendance of plan students in four-year post-secondary in-  
27 stitutions of education; and

28 “(k) Align the plan with statewide education plans developed and imple-  
29 mented under ORS 329.841, 329.843, 329.845 and 329.847.

30 “(5) The Department **of Education** shall submit a biennial report con-



1 cerning the progress of the plan developed and implemented under this sec-  
2 tion to a committee of the Legislative Assembly related to education at each  
3 even-numbered year regular session of the Legislative Assembly.

4 “(6) The Department **of Education**, in consultation with the advisory  
5 group, shall award grants to Early Learning Hubs, providers of early learn-  
6 ing services, school districts, education service districts, post-secondary in-  
7 stitutions of education, tribal governments, community-based organizations  
8 or a consortium of these entities to implement the strategies provided in the  
9 plan developed and implemented under this section.

10 “(7) To qualify for and receive a grant described in this section, an ap-  
11 plicant must identify and demonstrate that the applicant meets the eligibility  
12 criteria established by the State Board of Education by rule.

13 “**SECTION 9.** Section 64, chapter 631, Oregon Laws 2021, as amended by  
14 section 1, chapter 27, Oregon Laws 2022, is amended to read:

15 “**Sec. 64.** (1) ORS 326.432 and 329A.750, the amendments to ORS 131A.360,  
16 131A.365, 183.459, 279A.050, 326.425, 326.430, 326.435, 327.269, 327.274, 329.155,  
17 329.156, 329.165, 329.170, 329.172, 329.175, 329.181, 329.183, 329.185, 329.195,  
18 329.200, 329.219, 329.841, 329.843, 329.845, 329A.010, 329A.120, 329A.135,  
19 329A.250, 329A.261, 329A.712, 336.101, 336.104, 343.465, 343.475, 343.499,  
20 417.781, 417.782, 417.784, 417.788, 417.790, 417.793, 417.795, 417.796, 417.827,  
21 417.829, 419B.005, 433.301, 609.652, 805.205 and 805.207 by sections 11 and 14  
22 to 62, chapter 631, Oregon Laws 2021, **the amendments to ORS 329.847 by**  
23 **section 13 of this 2023 Act, the amendments to section 7 of this 2023**  
24 **Act by section 8 of this 2023 Act** and the repeal of ORS 329.145, 329.150,  
25 329.190, 329A.490 and 329A.493 by section 63, chapter 631, Oregon Laws 2021,  
26 become operative on July 1, 2023.

27 “(2) Notwithstanding the operative date set forth in subsection (1) of this  
28 section, the Early Learning Division and the Department of Education may  
29 take any action before the operative date set forth in subsection (1) of this  
30 section that is necessary for the Department of Early Learning and Care to

1 exercise, on and after the operative date set forth in subsection (1) of this  
2 section, all of the duties, functions and powers conferred on the Department  
3 of Early Learning and Care by ORS 326.432 and 329A.750 and the amend-  
4 ments to ORS 131A.360, 131A.365, 183.459, 279A.050, 326.425, 326.430, 326.435,  
5 327.269, 327.274, 329.155, 329.156, 329.165, 329.170, 329.172, 329.175, 329.181,  
6 329.183, 329.185, 329.195, 329.200, 329.219, 329.841, 329.843, 329.845, 329A.010,  
7 329A.120, 329A.135, 329A.250, 329A.261, 329A.712, 336.101, 336.104, 343.465,  
8 343.475, 343.499, 417.781, 417.782, 417.784, 417.788, 417.790, 417.793, 417.795,  
9 417.796, 417.827, 417.829, 419B.005, 433.301, 609.652, 805.205 and 805.207 by  
10 sections 11 and 14 to 62, chapter 631, Oregon Laws 2021, **the amendments**  
11 **to ORS 329.847 by section 13 of this 2023 Act and the amendments to**  
12 **section 7 of this 2023 Act by section 8 of this 2023 Act.**

13 “(3) For the purpose of ensuring that the Department of Early Learning  
14 and Care may exercise, on and after the operative date set forth in sub-  
15 section (1) of this section, all of the duties, functions and powers conferred  
16 on the Department of Early Learning and Care by ORS 326.432 and 329A.750  
17 and the amendments to ORS 131A.360, 131A.365, 183.459, 279A.050, 326.425,  
18 326.430, 326.435, 327.269, 327.274, 329.155, 329.156, 329.165, 329.170, 329.172,  
19 329.175, 329.181, 329.183, 329.185, 329.195, 329.200, 329.219, 329.841, 329.843,  
20 329.845, 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,  
22 417.793, 417.795, 417.796, 417.827, 417.829, 419B.005, 433.301, 609.652, 805.205  
23 and 805.207 by sections 11 and 14 to 62, chapter 631, Oregon Laws 2021, **the**  
24 **amendments to ORS 329.847 by section 13 of this 2023 Act and the**  
25 **amendments to section 7 of this 2023 Act by section 8 of this 2023 Act,**  
26 the Early Learning Division and the Department of Education shall develop  
27 and implement a plan that provides for a seamless transfer of duties, func-  
28 tions and powers.

29 “(4) The Governor shall resolve any disputes related to the plan developed  
30 and implemented under subsection (3) of this section, and the Governor’s

1 decision is final.

2 **“SECTION 10.** Section 68, chapter 631, Oregon Laws 2021, is amended to  
3 read:

4 **“Sec. 68.** (1) Nothing in [*sections 12 and 13 of this 2021 Act*] **ORS 326.432**  
5 **and 329A.750**, the amendments to ORS 131A.360, 131A.365, 183.459, 279A.050,  
6 326.425, 326.430, 326.435, 327.269, 327.274, 329.155, 329.156, 329.165, 329.170,  
7 329.172, 329.175, 329.181, 329.183, 329.185, 329.195, 329.200, 329.219, 329.841,  
8 329.843, 329.845, 329A.010, 329A.120, 329A.135, 329A.250, 329A.261, 329A.712,  
9 336.101, 336.104, 343.465, 343.475, 343.499, 417.781, 417.782, 417.784, 417.788,  
10 417.790, 417.793, 417.795, 417.796, 417.827, 417.829, 419B.005, 433.301, 609.652,  
11 805.205 and 805.207 by sections 11 and 14 to 62 [*of this 2021 Act*], **chapter**  
12 **631, Oregon Laws 2021, the amendments to ORS 329.847 by section 13**  
13 **of this 2023 Act and the amendments to section 7 of this 2023 Act by**  
14 **section 8 of this 2023 Act**, or the repeal of ORS 329.145, 329.150, 329.190,  
15 329A.490 and 329A.493 by section 63 [*of this 2021 Act*], **chapter 631, Oregon**  
16 **Laws 2021**, relieves a person of a liability, duty or obligation accruing under  
17 or with respect to the duties, functions and powers transferred by the  
18 amendments to ORS 326.430 by section 11 [*of this 2021 Act*], **chapter 631,**  
19 **Oregon Laws 2021.** The Department of Early Learning and Care may  
20 undertake the collection or enforcement of any such liability, duty or obli-  
21 gation.

22 **“(2)** The rights and obligations of the Early Learning Division or the  
23 Department of Education on behalf of the Early Learning Division legally  
24 incurred under contracts, leases and business transactions executed, entered  
25 into or begun before the operative date of the amendments to ORS 326.430  
26 by section 11 [*of this 2021 Act*], **chapter 631, Oregon Laws 2021**, are trans-  
27 ferred to the Department of Early Learning and Care. For the purpose of  
28 succession to these rights and obligations, the Department of Early Learning  
29 and Care is a continuation of the Early Learning Division and not a new  
30 authority.

1        **“SECTION 11.** ORS 327.254 is amended to read:

2        “327.254. (1) The Department of Education shall use moneys in the State-  
3 wide Education Initiatives Account to provide funding for statewide educa-  
4 tion initiatives, including:

5        “(a) Funding the High School Graduation and College and Career Read-  
6 iness Act at the levels prescribed by ORS 327.856;

7        “(b) Expanding school breakfast and lunch programs;

8        “(c) Operating youth reengagement programs or providing youth reen-  
9 gagement services;

10       “(d) Establishing and maintaining the Statewide School Safety and Pre-  
11 vention System under ORS 339.341;

12       “(e) Developing and providing statewide equity initiatives, including [*the*  
13 *Black or African-American education plan developed under ORS 329.841, the*  
14 *American Indian or Alaska Native education plan developed under ORS*  
15 *329.843, the Latino or Hispanic education plan developed under ORS 329.845*  
16 *or any similar*] **any statewide** education plan [*identified*] **developed and**  
17 **implemented** by the department;

18       “(f) Providing summer learning programs at schools that are considered  
19 high poverty under Title I of the federal Elementary and Secondary Educa-  
20 tion Act of 1965;

21       “(g) Funding early warning systems to assist students in graduating from  
22 high school, as described in ORS 327.367;

23       “(h) Developing and implementing professional development programs and  
24 training programs, including programs that increase educator diversity and  
25 retain diverse educators;

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

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

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

1       “(A) The coaching program described in ORS 327.214; and  
2       “(B) The intensive program described in ORS 327.222, including costs for  
3 student success teams;  
4       “(L) Funding public charter schools, as described in ORS 327.362;  
5       “(m) Funding education service districts, as described in subsection (2)  
6 of this section; and  
7       “(n) Funding costs incurred by the department in implementing this sec-  
8 tion and ORS 327.175 to 327.235 and 327.274.  
9       “(2)(a) The amount of a distribution to an education service district under  
10 this section shall be made as provided by paragraph (b) of this subsection  
11 after calculating the following for each education service district:  
12       “(A) One percent of the total amount available for distribution to educa-  
13 tion service districts in each biennium.  
14       “(B) The education service district’s  $ADMw \times$  (the total amount avail-  
15 able for distribution to education service districts in each biennium  $\div$  the  
16 total  $ADMw$  of all education service districts that receive a distribution).  
17       “(b) The amount of the distribution to an education service district shall  
18 be the greater of the amounts calculated under paragraph (a) of this sub-  
19 section, except that, for distributions made as provided by paragraph (a)(B)  
20 of this subsection, the total amount available for distribution to education  
21 service districts shall be the amount remaining after any distributions re-  
22 quired under paragraph (a)(A) of this subsection have been made.  
23       “(c) For purposes of this subsection,  $ADMw$  equals the  $ADMw$  as calcu-  
24 lated under ORS 327.013, except that the additional amount allowed for stu-  
25 dents who are in poverty families, as determined under ORS 327.013  
26 (1)(c)(A)(v)(I), shall be 0.5.  
27       “(d) An education service district shall use moneys received under this  
28 section as provided by a plan developed by the school districts located within  
29 the education service district. A school district that declines to participate  
30 in the development of the plan or that has withdrawn from an education

1 service district as provided by ORS 334.015 is not entitled to any moneys  
2 distributed to the education service district under this subsection.

3 “(e) A plan developed under this subsection must:

4 “(A) Align with and support school districts in meeting the performance  
5 growth targets of the school districts developing the plan;

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

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

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

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

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

18 “(B) Includes an evaluation of the education service district’s compliance  
19 with the plan from the superintendent of each school district that partic-  
20 ipated in the development of the plan.

21 “(3) The State Board of Education shall adopt rules necessary for the  
22 distribution of moneys under this section.

23 **“SECTION 12.** ORS 329.847 is amended to read:

24 “329.847. (1) As used in this section, ‘plan student’ means a student en-  
25 rolled in early childhood through post-secondary education who:

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

29 “(b) Has experienced disproportionate results in education due to histor-  
30 ical practices, as identified by the State Board of Education by rule.

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

3 “(b) The department shall form an advisory group to advise the depart-  
4 ment regarding the adoption and implementation of the plan. The advisory  
5 group must consist of:

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

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

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

15 “(D) Education stakeholders, including representatives of the Early  
16 Learning Division, the Youth Development Division and the Higher Educa-  
17 tion Coordinating Commission.

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

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

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

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

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

26 “**(B) Advisory groups formed by the department to develop and im-**  
27 **plement statewide education plans for plan students; and**

28 “[*(E)*] **(C) Any other advisory groups or education stakeholders identified**  
29 **by the department.**

30 “(d) The department shall be responsible for:

1 “(A) Implementing the plan developed under this section;

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

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

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

7 “(a) The disparities experienced by plan students in every indicator of  
8 academic success, as documented by the department’s statewide report card  
9 and other relevant reports related to plan students;

10 “(b) The historical practices leading to disproportionate outcomes for plan  
11 students; and

12 “(c) The educational needs of plan students from early childhood through  
13 post-secondary education as determined by examining culturally appropriate  
14 best practices in this state and across the nation.

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

17 “(a) Address the disproportionate rate of disciplinary incidents involving  
18 plan students as compared to all students in the education system;

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

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

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

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

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

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



1 “(h) Support the development of culturally responsive curricula from early  
2 childhood through post-secondary education;

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

5 “(j) Increase attendance of plan students in four-year post-secondary in-  
6 stitutions of education.

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

11 “(6) The department, in consultation with the advisory group, may award  
12 grants to Early Learning Hubs, providers of early learning services, school  
13 districts, education service districts, post-secondary institutions of education,  
14 tribal governments, community-based organizations or a consortium of these  
15 entities to implement the strategies provided in the plan developed and im-  
16 plemented under this section.

17 “(7) To qualify for and receive a grant described in this section, an ap-  
18 plicant must identify and demonstrate that the applicant meets the eligibility  
19 criteria established by the State Board of Education by rule.

20 **“SECTION 13.** ORS 329.847, as amended by section 12 of this 2023 Act,  
21 is amended to read:

22 “329.847. (1) As used in this section, ‘plan student’ means a student en-  
23 rolled in early childhood through post-secondary education who:

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

27 “(b) Has experienced disproportionate results in education due to histor-  
28 ical practices, as identified by the State Board of Education by rule.

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

1 “(b) The department shall form an advisory group to advise the depart-  
2 ment regarding the adoption and implementation of the plan. The advisory  
3 group must consist of:

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

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

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

13 “(D) Education stakeholders, including representatives of the [*Early*  
14 *Learning Division*] **Department of Early Learning and Care**, the Youth  
15 Development Division and the Higher Education Coordinating Commission.

16 “(c) When implementing the plan, the Department of **Education** shall  
17 consult with:

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

19 “(B) Advisory groups formed by the department to develop and implement  
20 [a] statewide education [*plan*] **plans** for plan students; and

21 “(C) Any other advisory groups or education stakeholders identified by  
22 the department.

23 “(d) The department shall be responsible for:

24 “(A) Implementing the plan developed under this section;

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

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

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

30 “(a) The disparities experienced by plan students in every indicator of

1 academic success, as documented by the [*department's*] statewide report card  
2 and other relevant reports related to plan students;

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

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

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

10 “(a) Address the disproportionate rate of disciplinary incidents involving  
11 plan students as compared to all students in the education system;

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

13 “(c) Increase the engagement of plan students in educational activities  
14 before and after regular school hours;

15 “(d) Increase early childhood education and kindergarten readiness for  
16 plan students;

17 “(e) Improve literacy and numeracy levels among plan students between  
18 kindergarten and grade three;

19 “(f) Support plan student transitions to middle school and through the  
20 middle school and high school grades to maintain and improve academic  
21 performance;

22 “(g) Support culturally responsive pedagogy and practices from early  
23 childhood through post-secondary education;

24 “(h) Support the development of culturally responsive curricula from early  
25 childhood through post-secondary education;

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

28 “(j) Increase attendance of plan students in four-year post-secondary in-  
29 stitutions of education.

30 “(5) The department shall submit a biennial report concerning the

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

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

10 “(7) To qualify for and receive a grant described in this section, an ap-  
11 plicant must identify and demonstrate that the applicant meets the eligibility  
12 criteria established by the State Board of Education by rule.

13 **“SECTION 14.** ORS 327.254, as amended by section 11 of this 2023 Act,  
14 is amended to read:

15 “327.254. (1) The Department of Education shall use moneys in the State-  
16 wide Education Initiatives Account to provide funding for statewide educa-  
17 tion initiatives, including:

18 “(a) Funding the High School Graduation and College and Career Read-  
19 iness Act at the levels prescribed by ORS 327.856;

20 “(b) Expanding school breakfast and lunch programs;

21 “(c) Operating youth reengagement programs or providing youth reen-  
22 gagement services;

23 “(d) Establishing and maintaining the Statewide School Safety and Pre-  
24 vention System under ORS 339.341;

25 “(e) Developing and providing statewide equity initiatives, including any  
26 statewide education plan developed and implemented by the department;

27 “(f) Providing summer learning programs at schools that are considered  
28 high poverty under Title I of the federal Elementary and Secondary Educa-  
29 tion Act of 1965;

30 “(g) Funding early warning systems to assist students in graduating from

1 high school, as described in ORS 327.367;

2 “(h) Developing and implementing professional development programs and  
3 training programs, including programs that increase educator diversity and  
4 retain diverse educators;

5 “(i) Planning for increased transparency and accountability in the public  
6 education system of this state;

7 “(j) Providing additional funding to school districts participating in the  
8 intensive program under ORS 327.222;

9 “(k) Providing technical assistance, including costs incurred for:  
10 “(A) The coaching program described in ORS 327.214; and  
11 “(B) The intensive program described in ORS 327.222, including costs for  
12 student success teams;

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

14 “(m) Funding education service districts, as described in subsection (2)  
15 of this section; *[and]*

16 “**(n) Funding for homeless students, as provided by section 2 of this  
17 2023 Act; and**

18 “[*(n)*] **(o)** Funding costs incurred by the department in implementing this  
19 section and ORS 327.175 to 327.235 and 327.274.

20 “(2)(a) The amount of a distribution to an education service district under  
21 this section shall be made as provided by paragraph (b) of this subsection  
22 after calculating the following for each education service district:

23 “(A) One percent of the total amount available for distribution to educa-  
24 tion service districts in each biennium.

25 “(B) The education service district’s  $ADMw \times$  (the total amount avail-  
26 able for distribution to education service districts in each biennium  $\div$  the  
27 total  $ADMw$  of all education service districts that receive a distribution).

28 “(b) The amount of the distribution to an education service district shall  
29 be the greater of the amounts calculated under paragraph (a) of this sub-  
30 section, except that, for distributions made as provided by paragraph (a)(B)

1 of this subsection, the total amount available for distribution to education  
2 service districts shall be the amount remaining after any distributions re-  
3 quired under paragraph (a)(A) of this subsection have been made.

4 “(c) For purposes of this subsection, ADMw equals the ADMw as calcu-  
5 lated under ORS 327.013, except that the additional amount allowed for stu-  
6 dents who are in poverty families, as determined under ORS 327.013  
7 (1)(c)(A)(v)(I), shall be 0.5.

8 “(d) An education service district shall use moneys received under this  
9 section as provided by a plan developed by the school districts located within  
10 the education service district. A school district that declines to participate  
11 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  
13 distributed to the education 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  
16 growth targets of the school districts developing the plan;

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

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

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

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

27 “(A) Describes how the education service district spent moneys received  
28 under this subsection; and

29 “(B) Includes an evaluation of the education service district’s compliance  
30 with the plan from the superintendent of each school district that partic-

1 ipated in the development of the plan.

2 “(3) The State Board of Education shall adopt rules necessary for the  
3 distribution of moneys under this section.

4 **“SECTION 15. The amendments to ORS 327.254 by section 14 of this**  
5 **2023 Act become operative on July 1, 2024.**

6 **“SECTION 16.** ORS 327.254, as amended by sections 11 and 14 of this 2023  
7 Act, is amended to read:

8 “327.254. (1) The Department of Education shall use moneys in the State-  
9 wide Education Initiatives Account to provide funding for statewide educa-  
10 tion initiatives, including:

11 “(a) Funding the High School Graduation and College and Career Read-  
12 iness Act at the levels prescribed by ORS 327.856;

13 “(b) Expanding school breakfast and lunch programs;

14 “(c) Operating youth reengagement programs or providing youth reen-  
15 gagement services;

16 “(d) Establishing and maintaining the Statewide School Safety and Pre-  
17 vention System under ORS 339.341;

18 “(e) Developing and providing statewide equity initiatives, including any  
19 statewide education plan developed and implemented by the department;

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

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

25 “(h) Developing and implementing professional development programs and  
26 training programs, including programs that increase educator diversity and  
27 retain diverse educators;

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

30 “(j) Providing additional funding to school districts participating in the

1 intensive program under ORS 327.222;

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

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

4 “(B) The intensive program described in ORS 327.222, including costs for

5 student success teams;

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

7 “(m) Funding education service districts, as described in subsection (2)

8 of this section; **and**

9 “[*n*] *Funding for homeless students, as provided by section 2 of this 2023*

10 *Act; and*]

11 “[*o*] **(n)** Funding costs incurred by the department in implementing this

12 section and ORS 327.175 to 327.235 and 327.274.

13 “(2)(a) The amount of a distribution to an education service district under

14 this section shall be made as provided by paragraph (b) of this subsection

15 after calculating the following for each education service district:

16 “(A) One percent of the total amount available for distribution to educa-

17 tion service districts in each biennium.

18 “(B) The education service district’s  $ADMw \times$  (the total amount avail-

19 able for distribution to education service districts in each biennium  $\div$  the

20 total ADMw of all education service districts that receive a distribution).

21 “(b) The amount of the distribution to an education service district shall

22 be the greater of the amounts calculated under paragraph (a) of this sub-

23 section, except that, for distributions made as provided by paragraph (a)(B)

24 of this subsection, the total amount available for distribution to education

25 service districts shall be the amount remaining after any distributions re-

26 quired under paragraph (a)(A) of this subsection have been made.

27 “(c) For purposes of this subsection, ADMw equals the ADMw as calcu-

28 lated under ORS 327.013, except that the additional amount allowed for stu-

29 dents who are in poverty families, as determined under ORS 327.013

30 (1)(c)(A)(v)(I), shall be 0.5.



1 “(d) An education service district shall use moneys received under this  
2 section as provided by a plan developed by the school districts located within  
3 the education service district. A school district that declines to participate  
4 in the development of the plan or that has withdrawn from an education  
5 service district as provided by ORS 334.015 is not entitled to any moneys  
6 distributed to the education service district under this subsection.

7 “(e) A plan developed under this subsection must:

8 “(A) Align with and support school districts in meeting the performance  
9 growth targets of the school districts developing the plan;

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

13 “(C) Provide for coordination with the department in administering and  
14 providing technical assistance to school districts, including coordinating any  
15 coaching programs established under ORS 327.214; and

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

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

20 “(A) Describes how the education service district spent moneys received  
21 under this subsection; and

22 “(B) Includes an evaluation of the education service district’s compliance  
23 with the plan from the superintendent of each school district that partic-  
24 ipated in the development of the plan.

25 “(3) The State Board of Education shall adopt rules necessary for the  
26 distribution of moneys under this section.

27 **“SECTION 17. The amendments to ORS 327.254 by section 16 of this**  
28 **2023 Act become operative on July 1, 2025.**

29 **“SECTION 18. This 2023 Act being necessary for the immediate**  
30 **preservation of the public peace, health and safety, an emergency is**

1 **declared to exist, and this 2023 Act takes effect on its passage.”.**

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