

# Enrolled House Bill 3375

Sponsored by Representative FREDERICK

CHAPTER .....

AN ACT

Relating to educator diversity; creating new provisions; amending ORS 342.433, 342.437, 342.443, 342.447, 342.449, 342.950 and 351.077 and section 10, chapter 519, Oregon Laws 2011; and repealing section 3, chapter 778, Oregon Laws 2013.

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

**SECTION 1.** ORS 342.433 is amended to read:

342.433. As used in ORS 342.433 to 342.449 and 351.077:

[(1) "Minority" means a person who is:]

[(a) A person having origins in any of the black racial groups of Africa but who is not Hispanic;]

[(b) A person of Hispanic culture or origin;]

[(c) A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands;]

[(d) An American Indian or Alaskan Native having origins in any of the original peoples of North America; or]

[(e) A person whose first language is not English.]

[(2) "Teacher" includes a teacher or an administrator.]

**(1) "Diverse" means culturally or linguistically diverse characteristics of a person, including:**

**(a) Origins in any of the black racial groups of Africa but is not Hispanic;**

**(b) Hispanic culture or origin, regardless of race;**

**(c) Origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands;**

**(d) Origins in any of the original peoples of North America, including American Indians or Alaskan Natives; or**

**(e) A first language that is not English.**

**(2) "Educator" means a teacher or an administrator.**

**SECTION 2. Section 3, chapter 778, Oregon Laws 2013, is repealed.**

**SECTION 3.** ORS 342.437 is amended to read:

342.437. [As a result of this state's commitment to ethnic-racial equality, the goal of this state is that, by July 1, 2015, the following shall be increased by 10 percent as compared to July 1, 2012:]

[(1) The number of minority teachers and administrators employed by school districts and education service districts; and]

[(2) The number of minority students enrolled in public teacher education programs.]

(1) As a result of this state's commitment to equality for the diverse peoples of this state, the goal of the state is that the percentage of diverse educators employed by a school district or an education service district reflects the percentage of diverse students in the public schools of this state or the percentage of diverse students in the district.

(2) The Department of Education shall use federal reports on educator equity to monitor school district and education service district progress on meeting the goal described in subsection (1) of this section, in relation to the recruitment, hiring and retention of diverse educators.

**SECTION 4.** ORS 342.443 is amended to read:

342.443. (1) The Oregon Education Investment Board shall report biennially to the Legislative Assembly longitudinal data on the number and percentage of:

(a) [Minority] **Diverse** students enrolled in community colleges;

[(b) *Minority students applying for admission to public universities listed in ORS 352.002;*]

[(c)] (b) [Minority] **Diverse** students [accepted] **enrolled** in public universities;

[(d)] (c) [Minority] **Diverse** students graduated from public universities;

[(e) *Minority candidates seeking to enter public teacher education programs in this state;*]

[(f)] (d) [Minority] **Diverse** candidates [admitted to] **enrolled in** public teacher education programs;

[(g)] (e) [Minority] **Diverse** candidates who have completed approved public teacher education programs;

[(h)] (f) [Minority] **Diverse** candidates receiving Oregon teaching **or administrator** licenses **or registrations** based on preparation in this state and preparation in other states;

[(i)] (g) [Minority teachers] **Diverse educators** who are newly employed in the public schools in this state; and

[(j)] (h) [Minority teachers] **Diverse educators** already employed in the public schools.

(2) The board also shall report comparisons of [*minorities' and nonminorities'*] scores **achieved by diverse persons and nondiverse persons** on basic skills, pedagogy and subject matter tests.

(3) The [*Oregon University System*] **Higher Education Coordinating Commission**, the public universities with governing boards listed in ORS 352.054, the Department of Education, the Teacher Standards and Practices Commission, community colleges and school districts shall cooperate with the board in collecting data and preparing the report.

**SECTION 5.** ORS 342.443, as amended by section 5, chapter 778, Oregon Laws 2013, is amended to read:

342.443. (1) The Education and Workforce Policy Advisor shall report biennially to the Legislative Assembly longitudinal data on the number and percentage of:

(a) [Minority] **Diverse** students enrolled in community colleges;

[(b) *Minority students applying for admission to public universities listed in ORS 352.002;*]

[(c)] (b) [Minority] **Diverse** students [accepted] **enrolled** in public universities;

[(d)] (c) [Minority] **Diverse** students graduated from public universities;

[(e) *Minority candidates seeking to enter public teacher education programs in this state;*]

[(f)] (d) [Minority] **Diverse** candidates [admitted to] **enrolled in** public teacher education programs;

[(g)] (e) [Minority] **Diverse** candidates who have completed approved public teacher education programs;

[(h)] (f) [Minority] **Diverse** candidates receiving Oregon teaching **or administrator** licenses **or registrations** based on preparation in this state and preparation in other states;

[(i)] (g) [Minority teachers] **Diverse educators** who are newly employed in the public schools in this state; and

[(j)] (h) [Minority teachers] **Diverse educators** already employed in the public schools.

(2) The advisor also shall report comparisons of [*minorities' and nonminorities'*] scores **achieved by diverse persons and nondiverse persons** on basic skills, pedagogy and subject matter tests.

(3) The [*Oregon University System*] **Higher Education Coordinating Commission**, the public universities with governing boards listed in ORS 352.054, the Department of Education, the Teacher Standards and Practices Commission, community colleges and school districts shall cooperate with the advisor in collecting data and preparing the report.

**SECTION 6.** ORS 342.447 is amended to read:

342.447. (1) The [*State Board of Higher Education*] **Higher Education Coordinating Commission** shall require each public teacher education program in this state to prepare a plan with specific goals, strategies and deadlines for the recruitment, admission, retention and graduation of [*minority teachers.*] **diverse educators to accomplish the goal described in ORS 342.437.**

(2) The [*state board*] **commission** shall review the plans for [*the*] adequacy and feasibility [*of the plans*] **with the governing board of each public university with a teacher education program** and, after [*making*] necessary revisions **are made**, shall adopt the plans.

(3) The [*state board shall adopt rules governing*] **commission shall provide guidance on:**

(a) The contents of the plans;

(b) The [*state board's*] initial and biennial review process, including timetables for revising plans; and

(c) Other matters necessary for carrying out the provisions of ORS 342.433 to 342.449 and 351.077.

**SECTION 7.** ORS 351.077 is amended to read:

351.077. (1) The Higher Education Coordinating Commission **and the Oregon Education Investment Board** shall ensure the implementation of the plans developed [*by the State Board of Higher Education*] under ORS 342.447 for recruitment of [*minority teachers*] **diverse educators.**

(2) The commission **and the board** shall report biennially to the Legislative Assembly on the implementation and results of the plans. The report may include recommendations on ways in which the Legislative Assembly can assist in increasing the number of [*minority teachers*] **diverse educators.**

**SECTION 8.** ORS 351.077, as amended by section 7 of this 2015 Act, is amended to read:

351.077. (1) The Higher Education Coordinating Commission [*and the Oregon Education Investment Board*] shall ensure the implementation of the plans developed under ORS 342.447 for recruitment of diverse educators.

(2) The commission [*and the board*] shall report biennially to the Legislative Assembly on the implementation and results of the plans. The report may include recommendations on ways in which the Legislative Assembly can assist in increasing the number of diverse educators.

**SECTION 9.** ORS 342.449 is amended to read:

342.449. ORS 342.433 to 342.449 and 351.077 shall be known and may be cited as the [*Minority Teacher Act of 1991*] **Educators Equity Act.**

**SECTION 10.** Section 11 of this 2015 Act is added to and made a part of ORS 342.433 to 342.449.

**SECTION 11.** (1) **Representatives of the Oregon Education Investment Board, the Higher Education Coordinating Commission, the Department of Education and the Teacher Standards and Practices Commission shall jointly create a report on the Educators Equity Act. The report shall include:**

(a) **A summary of the most recent data collected as provided by ORS 342.443.**

(b) **A summary of the plans currently implemented as provided by ORS 342.447.**

(c) **Recommendations for meeting the goal described in ORS 342.437, including progress toward meeting the goal described in ORS 342.437.**

(d) **A description of best practices within this state and other states for recruiting, hiring and retaining diverse educators.**

(2)(a) **The report created as provided by subsection (1) of this section shall be submitted:**

(A) **To the interim legislative committees on education in each even-numbered year; and**

(B) **To the Legislative Assembly in the manner provided by ORS 192.245 in each odd-numbered year.**

(b) The report submitted as required by paragraph (a)(B) of this subsection shall be submitted with the data reported as required by ORS 342.443.

(3) The Oregon Education Investment Board, the Higher Education Coordinating Commission, the Department of Education and the Teacher Standards and Practices Commission shall make the report submitted as provided under subsection (2) of this section available on the website of each agency.

**SECTION 12.** Section 11 of this 2015 Act is amended to read:

**Sec. 11.** (1) Representatives of the [*Oregon Education Investment Board*] **Education and Workforce Policy Advisor**, the Higher Education Coordinating Commission, the Department of Education and the Teacher Standards and Practices Commission shall jointly create a report on the Educators Equity Act. The report shall include:

(a) A summary of the most recent data collected as provided by ORS 342.443.

(b) A summary of the plans currently implemented as provided by ORS 342.447.

(c) Recommendations for meeting the goal described in ORS 342.437, including progress toward meeting the goal described in ORS 342.437.

(d) A description of best practices within this state and other states for recruiting, hiring and retaining diverse educators.

(2)(a) The report created as provided by subsection (1) of this section shall be submitted:

(A) To the interim legislative committees on education in each even-numbered year; and

(B) To the Legislative Assembly in the manner provided by ORS 192.245 in each odd-numbered year.

(b) The report submitted as required by paragraph (a)(B) of this subsection shall be submitted with the data reported as required by ORS 342.443.

(3) The [*Oregon Education Investment Board*] **Education and Workforce Policy Advisor**, the Higher Education Coordinating Commission, the Department of Education and the Teacher Standards and Practices Commission shall make the report submitted as provided under subsection (2) of this section available on the website of each agency.

**SECTION 13.** ORS 342.950 is amended to read:

342.950. (1) The Network of Quality Teaching and Learning is established. The network consists of the Oregon Education Investment Board, the Department of Education and public and private entities that receive funding as provided by this section to accomplish the purposes of the network described in subsection (2) of this section.

(2) The purposes of the network are the following:

(a) To enhance a culture of leadership and collaborative responsibility for advancing the profession of teaching among providers of early learning services, teachers and administrators in kindergarten through grade 12, education service districts and teacher education institutions.

(b) To strengthen and enhance existing evidence-based practices that improve student achievement, including practices advanced by or described in ORS 329.788 to 329.820, 329.822, 329.824, 329.838, 342.433 to 342.449 and 342.805 to 342.937.

(c) To improve recruitment, preparation, induction, career advancement opportunities and support of educators.

(3) To accomplish the purposes of the network described in subsection (2) of this section, the Department of Education, subject to the direction and control of the Chief Education Officer, shall distribute funding as follows:

(a) To school districts, schools, nonprofit organizations, post-secondary institutions and consortiums that are any combination of those entities for the purpose of supporting the implementation of common core state standards.

(b) To school districts and nonprofit organizations for the purposes of complying with the core teaching standards adopted as provided by ORS 342.856 and complying with related standards prescribed by federal law.

(c) To school districts and nonprofit organizations for the purpose of providing teachers with opportunities for professional collaboration and professional development and for the pursuit of ca-

reer pathways in a manner that is consistent with the School District Collaboration Grant Program described in ORS 329.838.

(d) To school districts and nonprofit organizations for the purpose of providing beginning teachers and administrators with mentors in a manner that is consistent with the beginning teacher and administrator mentorship program described in ORS 329.788 to 329.820.

(e) To school districts for the purposes of obtaining assessments and developing professional development plans to meet school improvement objectives and educator needs.

(f) To school districts, nonprofit organizations and post-secondary institutions for the purpose of closing achievement gaps by providing and improving the effectiveness of professional development, implementing data-driven decision making, supporting practice communities and implementing culturally competent practices.

(g) To school districts and nonprofit organizations for the purposes of developing and engaging in proficiency-based or student-centered learning practices and assessments.

(h) To school districts, nonprofit organizations and post-secondary institutions for the purposes of strengthening educator preparation programs and supporting the development and sustainability of partnerships between providers of early learning services, public schools with any grades from kindergarten through grade 12 and post-secondary institutions.

(i) To providers of early learning services, nonprofit organizations and post-secondary institutions for the purposes of providing professional development and supporting providers of early learning services with opportunities for professional collaboration and advancement.

(4) The Oregon Education Investment Board shall support the network by:

(a) Conducting and coordinating research to determine best practices and evidence-based models.

(b) Working with educator preparation programs to ensure ongoing collaboration with education providers.

(c) Supporting programs that help to achieve the goal of the [*Minority Teacher Act of 1991*] **Educators Equity Act** as described in ORS 342.437.

(d) Creating and supporting a statewide plan for increasing the successful recruitment of high-ability and culturally diverse candidates to work in high-need communities and fields.

(5) The Department of Education shall support the network by:

(a) Developing a system that ensures statewide dissemination of best practices and evidence-based models.

(b) Supporting the development and implementation of standards-based curriculum, high-leverage practices and assessments that promote student learning and improve outcomes for students learning English as a second language and for students with disabilities.

(c) Administering the distribution of funding as described in subsection (3) of this section.

(6) The Oregon Education Investment Board shall develop processes to establish the network and ensure the accountability of the network. The processes must ensure that the network:

(a) Gives preference to entities that have demonstrated success in improving student outcomes.

(b) Delivers services for the benefit of all regions of this state.

(c) Is accountable for improving education outcomes identified by the Oregon Education Investment Board, contained in achievement compacts or set forth in ORS 351.009.

(d) Includes and connects education providers and leaders from pre-kindergarten through post-secondary education.

(7) No more than two percent of all moneys received for the purposes of this section may be expended by the Oregon Education Investment Board or the Department of Education for administrative costs incurred under this section. For the purpose of this subsection, technical assistance and direct program services provided to school districts and nonprofit organizations are not considered administrative costs.

(8) The State Board of Education may adopt any rules necessary for the Department of Education to support the network and perform any duties assigned to the department under this section or assigned to the department by the Oregon Education Investment Board. Any rules adopted by the

State Board of Education must be consistent with this section and with actions taken by the Oregon Education Investment Board to implement this section.

**SECTION 14.** ORS 342.950, as amended by section 2, chapter 661, Oregon Laws 2013, is amended to read:

342.950. (1) The Network of Quality Teaching and Learning is established. The network consists of the Department of Education and public and private entities that receive funding as provided by this section to accomplish the purposes of the network described in subsection (2) of this section.

(2) The purposes of the network are the following:

(a) To enhance a culture of leadership and collaborative responsibility for advancing the profession of teaching among providers of early learning services, teachers and administrators in kindergarten through grade 12, education service districts and teacher education institutions.

(b) To strengthen and enhance existing evidence-based practices that improve student achievement, including practices advanced by or described in ORS 329.788 to 329.820, 329.822, 329.824, 329.838, 342.433 to 342.449 and 342.805 to 342.937.

(c) To improve recruitment, preparation, induction, career advancement opportunities and support of educators.

(3) To accomplish the purposes of the network described in subsection (2) of this section, the Department of Education, subject to the direction and control of the Superintendent of Public Instruction, shall distribute funding as follows:

(a) To school districts, schools, nonprofit organizations, post-secondary institutions and consortiums that are any combination of those entities for the purpose of supporting the implementation of common core state standards.

(b) To school districts and nonprofit organizations for the purposes of complying with the core teaching standards adopted as provided by ORS 342.856 and complying with related standards prescribed by federal law.

(c) To school districts and nonprofit organizations for the purpose of providing teachers with opportunities for professional collaboration and professional development and for the pursuit of career pathways in a manner that is consistent with the School District Collaboration Grant Program described in ORS 329.838.

(d) To school districts and nonprofit organizations for the purpose of providing beginning teachers and administrators with mentors in a manner that is consistent with the beginning teacher and administrator mentorship program described in ORS 329.788 to 329.820.

(e) To school districts for the purposes of obtaining assessments and developing professional development plans to meet school improvement objectives and educator needs.

(f) To school districts, nonprofit organizations and post-secondary institutions for the purpose of closing achievement gaps by providing and improving the effectiveness of professional development, implementing data-driven decision making, supporting practice communities and implementing culturally competent practices.

(g) To school districts and nonprofit organizations for the purposes of developing and engaging in proficiency-based or student-centered learning practices and assessments.

(h) To school districts, nonprofit organizations and post-secondary institutions for the purposes of strengthening educator preparation programs and supporting the development and sustainability of partnerships between providers of early learning services, public schools with any grades from kindergarten through grade 12 and post-secondary institutions.

(i) To providers of early learning services, nonprofit organizations and post-secondary institutions for the purposes of providing professional development and supporting providers of early learning services with opportunities for professional collaboration and advancement.

(4) The Department of Education shall support the network by:

(a) Conducting and coordinating research to determine best practices and evidence-based models.

(b) Working with educator preparation programs to ensure ongoing collaboration with education providers.

(c) Supporting programs that help to achieve the goal of the [*Minority Teacher Act of 1991*] **Educators Equity Act** as described in ORS 342.437.

(d) Creating and supporting a statewide plan for increasing the successful recruitment of high-ability and culturally diverse candidates to work in high-need communities and fields.

(e) Developing a system that ensures statewide dissemination of best practices and evidence-based models.

(f) Supporting the development and implementation of standards-based curriculum, high-leverage practices and assessments that promote student learning and improve outcomes for students learning English as a second language and for students with disabilities.

(g) Administering the distribution of funding as described in subsection (3) of this section.

(5) The State Board of Education shall develop processes to establish the network and ensure the accountability of the network. The processes must ensure that the network:

(a) Gives preference to entities that have demonstrated success in improving student outcomes.

(b) Delivers services for the benefit of all regions of this state.

(c) Is accountable for improving education outcomes identified by the State Board of Education, contained in achievement compacts or set forth in ORS 351.009.

(d) Includes and connects education providers and leaders from pre-kindergarten through post-secondary education.

(6) No more than two percent of all moneys received for the purposes of this section may be expended by the Department of Education for administrative costs incurred under this section. For the purpose of this subsection, technical assistance and direct program services provided to school districts and nonprofit organizations are not considered administrative costs.

(7) The State Board of Education may adopt any rules necessary for the Department of Education to support the network and perform any duties assigned to the department under this section. Any rules adopted by the State Board of Education must be consistent with this section.

**SECTION 15.** Section 10, chapter 519, Oregon Laws 2011, as amended by section 1, chapter 37, Oregon Laws 2012, section 5, chapter 286, Oregon Laws 2013, section 89, chapter 624, Oregon Laws 2013, section 9, chapter 660, Oregon Laws 2013, section 3, chapter 661, Oregon Laws 2013, section 5, chapter 739, Oregon Laws 2013, section 194, chapter 747, Oregon Laws 2013, and section 6, chapter 778, Oregon Laws 2013, is amended to read:

**Sec. 10. (1)(a) Section 1, chapter 519, Oregon Laws 2011, as amended by section 8, chapter 519, Oregon Laws 2011, and sections 20 and 21, chapter 36, Oregon Laws 2012, is repealed March 15, 2016.**

**(b) Section 2, chapter 519, Oregon Laws 2011, as amended by section 1, chapter 36, Oregon Laws 2012, and section 29, chapter 747, Oregon Laws 2013, is repealed March 15, 2016.**

*[(1)]* (c) Sections *[1, 2,]* 3, 5 and 7, chapter 519, Oregon Laws 2011, are repealed on March 15, 2016.

(2) The amendments to *[section 2 of this 2013 Act]* **ORS 342.208** by section 4, **chapter 286, Oregon Laws 2013**, *[of this 2013 Act]* become operative on March 15, 2016.

(3) The amendments to ORS 326.021 by section 88, **chapter 624, Oregon Laws 2013**, *[of this 2013 Act]* become operative on March 15, 2016.

(4) The amendments to *[sections 1, 2, 3 and 4 of this 2013 Act]* **ORS 327.800, 327.810, 327.815 and 327.820** by sections 5, 6, 7 and 8, **chapter 660, Oregon Laws 2013**, *[of this 2013 Act]* become operative on March 15, 2016.

(5) The amendments to *[section 1 of this 2013 Act]* **ORS 342.950** by section 2, **chapter 661, Oregon Laws 2013, and section 14 of this 2015 Act** *[of this 2013 Act]* become operative on March 15, 2016.

(6) The amendments to *[section 1 of this 2013 Act]* **ORS 326.500** by section 4, **chapter 739, Oregon Laws 2013**, *[of this 2013 Act]* become operative on March 15, 2016.

(7) The amendments to *[section 7 of this 2013 Act]* **ORS 327.380** by section 8, **chapter 739, Oregon Laws 2013**, *[of this 2013 Act]* become operative on March 15, 2016.

(8) The amendments to ORS 342.443 by section 5, **chapter 778, Oregon Laws 2013, and section 5 of this 2015 Act** [of this 2013 Act] become operative on March 15, 2016.

(9) **The amendments to ORS 351.077 by section 8 of this 2015 Act and section 11 of this 2015 Act by section 12 of this 2015 Act become operative on March 15, 2016.**

[(9)] (10) The amendments to [section 1 of this 2013 Act] **ORS 326.500** by section 6, **chapter 739, Oregon Laws 2013,** [of this 2013 Act] become operative on July 1, 2025.

**Passed by House April 17, 2015**

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate May 18, 2015**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M.,....., 2015

**Approved:**

.....M.,....., 2015

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2015

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Jeanne P. Atkins, Secretary of State