

House Bill 2612

Sponsored by Representatives ROBLAN, FLORES, Senators JOHNSON, STARR; Representatives BEYER, BUCKLEY, CLEM, DALLUM, KOMP, MINNIS, MORGAN, WHISNANT, Senators BURDICK, GORDLY, KRUSE, MORSE (at the request of Chalkboard Project)

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 **as introduced**.

Directs Department of Education to distribute student achievement grants to school districts for educational programs and activities that attain or maintain academic performance targets. Specifies types of student achievement grants to include early age initiative grants, quality educator grants and additional improvement grants.

Changes name of School Improvement Fund to Student Achievement Fund.

Appropriates moneys from General Fund to Department of Education for student achievement grants.

A BILL FOR AN ACT

1
2 Relating to education; creating new provisions; amending ORS 327.294; repealing ORS 327.290 and
3 327.297; and appropriating money.

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

5 **SECTION 1.** ORS 327.294 is amended to read:

6 327.294. (1) There is established the [*School Improvement*] **Student Achievement** Fund, separate
7 and distinct from the General Fund. Interest earned by the [*School Improvement*] **Student**
8 **Achievement** Fund shall be credited to the fund. Any moneys in the fund that are not distributed
9 by the Department of Education in any fiscal year shall be retained in the fund and may be dis-
10 tributed in the next fiscal year.

11 (2) The moneys in the fund are continuously appropriated to the Department of Education for
12 purposes of the **student achievement** grant program created by [*ORS 327.297*] **section 2 of this**
13 **2007 Act**.

14 (3) **For each fiscal year, the department shall determine the percentages of moneys in**
15 **the fund to be distributed for each type of student achievement grant listed in section 2 (2)**
16 **of this 2007 Act.**

17 **SECTION 2.** (1) **In addition to those moneys distributed through the State School Fund,**
18 **the Department of Education shall award student achievement grants to school districts for**
19 **educational programs and activities that attain or maintain academic performance targets.**

20 (2) **There shall be three types of student achievement grants:**

21 (a) **Early age initiative grants as described in section 3 of this 2007 Act.**

22 (b) **Quality educator grants as described in section 4 of this 2007 Act.**

23 (c) **Additional improvement grants as described in section 5 of this 2007 Act.**

24 (3) **Each school district may apply to the department for one or more types of student**
25 **achievement grants. An application must include a brief plan that describes the proposed use**
26 **of the grant funds and that meets guidelines established by the department. The department**
27 **shall:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (a) Approve all or part of the plan;

2 (b) Modify the plan in consultation with the school district; or

3 (c) Disapprove the plan.

4 (4) Grant applications for the funding of educational programs and activities for the next
5 school year must be submitted to the department no later than March 1. The department
6 shall approve, modify or disapprove the plan within 30 days after receiving the application.

7 (5) If the department disapproves the plan, the school district may submit a revised plan
8 within 30 days after receiving notice from the department of the disapproval of the plan.

9 (6) The department shall notify the school district of the amount of grant funds the
10 school district will receive to implement the plan. Schools districts may use grant funds only
11 in accordance with the plan approved by the department.

12 (7)(a) Notwithstanding ORS 338.155 (9), the department may not award a grant under this
13 section directly to a public charter school.

14 (b) A school district that receives a grant under this section may transfer a portion of
15 the grant to a public charter school based on the charter of the school or any other agree-
16 ment between the school district and the public charter school.

17 (c) A public charter school that receives grant funds under this subsection shall use the
18 funds for the activities specified in the plan submitted by the school district.

19 (8) The department shall establish reporting procedures and auditing guidelines for school
20 districts to ensure that grant funds are used in accordance with their approved purpose. The
21 reporting procedures shall include a requirement that school districts must demonstrate to
22 the department how the use of the grant funds supported the goal of the grant.

23 (9) Each school district shall deposit the grant funds in a separate account and shall ap-
24 ply amounts in that account to pay for the educational programs and activities for which the
25 school district received the grant funds.

26 (10) A school district may not use grant funds for administrative costs, as defined by rule
27 of the State Board of Education.

28 (11) The State Board of Education may adopt any rules necessary for the administration
29 of the grant program.

30 **SECTION 3.** (1) The Department of Education shall award early age initiative grants to
31 school districts for the purpose of improving student achievement in kindergarten through
32 grade three. The following educational programs or activities may qualify for an early age
33 initiative grant:

34 (a) Establishing a program to reduce class sizes with the intent to achieve a ratio of one
35 licensed teacher to every 15 to 17 students in kindergarten or first grade.

36 (b) Providing a reading tutor program for students in kindergarten through grade 3 who
37 have been assessed as reading below grade level. The program shall be designed to provide
38 one-on-one tutoring for the students. Tutoring may be provided outside of normal school
39 hours, including mornings, evenings and weekends and during the summer. Tutors shall be
40 either licensed teachers or volunteers trained by the Start Making a Reader Today (SMART)
41 program.

42 (c) Providing a program or activity proposed by the school district and approved by the
43 department that is likely to increase the number of students who meet state benchmarks for
44 reading and mathematics by the third grade. An early age initiative grant may be used to
45 fund a program or activity under this paragraph if the school district already has a class-size

1 reduction program and a reading tutor program as described in paragraphs (a) and (b) of this
 2 subsection, or demonstrates to the department that an alternative program or activity pro-
 3 posed under this paragraph is more likely to enhance the reading achievement of
 4 kindergarten through grade three students in the district than the programs described in
 5 paragraphs (a) and (b) of this subsection.

6 (2) The amount of a grant = the school district's average daily membership (ADM), as
 7 that term is defined in ORS 327.006, for kindergarten through grade three students for the
 8 school year preceding the year in which grant funds will be used \times (the total amount
 9 available for the grants in each distribution year \div the total ADM for kindergarten through
 10 grade three students in all of the school districts that qualify for the grant).

11 **SECTION 4.** (1) The Department of Education shall award quality educator grants to
 12 school districts for the purpose of improving the quality of teachers and administrators. The
 13 following educational programs or activities may qualify for a quality educator grant:

14 (a) Establishing mentorship programs through which experienced teachers and adminis-
 15 trators become mentors for schools to work with beginning teachers and administrators.

16 (b) Providing ongoing professional development to teachers and administrators to in-
 17 crease student achievement.

18 (2) The amount of a grant = the school district's average daily membership (ADM), as
 19 that term is defined in ORS 327.006, for the school year preceding the year in which grant
 20 funds will be used \times (the total amount available for the grants in each distribution year \div
 21 the total ADM of all of the school districts that qualify for the grant).

22 **SECTION 5.** (1) The Department of Education shall award additional improvement grants
 23 to school districts for the purpose of improving student achievement. The following educa-
 24 tional programs or activities may qualify for an additional improvement grant:

25 (a) Implementing educational practices jointly identified by the Superintendent of Public
 26 Instruction and the Quality Education Commission as demonstrating a high likelihood of
 27 improving student achievement in grades 6 through 12.

28 (b) Implementing a quality full-day kindergarten program that is aligned with the aca-
 29 demic standards adopted by the State Board of Education.

30 (2) The amount of a grant = the school district's average daily membership (ADM), as
 31 that term is defined in ORS 327.006, for grade 6 through 12 students for the school year
 32 preceding the year in which grant funds will be used \times (the total amount available for the
 33 grants in each distribution year \div the total ADM for grades 6 through 12 in all of the school
 34 districts that qualify for the grant).

35 **SECTION 6.** No later than February 1 of each year, the Department of Education shall
 36 report to the Legislative Assembly on the student achievement grant program for that fiscal
 37 year. The report shall include:

38 (1) A description of the operation of the grant program;

39 (2) A summary of the total amount of grant funds paid to school districts;

40 (3) A summary of the uses of grant funds by school districts; and

41 (4) The number of school districts that used grant funds and the approved educational
 42 programs and activities for which the grant funds were used.

43 **SECTION 7.** The Department of Education shall first award student achievement grants
 44 under section 2 of this 2007 Act for the 2008-2009 school year.

45 **SECTION 8.** (1) The amendments to ORS 327.294 by section 1 of this 2007 Act are intended

1 to change the name of the "School Improvement Fund" to the "Student Achievement
2 Fund."

3 (2) For the purpose of harmonizing and clarifying statute sections published in Oregon
4 Revised Statutes, the Legislative Counsel may substitute for words designating the "School
5 Improvement Fund," wherever they occur in Oregon Revised Statutes, other words desig-
6 nating the "Student Achievement Fund."

7 SECTION 9. There is appropriated to the Department of Education, for the biennium
8 beginning July 1, 2007, out of the General Fund, for the Student Achievement Fund, the fol-
9 lowing amounts:

10 (1) \$35 million for early age initiative grants as described in section 3 of this 2007 Act.

11 (2) \$5 million for quality educator grants as described in section 4 of this 2007 Act.

12 SECTION 10. ORS 327.290 and 327.297 are repealed.
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