

# Enrolled House Bill 5020

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Budget and Management Division, Oregon Department of Administrative Services)

CHAPTER .....

AN ACT

Relating to the financial administration of the Department of Education; appropriating money; limiting expenditures; and declaring an emergency.

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

**SECTION 1.** There are appropriated to the Department of Education, for the biennium beginning July 1, 2011, out of the General Fund, the following amounts, of which the department may expend up to 54 percent during the period beginning July 1, 2011, and ending June 30, 2012, for the following purposes:

- (1) Operations..... \$ 31,470,590
- (2) Oregon School for the Deaf..... \$ 10,166,690
- (3) Blind and Visually Impaired  
Student Fund ..... \$ 965,260

**SECTION 2.** There are appropriated to the Department of Education, for the biennium beginning July 1, 2011, out of the General Fund, the following amounts, which are to be distributed as grants-in-aid and to purchase services and of which the department may expend up to 54 percent during the period beginning July 1, 2011, and ending June 30, 2012, for the following purposes:

- (1) Educating children with disabilities in regional programs pursuant to ORS 343.236..... \$ 25,828,518
- (2) Educating children with disabilities in hospital programs..... \$ 1,276,085
- (3) Educating children with disabilities in long term care or treatment programs..... \$ 14,761,903
- (4) Connectivity services for school districts..... \$ 471,420
- (5) Student leadership centers ..... \$ 241,315
- (6) Teacher and administrator mentorship program ..... \$ 4,519,700
- (7) Breakfast and summer food programs..... \$ 1,930,520

- (8) Physical education grants..... \$ 370,660
- (9) Early intervention services  
and early childhood special  
education programs ..... \$115,261,696
- (10) Oregon prekindergarten  
program ..... \$105,753,886
- (11) Early Head Start..... \$ 916,997

**SECTION 3.** Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2011, as the maximum limits for payment of expenses, other than expenses described in sections 6 and 10 of this 2011 Act, from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Education for the following purposes:

- (1) Operations..... \$ 14,308,545
- (2) Oregon School for the Deaf..... \$ 2,154,136
- (3) Oregon School for the Deaf  
pursuant to section 6  
(5)(c)(A)(i), chapter 562,  
Oregon Laws 2009, as  
amended by section 4, chapter  
54, Oregon Laws 2010..... \$ 466,611
- (4) Blind and Visually Impaired  
Student Fund ..... \$ 5,000,000
- (5) Youth Corrections  
Education Program..... \$ 15,031,781

**SECTION 4.** Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2011, as the maximum limits for payment of expenses from federal funds, other than those described in sections 5 and 10 of this 2011 Act, collected or received by the Department of Education for the following purposes:

- (1) Operations..... \$ 58,354,404
- (2) Oregon School for the Deaf..... \$ 300,000
- (3) Youth Corrections  
Education Program..... \$ 2,000,000

**SECTION 5.** Notwithstanding any other law limiting expenditures, the following amounts are established for the biennium beginning July 1, 2011, as the maximum limits for payment of grants-in-aid and purchased services from federal funds, other than those described in section 10 of this 2011 Act, received by the Department of Education for the following purposes:

- (1) Individuals With  
Disabilities Education Act ..... \$276,272,802
- (2) Title IA - Grants to local educational  
agencies ..... \$336,164,388
- (3) Title IC - Migrant education..... \$ 21,288,062
- (4) Title IIA - Teacher quality ..... \$ 55,402,170
- (5) Vocational education..... \$ 24,767,204
- (6) All other federal programs..... \$ 56,881,374

**SECTION 6.** Notwithstanding any other law limiting expenditures, the amount of \$17,317,588 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of grants-in-aid and purchased services from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Education for grant programs other than those specified in section 2 of this 2011 Act.

**SECTION 7.** Notwithstanding any other law limiting expenditures, the amount of \$48,747,513 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses by the Department of Education from lottery moneys allocated from the Administrative Services Economic Development Fund to the department for debt service on outstanding state education lottery bonds.

**SECTION 8.** Notwithstanding any other law limiting expenditures, the amount of \$4,822,380 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses by the Department of Education from lottery moneys allocated from the Oregon Education Fund to the department for debt service on outstanding state education lottery bonds.

**SECTION 9.** Notwithstanding any other law limiting expenditures, the amount of \$2,464,515 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses by the Department of Education from Lottery Bond Fund earnings collected or received by the department for debt service on outstanding state education lottery bonds.

**SECTION 10.** For the biennium beginning July 1, 2011, the following expenditures by the Department of Education are not limited:

(1) Moneys from the School Lunch Revolving Account, Education Training Revolving Account, Tuition Protection Fund and Common School Fund; and

(2) Expenditures for grants-in-aid and purchased services from federal funds received by the Department of Education from the United States Department of Agriculture.

**SECTION 11.** In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Education, for the biennium beginning July 1, 2011, out of the General Fund, the amount of \$1,930,520, for the Local Option Equalization Grants Account.

**SECTION 12.** Notwithstanding any other law limiting expenditures, the amount of \$61,000,000 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from federal funds collected or received by the Department of Education for the State School Fund.

**SECTION 13.** Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 6, chapter 729, Oregon Laws 2009, for the biennium beginning July 1, 2009, as the maximum limit for payment of grants-in-aid and purchased services from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Department of Education for grant programs other than those specified in section 2, chapter 729, Oregon Laws 2009, is increased by \$5,525,000.

**SECTION 14.** Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (1), chapter 729, Oregon Laws 2009, for the biennium beginning July 1, 2009, as the maximum limit for payment of grants-in-aid and purchased services from federal funds received by the Department of Education from the United States Department of Education and from other federal agencies other than the United States Department of Agriculture, for the Individuals With Disabilities Education Act, is increased by \$8,125,000.

**SECTION 15.** Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 5 (2), chapter 729, Oregon Laws 2009, for the biennium beginning July 1, 2009, as the maximum limit for payment of grants-in-aid and purchased services from federal funds received by the Department of Education from the United States Department of Education and from other federal agencies other than the United States Department of Agriculture, for Title IA - grants to local educational agencies, is increased by \$9,850,000.

**SECTION 16.** Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 51 (3), chapter 910, Oregon Laws 2009, for the fiscal year beginning July 1, 2009, and ending June 30, 2010, as the maximum limit for payment of ex-

penses from federal funds collected or received by the Department of Education for the State School Fund, is increased by \$1,700,000.

**SECTION 17.** Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 51 (4), chapter 910, Oregon Laws 2009, for the fiscal year beginning July 1, 2010, and ending June 30, 2011, as the maximum limit for payment of expenses from federal funds collected or received by the Department of Education for the State School Fund, is decreased by \$1,700,000.

**SECTION 18.** This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by House June 17, 2011

.....  
Ramona Kenady Line, Chief Clerk of House

.....  
Bruce Hanna, Speaker of House

.....  
Arnie Roblan, Speaker of House

Passed by Senate June 23, 2011

.....  
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2011

Approved:

.....M.,....., 2011

.....  
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2011

.....  
Kate Brown, Secretary of State