

House Bill 3401

Sponsored by Representative NATHANSON (at the request of Sheldon Berman, Colt Gill and Nancy Golden)

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**.

Increases percentages of moneys from State School Fund and local revenues that education service districts are required to distribute to school districts.

Allows school district to contract for services from any education service district or other service provider.

A BILL FOR AN ACT

1
2 Relating to education service districts; creating new provisions; and amending ORS 334.175 and
3 334.177.

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

5 **SECTION 1.** ORS 334.177 is amended to read:

6 334.177. (1) As used in this section, "local revenues of an education service district" has the
7 meaning given that term in ORS 327.019 but does not include any local revenues distributed under
8 ORS 327.019 (8).

9 (2) **From the moneys available to an education service district from the State School
10 Fund and from local revenue**, an education service district board shall:

11 (a) Expend [*at least 90*] **no more than 10** percent of all amounts received from the State School
12 Fund and [*at least 90*] **no more than 10** percent of all amounts considered to be local revenues of
13 an education service district on services or programs that have been approved by the component
14 school districts of the education service district through the resolution process described in ORS
15 334.175.

16 (b) **Distribute at least 90 percent of all amounts received from the State School Fund and
17 at least 90 percent of all amounts considered to be local revenues of an education service
18 district to the component school districts of the education service district based on the
19 ADMw of the school districts to be expended for purposes identified by the school districts.**

20 (3) An education service district board shall expend 100 percent of all amounts received from
21 the School Improvement Fund on services or programs that have been approved by the component
22 school districts of the education service district through the resolution process described in ORS
23 334.175.

24 (4) The expenditure requirements of this section apply only to amounts retained by the educa-
25 tion service district after making any distributions required under ORS 327.019 (9).

26 **SECTION 2.** (1) **The amendments to ORS 334.177 by section 1 of this 2013 Act become
27 operative July 1, 2014.**

28 (2) **The amendments to ORS 334.177 by section 1 of this 2013 Act first apply to expen-
29 ditures occurring for the 2014-2015 school year.**

30 **SECTION 3.** ORS 334.175 is amended to read:

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.

1 334.175. (1) An education service district shall provide regionalized core services to component
 2 school districts. [*The goals of these services are to:*]

3 [*(a) Assist component school districts in meeting the requirements of state and federal law;*]

4 [*(b) Improve student learning;*]

5 [*(c) Enhance the quality of instruction provided to students;*]

6 [*(d) Enable component school districts and the students who attend schools in those districts to*
 7 *have equitable access to resources; and]*

8 [*(e) Maximize operational and fiscal efficiencies for component school districts.*]

9 [(2) *The services provided by an education service district shall be provided according to a local*
 10 *service plan developed by the education service district and component school districts. The education*
 11 *service district and component school districts shall develop the local service plan to meet the goals*
 12 *specified in subsection (1) of this section. The local service plan must include services in at least the*
 13 *following areas:]*

14 [*(a) Programs for children with special needs, including but not limited to special education ser-*
 15 *vices and services for at-risk students.]*

16 [*(b) Technology support for component school districts and the individual technology plans of those*
 17 *districts, including but not limited to technology infrastructure services, data services, instructional*
 18 *technology services and distance learning.]*

19 [*(c) School improvement services for component school districts, including but not limited to:]*

20 [*(A) Services designed to support component school districts in meeting the requirements of state*
 21 *and federal law;]*

22 [*(B) Services designed to allow the education service district to participate in and facilitate a re-*
 23 *view of the state and federal standards related to the provision of a quality education by component*
 24 *school districts;]*

25 [*(C) Services designed to support and facilitate continuous school improvement planning;]*

26 [*(D) Services designed to address schoolwide behavior and climate issues; and]*

27 [*(E) Services designed to support career and technical education.]*

28 [*(d) Administrative and support services for component school districts, including but not limited*
 29 *to services designed to consolidate component school district business functions, liaison services be-*
 30 *tween the Department of Education and component school districts and registration of children being*
 31 *taught by private teachers, parents or legal guardians pursuant to ORS 339.035.]*

32 [*(e) Other services that an education service district is required to provide by state or federal law,*
 33 *including but not limited to services required under ORS 339.005 to 339.090.]*

34 [(3) *In addition to the services specified in subsection (2) of this section, a local service plan may*
 35 *include other services that are designed to meet regional needs.]*

36 **(2) The services provided by an education service district shall be provided according to**
 37 **a local service plan developed by the education service district and component school dis-**
 38 **tricts. The local service plan must include services that an education service district is re-**
 39 **quired to provide by state or federal law, including the registration of children being taught**
 40 **by private teachers, parents or legal guardians pursuant to ORS 339.035 and other services**
 41 **required under ORS 339.005 to 339.090.**

42 **(3) In addition to the services specified in subsection (2) of this section, a local service**
 43 **plan may include other services that are designed to meet regional needs, including:**

44 **(a) Programs for children with special needs, including special education services and**
 45 **services for at-risk students.**

1 **(b) Technology support for component school districts and the individual technology plans**
 2 **of those districts, including technology infrastructure services, data services, instructional**
 3 **technology services and distance learning.**

4 **(c) School improvement services for component school districts, including:**

5 **(A) Services designed to support component school districts in meeting the requirements**
 6 **of state and federal law;**

7 **(B) Services designed to allow the education service district to participate in and facili-**
 8 **tate a review of the state and federal standards related to the provision of a quality educa-**
 9 **tion by component school districts;**

10 **(C) Services designed to support and facilitate continuous school improvement planning;**

11 **(D) Services designed to address schoolwide behavior and climate issues; and**

12 **(E) Services designed to support career and technical education.**

13 **(d) Administrative and support services for component school districts, including services**
 14 **designed to consolidate component school district business functions.**

15 (4) A local service plan shall [*also*] contain annual performance measures for the education
 16 service district.

17 (5) A local service plan must:

18 (a) Be adopted by the board of the education service district.

19 (b) After being adopted by the board of the education service district, be approved on or before
 20 March 1 by resolution of two-thirds of the component school districts that are a part of the educa-
 21 tion service district and that have at least a majority of the pupils included in the average daily
 22 membership of the education service district, as determined by the reports of such school districts
 23 for the preceding year, enrolled in the schools of the school districts.

24 (6) Notwithstanding the process for approval and adoption required by subsection (5) of this
 25 section, if the component school districts approve an amendment to a local service plan pursuant
 26 to subsection (5)(b) of this section, the board of an education service district may amend a local
 27 service plan that has been previously adopted by the board and approved by the component school
 28 districts. An amendment to a local service plan may be done at any time.

29 [*(7) If a component school district determines that a local service plan, or the provision of services*
 30 *under a local service plan, does not meet the service needs of the component school district, the com-*
 31 *ponent school district may contract with a public entity for the provision of services.]*

32 **(7) A component school district may contract with any education service district or with**
 33 **any other service provider for services provided by the education service district or the**
 34 **service provider.**

35 (8) An education service district may provide the services required by the local service plan
 36 directly through the staff of the district. In addition, an education service district may provide ser-
 37 vices required by the local service plan through the operation of a public school, a public charter
 38 school pursuant to ORS chapter 338, an alternative school or a preschool.

39 (9) An education service district may provide the services required by the local service plan in
 40 cooperation with another education service district or with a school district. In addition, an educa-
 41 tion service district may contract with a public or private entity for the provision of services.