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# MEMORANDUM

Legislative Fiscal Office  
900 Court St. NE, Room H-178  
Salem, Oregon 97301  
Phone 503-986-1828  
FAX 503-373-7807

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**To:** *Education Subcommittee*

**From:** *Krista McDowell, Legislative Fiscal Office*  
(503) 986-1838

**Date:** June 18, 2015

**Subject:** *SB 612*  
Work Session Recommendations

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SB 612 - A relates to dyslexia. The Oregon Department of Education is directed to establish a state dyslexia specialist, create a plan to screen for dyslexia and provide notifications for students at risk for dyslexia, and beginning January 1, 2018, school districts are required to ensure that at least one kindergarten through grade five teacher in each school district has received training related to dyslexia.

The measure previously had a public hearing and work session in the House Higher Education, Innovation, and Workforce Development Committee.

The measure has \$190,592 General Fund impact and one position (.75FTE) in the 2015-17 biennium.

## **Amendment**

The proposed – A9 amendment to the measure includes policy changes made by the –A8 amendment, strikes language permitting the Oregon Department of Education to fund positions from the Network of Quality Teaching and Learning (NQTL), and appropriates \$190,592 to ODE for a dyslexia specialist position.

**Motion: Move the –A9 amendment to SB 612 .**

## **Measure as Modified**

The measure, as amended, is recommended to be moved to the full Committee on Joint Ways and Means.

**Motion: Move SB 612 to the full committee with a “do pass” recommendation, as amended.**

## **Assignment of Carriers**

Full: \_\_\_\_\_  
1<sup>st</sup> Chamber: \_\_\_\_\_  
2<sup>nd</sup> Chamber: \_\_\_\_\_

**FISCAL IMPACT OF PROPOSED LEGISLATION****Measure: SB 612 - A9**Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session  
Legislative Fiscal Office***Only Impacts on Original or Engrossed  
Versions are Considered Official***

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Prepared by: Krista McDowell  
Reviewed by: Doug Wilson  
Date: 6/17/2015

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**Measure Description:**

Directs Department of Education to designate dyslexia specialist.

**Government Unit(s) Affected:**

Department of Education, School Districts, Teacher Standards and Practices Commission, Oregon Educational Investment Board

**Local Government Mandate:**

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**Analysis:**

The bill directs the Oregon Department of Education (ODE) to designate a dyslexia specialist to provide school districts with support and resources that are necessary to assist students with dyslexia and their families. ODE is also directed to work with experts on dyslexia to develop a plan to screen for risk factors of dyslexia, and to provide guidance related to notifications sent by school districts to parents of students at risk for dyslexia. ODE is directed to submit a report on the plan to the interim legislative committees on education no later than September 15, 2016. Beginning January 1, 2018 districts are required to ensure that at least one kindergarten through grade five teacher, in each kindergarten through grade five school, has received training, specified by the bill, related to dyslexia. ODE and the Teacher Standards and Practices Commission (TSPC) are directed to annually develop a list of dyslexia training opportunities that satisfy the requirements of the legislation. School districts that do not comply with the dyslexia training requirements may secure a waiver from ODE, or be considered nonstandard and the Superintendent of Public Instruction may withhold portions of State School Fund moneys otherwise allocated to the school district. The bill also adds dyslexia training, to school districts for kindergarten through grade five teachers, to the list of entities allowed to be funded under the Network of Quality Teaching and Learning (NQTL).

ODE anticipates the need for an Education Program Specialist 2 to fulfill the role of dyslexia specialist and to help school districts comply with dyslexia teacher training. The position is also anticipated to work with experts on dyslexia to help develop the dyslexia screening and notification plan. The work associated with developing the plan will end September 15, 2016 and the bill does not contain any language requiring the implementation of the plan. Therefore, the Legislative Fiscal Office recommends establishing this position permanently as a part-time 0.75 FTE. Should additional legislation be introduced to implement the plan, then the position equivalence may be evaluated at that time. Costs associated with the position as well as services and supplies related to the plan development are estimated at \$190,592 General Fund (GF) in the 2015-17 biennium and \$180,530 GF in the 2017-19 biennium.

Costs associated with dyslexia training for teachers vary significantly based on the type (i.e. online, in-person class, or conference) and length of time for the training. The Legislative Fiscal Office notes that the bill does not require a specific expiration to the timeframe for which teacher dyslexia training is completed; therefore the costs may decline over time as teachers will not be required to update or renew such trainings. School districts estimate a minimal fiscal impact in the 2015-17 biennium and roughly

\$500,000 in the 2017-19 biennium for teacher training. Costing factors related to training include the following:

1. Salary reimbursement for time spent training and/or substitute teacher reimbursement.
2. Mileage reimbursement for travel to the training.
3. Fees associated with training, certification, and learning materials reimbursement.
4. Lost opportunity costs, if time spent for dyslexia training, results in less grading or other professional development time for teachers.
5. Labor costs associated with tracking & maintaining training records in each school district

Expenses incurred by ODE and TSPC related to rulemaking are anticipated to be minimal and absorbable within the existing parameters of the agencies budgets. Including dyslexia related training to the list of allowable projects to be funded under the NQTL is estimated to have a minimal fiscal expense to ODE; however the Legislative Fiscal Office notes that adding additional funding obligations to the NQTL without actually increasing funding, may result in decreased funding for all eligible NQTL programs. Final decisions on which NQTL programs are funded and how much to spend on each program will take place in the Ways and Means budget deliberations for ODE. Furthermore, if dyslexia training costs are not funded from NQTL or any other sources, school districts are still obligated, and therefore incur costs, to ensure teacher training.

**PROPOSED AMENDMENTS TO  
A-ENGROSSED SENATE BILL 612**

1 On page 1 of the printed A-engrossed bill, line 2, after “342.950” insert  
2 “and section 10, chapter 519, Oregon Laws 2011”.

3 Delete lines 4 through 23 and delete pages 2 through 6 and insert:

4 **“SECTION 1. (1) The Department of Education shall designate a**  
5 **dyslexia specialist for the department to provide school districts with**  
6 **support and resources that are necessary to assist students with**  
7 **dyslexia and their families.**

8 **“(2) The department shall annually develop a list of training op-**  
9 **portunities related to dyslexia that satisfy the requirements described**  
10 **in subsection (3) of this section. The list must:**

11 **“(a) Be developed in collaboration with the Teacher Standards and**  
12 **Practices Commission to ensure that the training opportunities also**  
13 **satisfy professional development requirements; and**

14 **“(b) Include at least one opportunity that is provided entirely on-**  
15 **line.**

16 **“(3) For the purpose of this section, a training opportunity related**  
17 **to dyslexia must:**

18 **“(a) Comply with the knowledge and practice standards of an**  
19 **international organization on dyslexia;**

20 **“(b) Enable the teacher to understand and recognize dyslexia; and**

21 **“(c) Enable the teacher to implement instruction that is systematic,**  
22 **explicit and evidence-based to meet the educational needs of students**

1 with dyslexia.

2 **“SECTION 2. (1) The Department of Education shall develop a plan**  
3 **to:**

4 **“(a) Ensure that every student who is first enrolled at a public**  
5 **school in this state for kindergarten or first grade receives a screening**  
6 **for risk factors of dyslexia; and**

7 **“(b) Provide guidance for notifications sent by school districts to**  
8 **parents of students who are identified as being at risk for dyslexia**  
9 **based on a screening of risk factors.**

10 **“(2) The plan required under subsection (1) of this section must be**  
11 **developed collaboratively with experts on dyslexia, including repre-**  
12 **sentatives of nonprofit entities with expertise in issues related to**  
13 **dyslexia and the dyslexia specialist for the department.**

14 **“(3) When developing the plan required under subsection (1) of this**  
15 **section, the department shall identify screening tests that are cost**  
16 **effective and that screen for the following factors:**

17 **“(a) Phonological awareness;**

18 **“(b) Rapid naming skills;**

19 **“(c) The correspondence between sounds and letters; and**

20 **“(d) Family history of difficulty in learning to read.**

21 **“(4) The department shall submit a report on the plan required**  
22 **under subsection (1) of this section, and any proposed legislation, to**  
23 **the interim legislative committees on education no later than Sep-**  
24 **tember 15, 2016.**

25 **“SECTION 3. Section 2 of this 2015 Act is repealed on December 31,**  
26 **2016.**

27 **“SECTION 4. Section 1 of this 2015 Act is amended to read:**

28 **“Sec. 1. (1) The Department of Education shall designate a dyslexia spe-**  
29 **cialist for the department to provide school districts with support and re-**  
30 **sources that are necessary to:**

1       “(a) Assist students with dyslexia and their families[.]; and

2       **“(b) Comply with the requirements of this section.**

3       “(2) The department shall annually develop a list of training opportunities  
4 related to dyslexia that satisfy the requirements described in subsection (3)  
5 of this section. The list must:

6       “(a) Be developed in collaboration with the Teacher Standards and Prac-  
7 tices Commission to ensure that the training opportunities also satisfy pro-  
8 fessional development requirements; and

9       “(b) Include at least one opportunity that is provided entirely online.

10       “(3) For the purpose of this section, a training opportunity related to  
11 dyslexia must:

12       “(a) Comply with the knowledge and practice standards of an interna-  
13 tional organization on dyslexia;

14       “(b) Enable the teacher to understand and recognize dyslexia; and

15       “(c) Enable the teacher to implement instruction that is systematic, ex-  
16 plicit and evidence-based to meet the educational needs of students with  
17 dyslexia.

18       **“(4) Each school district shall ensure that at least one kindergarten  
19 through grade five teacher in each kindergarten through grade five  
20 school has received training related to dyslexia. The training must  
21 comply with the requirements described in subsection (3) of this sec-  
22 tion.**

23       **“(5)(a) A school district that does not comply with the requirements  
24 of this section and that does not secure a waiver from the department  
25 within the time required by the State Board of Education by rule is  
26 considered nonstandard under ORS 327.103.**

27       **“(b) The board shall adopt by rule the criteria for a waiver from the  
28 requirements of this section to address instances when noncompliance  
29 is outside the control of the school district.**

30       **“SECTION 5. The amendments to section 1 of this 2015 Act by sec-**

1 **tion 4 of this 2015 Act become operative on January 1, 2018.**

2 **“SECTION 6.** Section 10, chapter 519, Oregon Laws 2011, as amended by  
3 section 1, chapter 37, Oregon Laws 2012, section 5, chapter 286, Oregon Laws  
4 2013, section 89, chapter 624, Oregon Laws 2013, section 9, chapter 660,  
5 Oregon Laws 2013, section 3, chapter 661, Oregon Laws 2013, section 5,  
6 chapter 739, Oregon Laws 2013, section 194, chapter 747, Oregon Laws 2013,  
7 and section 6, chapter 778, Oregon Laws 2013, is amended to read:

8 **“Sec. 10.** (1) Sections 1, 2, 3, 5 and 7, chapter 519, Oregon Laws 2011, are  
9 repealed on March 15, 2016.

10 **“(2)** The amendments to [*section 2 of this 2013 Act*] **ORS 342.208** by section  
11 **4, chapter 286, Oregon Laws 2013,** [*of this 2013 Act*] become operative on  
12 March 15, 2016.

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

15 **“(4)** The amendments to [*sections 1, 2, 3 and 4 of this 2013 Act*] **ORS**  
16 **327.800, 327.810, 327.815 and 327.820** by sections 5, 6, 7 and 8, **chapter 660,**  
17 **Oregon Laws 2013,** [*of this 2013 Act*] become operative on March 15, 2016.

18 **“(5)(a)** The amendments to [*section 1 of this 2013 Act*] **ORS 342.950** by  
19 section 2, **chapter 661, Oregon Laws 2013, and section 7 of this 2015 Act**  
20 [*of this 2013 Act*] become operative on [*March 15, 2016*] **July 1, 2015.**

21 **“(b)** The amendments to **ORS 342.950 by section 8 of this 2015 Act**  
22 **become operative on March 15, 2016.**

23 **“(6)** The amendments to [*section 1 of this 2013 Act*] **ORS 326.500** by section  
24 **4, chapter 739, Oregon Laws 2013,** [*of this 2013 Act*] become operative on  
25 March 15, 2016.

26 **“(7)** The amendments to [*section 7 of this 2013 Act*] **ORS 327.380** by section  
27 **8, chapter 739, Oregon Laws 2013,** [*of this 2013 Act*] become operative on  
28 March 15, 2016.

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

1 “(9) The amendments to [section 1 of this 2013 Act] **ORS 326.500** by section  
2 **6, chapter 739, Oregon Laws 2013**, [of this 2013 Act] become operative on  
3 July 1, 2025.

4 “**SECTION 7.** ORS 342.950, as amended by section 2, chapter 661, Oregon  
5 Laws 2013, is amended to read:

6 “342.950. (1) The Network of Quality Teaching and Learning is estab-  
7 lished. The network consists of **the Oregon Education Investment Board**,  
8 the Department of Education and public and private entities that receive  
9 funding as provided by this section to accomplish the purposes of the net-  
10 work described in subsection (2) of this section.

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

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

16 “(b) To strengthen and enhance existing evidence-based practices that  
17 improve student achievement, including practices advanced by or described  
18 in ORS 329.788 to 329.820, 329.822, 329.824, 329.838, 342.433 to 342.449 and  
19 342.805 to 342.937.

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

22 “(3) To accomplish the purposes of the network described in subsection  
23 (2) of this section, the Department of Education, subject to the direction and  
24 control of the [*Superintendent of Public Instruction*] **Chief Education Offi-**  
25 **cer**, shall distribute funding as follows:

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

30 “(b) To school districts and nonprofit organizations for the purposes of

1 complying with the core teaching standards adopted as provided by ORS  
2 342.856 and complying with related standards prescribed by federal law.

3 “(c) To school districts and nonprofit organizations for the purpose of  
4 providing teachers with opportunities for professional collaboration and  
5 professional development and for the pursuit of career pathways in a manner  
6 that is consistent with the School District Collaboration Grant Program de-  
7 scribed in ORS 329.838.

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

12 “(e) To school districts for the purposes of obtaining assessments and de-  
13 veloping professional development plans to meet school improvement objec-  
14 tives and educator needs.

15 “(f) To school districts, nonprofit organizations and post-secondary insti-  
16 tutions for the purpose of closing achievement gaps by providing and im-  
17 proving the effectiveness of professional development, implementing  
18 data-driven decision making, supporting practice communities and imple-  
19 menting culturally competent practices.

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

23 “(h) To school districts, nonprofit organizations and post-secondary insti-  
24 tutions for the purposes of strengthening educator preparation programs and  
25 supporting the development and sustainability of partnerships between pro-  
26 viders of early learning services, public schools with any grades from  
27 kindergarten through grade 12 and post-secondary institutions.

28 “(i) To providers of early learning services, nonprofit organizations and  
29 post-secondary institutions for the purposes of providing professional devel-  
30 opment and supporting providers of early learning services with opportu-

1 nities for professional collaboration and advancement.

2 “(j) To school districts to ensure that a sufficient number of  
3 kindergarten through grade five teachers have received training to  
4 understand and recognize dyslexia and to implement appropriate in-  
5 struction.

6 “(4) The [*Department of Education*] **Oregon Education Investment**  
7 **Board** shall support the network by:

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

10 “(b) Working with educator preparation programs to ensure ongoing col-  
11 laboration with education providers.

12 “(c) Supporting programs that help to achieve the goal of the Minority  
13 Teacher Act of 1991 as described in ORS 342.437.

14 “(d) Creating and supporting a statewide plan for increasing the success-  
15 ful recruitment of high-ability and culturally diverse candidates to work in  
16 high-need communities and fields.

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

18 “[*e*] (a) Developing a system that ensures statewide dissemination of  
19 best practices and evidence-based models.

20 “[*f*] (b) Supporting the development and implementation of standards-  
21 based curriculum, high-leverage practices and assessments that promote stu-  
22 dent learning and improve outcomes for students learning English as a  
23 second language and for students with disabilities.

24 “[*g*] (c) Administering the distribution of funding as described in sub-  
25 section (3) of this section.

26 “[*5*] (6) The [*State Board of Education*] **Oregon Education Investment**  
27 **Board** shall develop processes to establish the network and ensure the ac-  
28 countability of the network. The processes must ensure that the network:

29 “(a) Gives preference to entities that have demonstrated success in im-  
30 proving student outcomes.

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

2 “(c) Is accountable for improving education outcomes identified by the  
3 [*State Board of Education*] **Oregon Education Investment Board**, con-  
4 tained in achievement compacts or set forth in ORS 351.009.

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

7 “[~~(6)~~] (7) No more than two percent of all moneys received for the pur-  
8 poses of this section may be expended by **the Oregon Education Invest-**  
9 **ment Board or** the Department of Education for administrative costs  
10 incurred under this section. For the purpose of this subsection, technical  
11 assistance and direct program services provided to school districts and  
12 nonprofit organizations are not considered administrative costs.

13 “[~~(7)~~] (8) The State Board of Education may adopt any rules necessary for  
14 the Department of Education to support the network and perform any duties  
15 assigned to the department under this section **or assigned to the depart-**  
16 **ment by the Oregon Education Investment Board**. Any rules adopted by  
17 the State Board of Education must be consistent with this section **and with**  
18 **actions taken by the Oregon Education Investment Board to imple-**  
19 **ment this section.**

20 “**SECTION 8.** ORS 342.950, as amended by section 2, chapter 661, Oregon  
21 Laws 2013, and section 7 of this 2015 Act, is amended to read:

22 “342.950. (1) The Network of Quality Teaching and Learning is estab-  
23 lished. The network consists of [*the Oregon Education Investment Board,*] the  
24 Department of Education and public and private entities that receive funding  
25 as provided by this section to accomplish the purposes of the network de-  
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29 for advancing the profession of teaching among providers of early learning  
30 services, teachers and administrators in kindergarten through grade 12, ed-

1 ucation service districts and teacher education institutions.

2 “(b) To strengthen and enhance existing evidence-based practices that  
3 improve student achievement, including practices advanced by or described  
4 in ORS 329.788 to 329.820, 329.822, 329.824, 329.838, 342.433 to 342.449 and  
5 342.805 to 342.937.

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

8 “(3) To accomplish the purposes of the network described in subsection  
9 (2) of this section, the Department of Education, subject to the direction and  
10 control of the [*Chief Education Officer*] **Superintendent of Public In-**  
11 **struction**, shall distribute funding as follows:

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

16 “(b) To school districts and nonprofit organizations for the purposes of  
17 complying with the core teaching standards adopted as provided by ORS  
18 342.856 and complying with related standards prescribed by federal law.

19 “(c) To school districts and nonprofit organizations for the purpose of  
20 providing teachers with opportunities for professional collaboration and  
21 professional development and for the pursuit of career pathways in a manner  
22 that is consistent with the School District Collaboration Grant Program de-  
23 scribed in ORS 329.838.

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25 providing beginning teachers and administrators with mentors in a manner  
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28 “(e) To school districts for the purposes of obtaining assessments and de-  
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30 tives and educator needs.

1       “(f) To school districts, nonprofit organizations and post-secondary insti-  
2 tutions for the purpose of closing achievement gaps by providing and im-  
3 proving the effectiveness of professional development, implementing  
4 data-driven decision making, supporting practice communities and imple-  
5 menting culturally competent practices.

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

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

14       “(i) To providers of early learning services, nonprofit organizations and  
15 post-secondary institutions for the purposes of providing professional devel-  
16 opment and supporting providers of early learning services with opportu-  
17 nities for professional collaboration and advancement.

18       “(j) To school districts to ensure that a sufficient number of kindergarten  
19 through grade five teachers have received training to understand and recog-  
20 nize dyslexia and to implement appropriate instruction.

21       “(4) The [*Oregon Education Investment Board*] **Department of Education**  
22 shall support the network by:

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

25       “(b) Working with educator preparation programs to ensure ongoing col-  
26 laboration with education providers.

27       “(c) Supporting programs that help to achieve the goal of the Minority  
28 Teacher Act of 1991 as described in ORS 342.437.

29       “(d) Creating and supporting a statewide plan for increasing the success-  
30 ful recruitment of high-ability and culturally diverse candidates to work in

1 high-need communities and fields.

2 “[5] *The Department of Education shall support the network by:*]

3 “[a] (e) Developing a system that ensures statewide dissemination of  
4 best practices and evidence-based models.

5 “[b] (f) Supporting the development and implementation of standards-  
6 based curriculum, high-leverage practices and assessments that promote stu-  
7 dent learning and improve outcomes for students learning English as a  
8 second language and for students with disabilities.

9 “[c] (g) Administering the distribution of funding as described in sub-  
10 section (3) of this section.

11 “[6] (5) The [*Oregon Education Investment Board*] **State Board of Ed-**  
12 **ucation** shall develop processes to establish the network and ensure the ac-  
13 countability of the network. The processes must ensure that the network:

14 “(a) Gives preference to entities that have demonstrated success in im-  
15 proving student outcomes.

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

17 “(c) Is accountable for improving education outcomes identified by the  
18 [*Oregon Education Investment Board*] **State Board of Education**, contained  
19 in achievement compacts or set forth in ORS 351.009.

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

22 “[7] (6) No more than two percent of all moneys received for the pur-  
23 poses of this section may be expended by [*the Oregon Education Investment*  
24 *Board or*] the Department of Education for administrative costs incurred  
25 under this section. For the purpose of this subsection, technical assistance  
26 and direct program services provided to school districts and nonprofit or-  
27 ganizations are not considered administrative costs.

28 “[8] (7) The State Board of Education may adopt any rules necessary for  
29 the Department of Education to support the network and perform any duties  
30 assigned to the department under this section [*or assigned to the department*

1 *by the Oregon Education Investment Board*]. Any rules adopted by the State  
2 Board of Education must be consistent with this section [*and with actions*  
3 *taken by the Oregon Education Investment Board to implement this section*].

4 **“SECTION 9. In addition to and not in lieu of any other appropri-**  
5 **ation, there is appropriated to the Department of Education, for the**  
6 **biennium beginning July 1, 2015, out of the General Fund, the amount**  
7 **of \$190,592, which shall be expended for the purposes of sections 1 and**  
8 **2 of this 2015 Act.**

9 **“SECTION 10. This 2015 Act being necessary for the immediate**  
10 **preservation of the public peace, health and safety, an emergency is**  
11 **declared to exist, and this 2015 Act takes effect on its passage.”.**

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