

# A-Engrossed Senate Bill 217

Ordered by the Senate June 1  
Including Senate Amendments dated June 1

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Oregon Education Investment Board)

## 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.

*[Repeals]* **Modifies** statutory requirements related to specific strategic education investments. Declares emergency, effective July 1, 2015.

## A BILL FOR AN ACT

1  
2 Relating to strategic education investments; amending ORS 327.800, 327.810, 327.815 and 327.820;  
3 repealing sections 30, 31, 32 and 33, chapter 27, Oregon Laws 2015 (Enrolled Senate Bill 342);  
4 and declaring an emergency.

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

6 **SECTION 1.** ORS 327.800 is amended to read:

7 327.800. (1) The Oregon Education Investment Board shall *[design and implement]* **identify and**  
8 **make recommendations to the Legislative Assembly about** programs that make strategic in-  
9 vestments to:

- 10 (a) Advance the educational goals of this state, as described in ORS 351.009;
- 11 (b) Improve the employability of graduates from Oregon public schools;
- 12 (c) Close the achievement gap that exists between historically underserved student groups, as  
13 defined by the board by rule;
- 14 (d) Assist public education in all regions of this state;
- 15 (e) Promote collaboration and alignment among early childhood service providers, school dis-  
16 tricts, community colleges, public universities and employers;
- 17 (f) Leverage private, public and community resources;
- 18 (g) Engage parents and child care providers, support families and motivate students;
- 19 (h) Develop and disseminate evidence-based models and best practices that are likely to improve  
20 student outcomes;
- 21 (i) Collect data to monitor student progress; and
- 22 (j) Establish networks that allow for the replication of successful practices across this state.

23 *[(2) The distribution and administration of all moneys that are used for strategic investments made*  
24 *as provided by this section and ORS 327.810, 327.815 and 327.820 must be guided by the purposes*  
25 *described in subsection (1) of this section.]*

26 **(2) The Department of Education shall distribute any moneys received for strategic in-**  
27 **vestments under this section. Distributions may be made to school districts, education ser-**

**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 **vice districts, post-secondary institutions of education, nonprofit organizations, providers of**  
 2 **early childhood services, tribes of this state and other entities. Distributions of moneys must**  
 3 **advance the purposes set forth in ORS 327.810, 327.815 and 327.820 or other purposes that**  
 4 **meet the goals specified in subsection (1) of this section.**

5 (3) Any recipient of moneys distributed as a strategic investment must provide separate ac-  
 6 counting for the moneys and may use the moneys only for the purpose for which the moneys are  
 7 provided.

8 (4)(a) The **Oregon Education Investment** Board shall establish requirements for the programs  
 9 implemented under this section that are consistent with this section and with ORS 327.810, 327.815  
 10 and 327.820.

11 (b) The board shall develop timelines, performance measures and other requirements related to  
 12 the accumulation and evaluation of data collected in relation to a program that receives moneys as  
 13 a strategic investment. The performance measures shall include progress toward the goals estab-  
 14 lished in ORS 351.009 and other key student education outcomes established by the board.

15 (5) The State Board of Education, [*the Oregon Student Access Commission, the Oregon Arts*  
 16 *Commission*] **the Early Learning Council** and the Oregon Education Investment Board may adopt  
 17 any rules necessary for the agencies they oversee to perform any of the duties assigned to them  
 18 under this section. Any rules adopted by the State Board of Education[, *the Oregon Student Access*  
 19 *Commission or the Oregon Arts Commission*] **or the Early Learning Council** must be consistent  
 20 with this section and actions taken by the Oregon Education Investment Board to implement this  
 21 section.

22 **SECTION 2.** ORS 327.800, as amended by section 5, chapter 660, Oregon Laws 2013, is amended  
 23 to read:

24 327.800. (1) The State Board of Education shall [*design and implement*] **identify and make rec-**  
 25 **ommendations to the Legislative Assembly about** programs that make strategic investments to:

- 26 (a) Advance the educational goals of this state, as described in ORS 351.009;
- 27 (b) Improve the employability of graduates from Oregon public schools;
- 28 (c) Close the achievement gap that exists between historically underserved student groups, as  
 29 defined by the board by rule;
- 30 (d) Assist public education in all regions of this state;
- 31 (e) Promote collaboration and alignment among early childhood service providers, school dis-  
 32 tricts, community colleges, public universities and employers;
- 33 (f) Leverage private, public and community resources;
- 34 (g) Engage parents and child care providers, support families and motivate students;
- 35 (h) Develop and disseminate evidence-based models and best practices that are likely to improve  
 36 student outcomes;
- 37 (i) Collect data to monitor student progress; and
- 38 (j) Establish networks that allow for the replication of successful practices across this state.

39 [*(2) The distribution and administration of all moneys that are used for strategic investments made*  
 40 *as provided by this section and ORS 327.810, 327.815 and 327.820 must be guided by the purposes*  
 41 *described in subsection (1) of this section.*]

42 **(2) The Department of Education shall distribute any moneys received for strategic in-**  
 43 **vestments under this section. Distributions may be made to school districts, education ser-**  
 44 **vice districts, post-secondary institutions of education, nonprofit organizations, providers of**  
 45 **early childhood services, tribes of this state and other entities. Distributions of moneys must**

1 **advance the purposes set forth in ORS 327.810, 327.815 and 327.820 or other purposes that**  
 2 **meet the goals specified in subsection (1) of this section.**

3 (3) Any recipient of moneys distributed as a strategic investment must provide separate ac-  
 4 counting for the moneys and may use the moneys only for the purpose for which the moneys are  
 5 provided.

6 (4)(a) The *[board]* **State Board of Education** shall establish requirements for the programs im-  
 7 plemented under this section that are consistent with this section and with ORS 327.810, 327.815 and  
 8 327.820.

9 (b) The board shall develop timelines, performance measures and other requirements related to  
 10 the accumulation and evaluation of data collected in relation to a program that receives moneys as  
 11 a strategic investment. The performance measures shall include progress toward the goals estab-  
 12 lished in ORS 351.009 and other key student education outcomes established by the board.

13 (5) The State Board of Education~~, the Oregon Student Access Commission and the Oregon Arts~~  
 14 ~~Commission]~~ **and the Early Learning Council** may adopt any rules necessary for the agencies they  
 15 oversee to perform any of the duties assigned to them under this section. Any rules adopted by the  
 16 ~~[Oregon Student Access Commission or the Oregon Arts Commission]~~ **Early Learning Council** must  
 17 be consistent with this section and actions taken by the State Board of Education to implement this  
 18 section.

19 **SECTION 3.** ORS 327.810 is amended to read:

20 327.810. (1) The Oregon Education Investment Board shall establish **requirements for the**  
 21 **Oregon Early Reading Program to:**

22 (a) Improve the readiness of children preparing to enter into kindergarten; and

23 (b) Improve the reading proficiency of students by the time the students complete the third  
 24 grade.

25 (2) To accomplish the purposes of the Oregon Early Reading Program, ~~[moneys shall be distrib-~~  
 26 ~~uted]~~ **the Oregon Education Investment Board shall identify programs and make recommen-**  
 27 **dations for the distribution of moneys by the Department of Education** for strategic  
 28 investments that advance at least one of the following missions:

29 (a) Encouraging early reading and involving parents, child care providers and the community in  
 30 ensuring that children have an early start at reading.

31 (b) Expanding the amount of time spent reading, adult support, the availability of reading ma-  
 32 terials, cultural relevance and the level of enjoyment that literacy brings.

33 (c) Providing differentiated instruction to assist students with reading in early grades.

34 (3) **In addition to moneys distributed as provided by subsection (2) of this section, the**  
 35 **Department of Education may distribute** strategic investment moneys ~~[distributed as provided by~~  
 36 ~~this section shall be as follows]~~ **for any of the following purposes:**

37 ~~[(a) To the Early Learning Council for the purposes of:]~~

38 ~~[(A)]~~ (a) Creating materials and curriculum that promote early literacy; ~~[and]~~

39 ~~[(B) Distributing moneys to libraries, providers of early childhood services, nonprofit organiza-~~  
 40 ~~tions, school districts and public schools to provide families and child care providers with the resources~~  
 41 ~~necessary to encourage reading at home or to expand access to libraries.]~~

42 ~~[(b) To the Department of Education for the purposes of:]~~

43 ~~[(A)]~~ (b) Extending or expanding reading opportunities in public schools that meet criteria es-  
 44 tablished by the board by providing adult support, programs offered during nonschool hours; ~~[or in-~~  
 45 ~~creased access to technology; and]~~

1        *[(B)]* **(c)** Increasing the number of school districts that participate in a network in this state that  
2 is designed to support school districts in implementing high-quality reading instruction and protocols  
3 that identify, support and serve students who are at risk for not reading at grade level early and  
4 effectively;[.]

5        *[(c) To the Oregon Education Investment Board to develop a statewide approach to early reading*  
6 *awareness.]*

7        *[(d) To the State Library to expand the Ready to Read program.]*

8        **(d) Increasing the number of students who receive free lunches; or**

9        **(e) Reducing rates of chronic absenteeism among historically underserved students who**  
10 **have an achievement gap as compared to other student groups.**

11        **SECTION 4.** ORS 327.810, as amended by section 6, chapter 660, Oregon Laws 2013, is amended  
12 to read:

13        327.810. (1) The State Board of Education shall establish **requirements for** the Oregon Early  
14 Reading Program to:

15        (a) Improve the readiness of children preparing to enter into kindergarten; and

16        (b) Improve the reading proficiency of students by the time the students complete the third  
17 grade.

18        (2) To accomplish the purposes of the Oregon Early Reading Program, *[moneys shall be distrib-*  
19 *uted]* **the State Board of Education shall identify programs for the distribution of moneys by**  
20 **the Department of Education** for strategic investments that advance at least one of the following  
21 missions:

22        (a) Encouraging early reading and involving parents, child care providers and the community in  
23 ensuring that children have an early start at reading.

24        (b) Expanding the amount of time spent reading, adult support, the availability of reading ma-  
25 terials, cultural relevance and the level of enjoyment that literacy brings.

26        (c) Providing differentiated instruction to assist students with reading in early grades.

27        (3) **In addition to moneys distributed as provided by subsection (2) of this section, the**  
28 **Department of Education may distribute** strategic investment moneys *[distributed as provided by*  
29 *this section shall be as follows]* **for any of the following purposes:**

30        *[(a) To the Early Learning Council for the purposes of:]*

31        *[(A)]* **(a)** Creating materials and curriculum that promote early literacy; *[and]*

32        *[(B) Distributing moneys to libraries, providers of early childhood services, nonprofit organiza-*  
33 *tions, school districts and public schools to provide families and child care providers with the resources*  
34 *necessary to encourage reading at home or to expand access to libraries.]*

35        *[(b) To the Department of Education for the purposes of:]*

36        *[(A)]* **(b)** Extending or expanding reading opportunities in public schools that meet criteria es-  
37 tablished by the board by providing adult support, programs offered during nonschool hours; *[or in-*  
38 *creased access to technology; and]*

39        *[(B)]* **(c)** Increasing the number of school districts that participate in a network in this state that  
40 is designed to support school districts in implementing high-quality reading instruction and protocols  
41 that identify, support and serve students who are at risk for not reading at grade level early and  
42 effectively;[.]

43        *[(c) To the State Board of Education to develop a statewide approach to early reading*  
44 *awareness.]*

45        *[(d) To the State Library to expand the Ready to Read program.]*

1       **(d) Increasing the number of students who receive free lunches; or**

2       **(e) Reducing rates of chronic absenteeism among historically underserved students who**  
3 **have an achievement gap as compared to other student groups.**

4       **SECTION 5.** ORS 327.815 is amended to read:

5       327.815. (1) The Oregon Education Investment Board shall establish the Guidance and Support  
6 for Post-Secondary Aspirations Program to:

7       (a) Increase the number of students in the ninth grade who are making satisfactory progress  
8 toward a high school diploma, a modified diploma or an extended diploma; and

9       (b) Increase the number of students who earn a high school diploma, a modified diploma or an  
10 extended diploma and who enroll in a post-secondary institution of higher education.

11       (2) To accomplish the purposes of the Guidance and Support for Post-Secondary Aspirations  
12 Program, *[moneys shall be distributed]* **the Oregon Education Investment Board shall identify**  
13 **programs and make recommendations for the distribution of moneys by the Department of**  
14 **Education** for strategic investments that advance at least one of the following missions:

15       (a) Supporting comprehensive systems of monitoring and support for struggling students.

16       (b) Ensuring that middle and high school students who had not considered enrolling in post-  
17 secondary education are directed toward, and able to access, post-secondary education opportunities  
18 that match their interests and abilities.

19       (3) **In addition to moneys distributed as provided by subsection (2) of this section, the**  
20 **Department of Education may distribute** strategic investment moneys *[distributed as provided by*  
21 *this section shall be as follows]* **for any of the following purposes:**

22       *[(a) To the Oregon Student Access Commission for the purposes of supporting an expansion of*  
23 *Access to Student Assistance Programs in Reach of Everyone (ASPIRE) in public middle schools,*  
24 *public high schools and community-based sites across this state.]*

25       *[(b) To the Department of Education for the purposes of:]*

26       *[(A)]* (a) *[Distributing moneys to school districts and nonprofit organizations]* To implement com-  
27 prehensive systems for monitoring progress and providing individualized planning, mentoring, tutor-  
28 ing or other support services to students in grades 6 through 10 who are not making satisfactory  
29 progress toward a high school diploma, a modified diploma or an extended diploma[.]; **or**

30       *[(B)]* (b) *[Creating a scholarship fund aimed at increasing]* **To increase** access for underserved  
31 students to post-secondary institutions by paying for first-year college courses or accelerated college  
32 credit programs.

33       *[(c) To the Department of Community Colleges and Workforce Development for the purpose of dis-*  
34 *tributing moneys to school districts, public schools, post-secondary institutions and nonprofit organ-*  
35 *izations to educate and engage underserved or first-generation college-bound students and their families*  
36 *through counseling programs, parent advocacy, parent education, college visits, college initiatives and*  
37 *assistance with obtaining financial aid.]*

38       **SECTION 6.** ORS 327.815, as amended by section 7, chapter 660, Oregon Laws 2013, is amended  
39 to read:

40       327.815. (1) The State Board of Education shall establish the Guidance and Support for Post-  
41 Secondary Aspirations Program to:

42       (a) Increase the number of students in the ninth grade who are making satisfactory progress  
43 toward a high school diploma, a modified diploma or an extended diploma; and

44       (b) Increase the number of students who earn a high school diploma, a modified diploma or an  
45 extended diploma and who enroll in a post-secondary institution of higher education.

1 (2) To accomplish the purposes of the Guidance and Support for Post-Secondary Aspirations  
 2 Program, [*moneys shall be distributed*] **the State Board of Education shall identify programs for**  
 3 **the distribution of moneys by the Department of Education** for strategic investments that ad-  
 4 vance at least one of the following missions:

5 (a) Supporting comprehensive systems of monitoring and support for struggling students.

6 (b) Ensuring that middle and high school students who had not considered enrolling in post-  
 7 secondary education are directed toward, and able to access, post-secondary education opportunities  
 8 that match their interests and abilities.

9 (3) **In addition to moneys distributed as provided by subsection (2) of this section, the**  
 10 **Department of Education may distribute** strategic investment moneys [*distributed as provided by*  
 11 *this section shall be as follows*] **for any of the following purposes:**

12 [(a) *To the Oregon Student Access Commission for the purposes of supporting an expansion of*  
 13 *Access to Student Assistance Programs in Reach of Everyone (ASPIRE) in public middle schools,*  
 14 *public high schools and community-based sites across this state.*]

15 [(b) *To the Department of Education for the purposes of:*]

16 [(A)] (a) [*Distributing moneys to school districts and nonprofit organizations*] To implement com-  
 17 prehensive systems for monitoring progress and providing individualized planning, mentoring, tutor-  
 18 ing or other support services to students in grades 6 through 10 who are not making satisfactory  
 19 progress toward a high school diploma, a modified diploma or an extended diploma[.]; **or**

20 [(B)] (b) [*Creating a scholarship fund aimed at increasing*] **To increase** access for underserved  
 21 students to post-secondary institutions by paying for first-year college courses or accelerated college  
 22 credit programs.

23 [(c) *To the Department of Community Colleges and Workforce Development for the purpose of dis-*  
 24 *tributing moneys to school districts, public schools, post-secondary institutions and nonprofit organ-*  
 25 *izations to educate and engage underserved or first-generation college-bound students and their families*  
 26 *through counseling programs, parent advocacy, parent education, college visits, college initiatives and*  
 27 *assistance with obtaining financial aid.*]

28 **SECTION 7.** ORS 327.820 is amended to read:

29 327.820. (1) The Oregon Education Investment Board shall establish the Connecting to the World  
 30 of Work Program to:

31 (a) Increase students' proficiency in science, technology, engineering and mathematics; and

32 (b) Connect students to the world of work.

33 (2) To accomplish the purposes of the Connecting to the World of Work Program, [*moneys shall*  
 34 *be distributed*] **the Oregon Education Investment Board shall identify programs and make**  
 35 **recommendations for the distribution of moneys by the Department of Education** for strategic  
 36 investments that advance the following missions:

37 (a) Collaborating with other public entities to develop and implement a long-term strategy that  
 38 advances state educational goals related to science, technology, engineering and mathematics.

39 (b) Providing investments in programs that engage underserved students in science, technology,  
 40 engineering or mathematics or in career and technical education.

41 (c) Developing consortiums of school districts, **education service districts** and post-secondary  
 42 institutions of higher education committed to developing innovative and flexible pathways for stu-  
 43 dents in grades 6 through 12 and in community colleges.

44 (3) **In addition to moneys distributed as provided by subsection (2) of this section, the**  
 45 **Department of Education may distribute** strategic investment moneys [*distributed as provided by*

1 *this section shall be as follows*] **for any of the following purposes:**

2 [(a) *To the Department of Education for the purposes of:*]

3 [(A) *Distributing moneys to school districts, post-secondary institutions and nonprofit organizations*  
4 *to create regional networks, or expand upon existing regional networks, to support science, technology,*  
5 *engineering and mathematics and career and technical education.*]

6 [(B) *Distributing moneys to school districts, public schools, post-secondary institutions and*  
7 *nonprofit organizations to develop public schools focused on science, technology, engineering and*  
8 *mathematics and arts-related industries to serve middle school, high school and community college*  
9 *students.*]

10 [(C)] (a) [*Distributing moneys to school districts, public schools, post-secondary institutions and*  
11 *nonprofit organizations to increase*] **Increasing** learning opportunities in science, technology, engi-  
12 neering and mathematics, the arts and career and technical education[.];

13 [(D)] (b) [*Distributing moneys to consortiums that include at least three school districts, at least*  
14 *one education service district, at least one community college and at least one public or private post-*  
15 *secondary institution to design and deliver*] **Designing and delivering** individualized, innovative and  
16 flexible ways of delivering content, awarding high school and college credit and providing develop-  
17 ment education for students in high school or in the first two years of post-secondary education[.];

18 **or**

19 [(b) *To the Oregon Arts Commission for the purpose of distributing moneys to school districts,*  
20 *public schools, post-secondary institutions and nonprofit organizations to increase opportunities for*  
21 *students to connect with the arts and arts-related industries.*]

22 (c) **Increasing the number of students who receive a General Educational Development**  
23 **(GED) certificate.**

24 **SECTION 8.** ORS 327.820, as amended by section 8, chapter 660, Oregon Laws 2013, is amended  
25 to read:

26 327.820. (1) The State Board of Education shall establish the Connecting to the World of Work  
27 Program to:

28 (a) Increase students' proficiency in science, technology, engineering and mathematics; and

29 (b) Connect students to the world of work.

30 (2) To accomplish the purposes of the Connecting to the World of Work Program, [*moneys shall*  
31 *be distributed*] **the State Board of Education shall identify programs for the distribution of**  
32 **moneys by the Department of Education** for strategic investments that advance the following  
33 missions:

34 (a) Collaborating with other public entities to develop and implement a long-term strategy that  
35 advances state educational goals related to science, technology, engineering and mathematics.

36 (b) Providing investments in programs that engage underserved students in science, technology,  
37 engineering or mathematics or in career and technical education.

38 (c) Developing consortiums of school districts, **education service districts** and post-secondary  
39 institutions of higher education committed to developing innovative and flexible pathways for stu-  
40 dents in grades 6 through 12 and in community colleges.

41 (3) **In addition to moneys distributed as provided by subsection (2) of this section, the**  
42 **Department of Education may distribute** strategic investment moneys [*distributed as provided by*  
43 *this section shall be as follows*] **for any of the following purposes:**

44 [(a) *To the Department of Education for the purposes of:*]

45 [(A) *Distributing moneys to school districts, post-secondary institutions and nonprofit organizations*

1 *to create regional networks, or expand upon existing regional networks, to support science, technology,*  
2 *engineering and mathematics and career and technical education.]*

3 *[(B) Distributing moneys to school districts, public schools, post-secondary institutions and*  
4 *nonprofit organizations to develop public schools focused on science, technology, engineering and*  
5 *mathematics and arts-related industries to serve middle school, high school and community college*  
6 *students.]*

7 *[(C) (a) [Distributing moneys to school districts, public schools, post-secondary institutions and*  
8 *nonprofit organizations to increase] **Increasing** learning opportunities in science, technology, engi-*  
9 *neering and mathematics, the arts and career and technical education[.];*

10 *[(D) (b) [Distributing moneys to consortiums that include at least three school districts, at least*  
11 *one education service district, at least one community college and at least one public or private post-*  
12 *secondary institution to design and deliver] **Designing and delivering** individualized, innovative and*  
13 *flexible ways of delivering content, awarding high school and college credit and providing develop-*  
14 *ment education for students in high school or in the first two years of post-secondary education[.];*

15 **or**

16 *[(b) To the Oregon Arts Commission for the purpose of distributing moneys to school districts,*  
17 *public schools, post-secondary institutions and nonprofit organizations to increase opportunities for*  
18 *students to connect with the arts and arts-related industries.]*

19 **(c) Increasing the number of students who receive a General Educational Development**  
20 **(GED) certificate.**

21 **SECTION 9. If Senate Bill 342 becomes law, sections 30, 31, 32 and 33 (amending ORS**  
22 **327.800 and 327.815), chapter 27, Oregon Laws 2015 (Enrolled Senate Bill 342), are repealed.**

23 **SECTION 10. This 2015 Act being necessary for the immediate preservation of the public**  
24 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
25 **July 1, 2015.**

26