

SENATE AMENDMENTS TO SENATE BILL 447

By COMMITTEE ON EDUCATION

March 6

1 On page 1 of the printed bill, line 3, after “327.008” delete the rest of the line and insert “and
2 329.488; and declaring an emergency.”.

3 In line 10, after the period insert “Any construction, improvement, remodel, equipment, mainte-
4 nance or repair of a building of a school district that is financed with a grant received under this
5 section is not required to meet the standards specified in ORS 286A.810.”.

6 Delete lines 22 and 23 and insert:

7 “(5) Grants awarded under this section shall be calculated as follows:

8 “(a) For a school district that provides matching funds in any amount up to \$4 million, a
9 matching ratio for state to local funds of one to one.

10 “(b) For a school district that provides matching funds in any amount greater than \$4 million,
11 a matching ratio for state to local funds that is based on the funding formula developed as provided
12 in subsection (7)(c) of this section. Grants awarded under this paragraph shall be for a minimum of
13 \$4 million per grant and a maximum of \$8 million per grant.”.

14 In line 26, delete “(7)” and insert “(7)(b)”.

15 On page 2, line 7, delete “subsection (6)(a)(A) of”.

16 In line 8, delete “that is” and insert “and a funding formula that are”.

17 In line 14, delete the colon.

18 In line 15, delete “(A)”.

19 In line 16, delete “; and” and insert a period.

20 Delete lines 17 and 18 and insert:

21 “(c) The funding formula developed under this subsection shall be used to determine the
22 matching ratio for state to local funds. The funding formula must comply with the limits described
23 in subsection (5) of this section.”.

24 On page 4, delete lines 15 through 45 and delete pages 5 through 15 and insert:

25 “**SECTION 8.** ORS 327.008, as amended by section 6, chapter 81, Oregon Laws 2014, is amended
26 to read:

27 “327.008. (1) There is established a State School Fund in the General Fund. The fund shall con-
28 sist of moneys appropriated by the Legislative Assembly and moneys transferred from the Education
29 Stability Fund. The State School Fund is continuously appropriated to the Department of Education
30 for the purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125, 327.137, 327.348,
31 336.575, 336.580, 336.635, 342.173, 343.243, 343.533 and 343.961 and sections 1 to 3, chapter 735,
32 Oregon Laws 2013, and section 2, chapter 81, Oregon Laws 2014.

33 “(2) There shall be apportioned from the State School Fund to each school district a State
34 School Fund grant, consisting of the positive amount equal to a general purpose grant and a facility
35 grant and a transportation grant and a high cost disabilities grant minus local revenue, computed

1 as provided in ORS 327.011 and 327.013.

2 “(3) There shall be apportioned from the State School Fund to each education service district
3 a State School Fund grant as calculated under ORS 327.019.

4 “(4) All figures used in the determination of the distribution of the State School Fund shall be
5 estimates for the same year as the distribution occurs, unless otherwise specified.

6 “(5) Numbers of students in average daily membership used in the distribution formula shall be
7 the numbers as of June of the year of distribution.

8 “(6) A school district may not use the portion of the State School Fund grant that is attributable
9 to the facility grant for capital construction costs.

10 “(7) The total amount of the State School Fund that is distributed as facility grants may not
11 exceed [§20] **\$14** million in any biennium. If the total amount to be distributed as facility grants
12 exceeds this limitation, the Department of Education shall prorate the amount of funds available for
13 facility grants among those school districts that qualified for a facility grant. **If the total amount
14 to be distributed as facility grants does not exceed this limitation, any remaining amounts
15 shall be expended for expenses incurred by the Office of School Facilities as provided in
16 section 6 (1) of this 2015 Act.**

17 “(8) **Each biennium, the Department of Education may expend from the State School
18 Fund no more than \$6 million for expenses incurred by the Office of School Facilities under
19 section 6 (2) to (6) of this 2015 Act.**

20 “[8] (9) Each fiscal year, the Department of Education shall transfer to the Pediatric Nursing
21 Facility Account established in section 5, chapter 81, Oregon Laws 2014, the amount necessary to
22 pay the costs of educational services provided to students admitted to pediatric nursing facilities
23 as provided in section 2, chapter 81, Oregon Laws 2014.

24 “[9] (10) Each fiscal year, the Department of Education shall transfer the amount of \$18 million
25 from the State School Fund to the High Cost Disabilities Account established in ORS 327.348.

26 “[10](a) (11)(a) Each biennium, the Department of Education shall transfer \$33 million from the
27 State School Fund to the Network of Quality Teaching and Learning Fund established under ORS
28 342.953.

29 “(b) For the purpose of making the transfer under this subsection:

30 “(A) The total amount available for all distributions from the State School Fund shall be reduced
31 by \$5 million;

32 “(B) The amount distributed to school districts from the State School Fund under this section
33 and ORS 327.013 shall be reduced by \$14 million; and

34 “(C) The amount distributed to education service districts from the State School Fund under this
35 section and ORS 327.019 shall be reduced by \$14 million.

36 “(c) For each biennium, the amounts identified in paragraph (b)(B) and (C) of this subsection
37 shall be adjusted by the same percentage by which the amount appropriated to the State School
38 Fund for that biennium is increased or decreased compared to the preceding biennium, as deter-
39 mined by the Department of Education after consultation with the Legislative Fiscal Officer.

40 “[11] (12) Each fiscal year, the Department of Education may expend up to \$550,000 from the
41 State School Fund for the contract described in ORS 329.488. The amount distributed to education
42 service districts from the State School Fund under this section and ORS 327.019 shall be reduced
43 by the amount expended by the department under this subsection.

44 “[12] (13) Each biennium, the Department of Education may expend up to \$350,000 from the
45 State School Fund to provide administration of and support for the development of talented and

1 gifted education under ORS 343.404.

2 “[(13)] (14) Each biennium, the Department of Education may expend up to \$150,000 from the
3 State School Fund for the administration of a program to increase the number of speech-language
4 pathologists and speech-language pathology assistants under ORS 348.394 to 348.406.

5 “[(14)] (15) Each fiscal year, the Department of Education shall transfer the amount of \$2.5
6 million from the State School Fund to the Small School District Supplement Fund established in
7 section 3, chapter 735, Oregon Laws 2013.

8 “**SECTION 9.** ORS 327.008, as amended by section 7, chapter 735, Oregon Laws 2013, and sec-
9 tion 7, chapter 81, Oregon Laws 2014, is amended to read:

10 “327.008. (1) There is established a State School Fund in the General Fund. The fund shall con-
11 sist of moneys appropriated by the Legislative Assembly and moneys transferred from the Education
12 Stability Fund. The State School Fund is continuously appropriated to the Department of Education
13 for the purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125, 327.137, 327.348,
14 336.575, 336.580, 336.635, 342.173, 343.243, 343.533 and 343.961 and section 2, chapter 81, Oregon
15 Laws 2014.

16 “(2) There shall be apportioned from the State School Fund to each school district a State
17 School Fund grant, consisting of the positive amount equal to a general purpose grant and a facility
18 grant and a transportation grant and a high cost disabilities grant minus local revenue, computed
19 as provided in ORS 327.011 and 327.013.

20 “(3) There shall be apportioned from the State School Fund to each education service district
21 a State School Fund grant as calculated under ORS 327.019.

22 “(4) All figures used in the determination of the distribution of the State School Fund shall be
23 estimates for the same year as the distribution occurs, unless otherwise specified.

24 “(5) Numbers of students in average daily membership used in the distribution formula shall be
25 the numbers as of June of the year of distribution.

26 “(6) A school district may not use the portion of the State School Fund grant that is attributable
27 to the facility grant for capital construction costs.

28 “(7) The total amount of the State School Fund that is distributed as facility grants may not
29 exceed [§20] **\$14 million** in any biennium. If the total amount to be distributed as facility grants
30 exceeds this limitation, the Department of Education shall prorate the amount of funds available for
31 facility grants among those school districts that qualified for a facility grant. **If the total amount**
32 **to be distributed as facility grants does not exceed this limitation, any remaining amounts**
33 **shall be expended for expenses incurred by the Office of School Facilities as provided in**
34 **section 6 (1) of this 2015 Act.**

35 “(8) **Each biennium, the Department of Education may expend from the State School**
36 **Fund no more than \$6 million for expenses incurred by the Office of School Facilities under**
37 **section 6 (2) to (6) of this 2015 Act.**

38 “[(8)] (9) Each fiscal year, the Department of Education shall transfer to the Pediatric Nursing
39 Facility Account established in section 5, chapter 81, Oregon Laws 2014, the amount necessary to
40 pay the costs of educational services provided to students admitted to pediatric nursing facilities
41 as provided in section 2, chapter 81, Oregon Laws 2014.

42 “[(9)] (10) Each fiscal year, the Department of Education shall transfer the amount of \$18 million
43 from the State School Fund to the High Cost Disabilities Account established in ORS 327.348.

44 “[(10)(a)] (11)(a) Each biennium, the Department of Education shall transfer \$33 million from the
45 State School Fund to the Network of Quality Teaching and Learning Fund established under ORS

1 342.953.

2 “(b) For the purpose of making the transfer under this subsection:

3 “(A) The total amount available for all distributions from the State School Fund shall be reduced
4 by \$5 million;

5 “(B) The amount distributed to school districts from the State School Fund under this section
6 and ORS 327.013 shall be reduced by \$14 million; and

7 “(C) The amount distributed to education service districts from the State School Fund under this
8 section and ORS 327.019 shall be reduced by \$14 million.

9 “(c) For each biennium, the amounts identified in paragraph (b)(B) and (C) of this subsection
10 shall be adjusted by the same percentage by which the amount appropriated to the State School
11 Fund for that biennium is increased or decreased compared to the preceding biennium, as deter-
12 mined by the Department of Education after consultation with the Legislative Fiscal Officer.

13 “[~~(11)~~] (12) Each fiscal year, the Department of Education may expend up to \$550,000 from the
14 State School Fund for the contract described in ORS 329.488. The amount distributed to education
15 service districts from the State School Fund under this section and ORS 327.019 shall be reduced
16 by the amount expended by the department under this subsection.

17 “[~~(12)~~] (13) Each biennium, the Department of Education may expend up to \$350,000 from the
18 State School Fund to provide administration of and support for the development of talented and
19 gifted education under ORS 343.404.

20 “[~~(13)~~] (14) Each biennium, the Department of Education may expend up to \$150,000 from the
21 State School Fund for the administration of a program to increase the number of speech-language
22 pathologists and speech-language pathology assistants under ORS 348.394 to 348.406.

23 “**SECTION 10. The amendments to ORS 327.008 by sections 8 and 9 of this 2015 Act apply**
24 **to State School Fund distributions commencing with the 2015-2016 distributions.**

25 “**SECTION 11.** ORS 329.488, as amended by section 10, chapter 81, Oregon Laws 2014, is
26 amended to read:

27 “329.488. (1) The Department of Education shall contract with a nonprofit entity to administer
28 a nationally normed assessment, in collaboration with the department, to all students in grade 10
29 who are enrolled in a public school. The purpose of the assessment is to predict the success of stu-
30 dents on, and provide practice for students taking, college entrance exams.

31 “(2) The department shall base the selection of the contractor under subsection (1) of this sec-
32 tion on all of the following criteria:

33 “(a) The contractor must be able to provide to the department statewide data containing the
34 results of the assessment;

35 “(b) The contractor shall provide an assessment that:

36 “(A) Identifies students with high potential to excel in advanced placement (AP) or other honors
37 courses based on a research-based correlation of scores on the grade 10 assessment to advanced
38 placement examinations;

39 “(B) Examines students in mathematics, reading and writing; and

40 “(C) Provides results that can be used by Oregon’s higher education institutions to recruit stu-
41 dents to attend college;

42 “(c) The contractor must be able to supply schools with an item-by-item analysis of student
43 performance on the assessment; and

44 “(d) The contractor must be able to make available to each student taking the assessment a free
45 career assessment and online exploration of colleges and career opportunities.

1 “(3)(a) In lieu of using the contractor selected by the department under subsection (1) of this
2 section, a school district may apply to the department for a waiver to allow the district to enter into
3 a contract with a different nonprofit entity for the purpose of administering a nationally normed
4 assessment to all students in grade 10 who are enrolled in the public schools operated by the dis-
5 trict. The department shall grant the waiver if:

6 “(A) The district had entered into a contract with the entity for the 2007-2008 school year to
7 administer a grade 10 assessment;

8 “(B) The entity, in coordination with the district, administered a grade 10 assessment during the
9 2007-2008 school year;

10 “(C) For the most recent school year in which the entity administered a grade 10 assessment,
11 the entity met the criteria set forth in subsection (2) of this section as in effect for the school year
12 in which the entity administered the assessment; and

13 “(D) The entity plans to meet the criteria set forth in subsection (2) of this section as in effect
14 for the school year for which the school district seeks a waiver.

15 “(b) A waiver granted by the department under this subsection:

16 “(A) Is valid for one school year; and

17 “(B) May be renewed each school year.

18 “(c) The department shall reimburse a school district for the cost of assessments allowed under
19 this subsection from funds available to the department under ORS 327.008 [(11)] (12).

20 “(4) Notwithstanding subsections (1) and (3) of this section:

21 “(a) The department may, under rules adopted by the State Board of Education, waive the as-
22 sessment for specific groups of students; and

23 “(b) Upon request from a student who is enrolled in a public school operated by a school district
24 or the parent or guardian of the student, the school district shall waive the assessment for the stu-
25 dent.

26 “**SECTION 12. This 2015 Act being necessary for the immediate preservation of the public**
27 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
28 **July 1, 2015.”.**

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