

**PROPOSED AMENDMENTS TO
SENATE BILL 447**

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

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

7 Delete lines 22 and 23 and insert:

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

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

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

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

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

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

19 In line 14, delete the colon.

20 In line 15, delete “(A)”.

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

22 Delete lines 17 and 18 and insert:

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

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

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

8 “327.008. (1) There is established a State School Fund in the General
9 Fund. The fund shall consist of moneys appropriated by the Legislative As-
10 sembly and moneys transferred from the Education Stability Fund. The State
11 School Fund is continuously appropriated to the Department of Education
12 for the purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125,
13 327.137, 327.348, 336.575, 336.580, 336.635, 342.173, 343.243, 343.533 and 343.961
14 and sections 1 to 3, chapter 735, Oregon Laws 2013, and section 2, chapter
15 81, Oregon Laws 2014.

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

21 “(3) There shall be apportioned from the State School Fund to each edu-
22 cation service district a State School Fund grant as calculated under ORS
23 327.019.

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

27 “(5) Numbers of students in average daily membership used in the dis-
28 tribution formula shall be the numbers as of June of the year of distribution.

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

1 “(7) The total amount of the State School Fund that is distributed as fa-
2 cility grants may not exceed [~~\$20~~] **\$14** million in any biennium. If the total
3 amount to be distributed as facility grants exceeds this limitation, the De-
4 partment of Education shall prorate the amount of funds available for facil-
5 ity grants among those school districts that qualified for a facility grant. **If**
6 **the total amount to be distributed as facility grants does not exceed**
7 **this limitation, any remaining amounts shall be expended for expenses**
8 **incurred by the Office of School Facilities as provided in section 6 (1)**
9 **of this 2015 Act.**

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

13 “[~~8~~] (9) Each fiscal year, the Department of Education shall transfer to
14 the Pediatric Nursing Facility Account established in section 5, chapter 81,
15 Oregon Laws 2014, the amount necessary to pay the costs of educational
16 services provided to students admitted to pediatric nursing facilities as pro-
17 vided in section 2, chapter 81, Oregon Laws 2014.

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

21 “[~~10(a)~~] (11)(a) Each biennium, the Department of Education shall
22 transfer \$33 million from the State School Fund to the Network of Quality
23 Teaching and Learning Fund established under ORS 342.953.

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

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

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

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

1 million.

2 “(c) For each biennium, the amounts identified in paragraph (b)(B) and
3 (C) of this subsection shall be adjusted by the same percentage by which the
4 amount appropriated to the State School Fund for that biennium is increased
5 or decreased compared to the preceding biennium, as determined by the De-
6 partment of Education after consultation with the Legislative Fiscal Officer.

7 “[~~(11)~~] (12) Each fiscal year, the Department of Education may expend up
8 to \$550,000 from the State School Fund for the contract described in ORS
9 329.488. The amount distributed to education service districts from the State
10 School Fund under this section and ORS 327.019 shall be reduced by the
11 amount expended by the department under this subsection.

12 “[~~(12)~~] (13) Each biennium, the Department of Education may expend up
13 to \$350,000 from the State School Fund to provide administration of and
14 support for the development of talented and gifted education under ORS
15 343.404.

16 “[~~(13)~~] (14) Each biennium, the Department of Education may expend up
17 to \$150,000 from the State School Fund for the administration of a program
18 to increase the number of speech-language pathologists and speech-language
19 pathology assistants under ORS 348.394 to 348.406.

20 “[~~(14)~~] (15) Each fiscal year, the Department of Education shall transfer
21 the amount of \$2.5 million from the State School Fund to the Small School
22 District Supplement Fund established in section 3, chapter 735, Oregon Laws
23 2013.

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

26 “327.008. (1) There is established a State School Fund in the General
27 Fund. The fund shall consist of moneys appropriated by the Legislative As-
28 sembly and moneys transferred from the Education Stability Fund. The State
29 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,

1 327.137, 327.348, 336.575, 336.580, 336.635, 342.173, 343.243, 343.533 and 343.961
2 and section 2, chapter 81, Oregon Laws 2014.

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

8 “(3) There shall be apportioned from the State School Fund to each edu-
9 cation service district a State School Fund grant as calculated under ORS
10 327.019.

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

14 “(5) Numbers of students in average daily membership used in the dis-
15 tribution formula shall be the numbers as of June of the year of distribution.

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

18 “(7) The total amount of the State School Fund that is distributed as fa-
19 cility grants may not exceed [~~\$20~~] **\$14** million in any biennium. If the total
20 amount to be distributed as facility grants exceeds this limitation, the De-
21 partment of Education shall prorate the amount of funds available for facil-
22 ity grants among those school districts that qualified for a facility grant. **If**
23 **the total amount to be distributed as facility grants does not exceed**
24 **this limitation, any remaining amounts shall be expended for expenses**
25 **incurred by the Office of School Facilities as provided in section 6 (1)**
26 **of this 2015 Act.**

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

30 “[~~8~~] (9) Each fiscal year, the Department of Education shall transfer to

1 the Pediatric Nursing Facility Account established in section 5, chapter 81,
2 Oregon Laws 2014, the amount necessary to pay the costs of educational
3 services provided to students admitted to pediatric nursing facilities as pro-
4 vided in section 2, chapter 81, Oregon Laws 2014.

5 “[9] (10) Each fiscal year, the Department of Education shall transfer
6 the amount of \$18 million from the State School Fund to the High Cost
7 Disabilities Account established in ORS 327.348.

8 “[10](a) (11)(a) Each biennium, the Department of Education shall
9 transfer \$33 million from the State School Fund to the Network of Quality
10 Teaching and Learning Fund established under ORS 342.953.

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

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

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

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

19 “(c) For each biennium, the amounts identified in paragraph (b)(B) and
20 (C) of this subsection shall be adjusted by the same percentage by which the
21 amount appropriated to the State School Fund for that biennium is increased
22 or decreased compared to the preceding biennium, as determined by the De-
23 partment of Education after consultation with the Legislative Fiscal Officer.

24 “[11] (12) Each fiscal year, the Department of Education may expend up
25 to \$550,000 from the State School Fund for the contract described in ORS
26 329.488. The amount distributed to education service districts from the State
27 School Fund under this section and ORS 327.019 shall be reduced by the
28 amount expended by the department under this subsection.

29 “[12] (13) Each biennium, the Department of Education may expend up
30 to \$350,000 from the State School Fund to provide administration of and

1 support for the development of talented and gifted education under ORS
2 343.404.

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

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

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

12 “329.488. (1) The Department of Education shall contract with a nonprofit
13 entity to administer a nationally normed assessment, in collaboration with
14 the department, to all students in grade 10 who are enrolled in a public
15 school. The purpose of the assessment is to predict the success of students
16 on, and provide practice for students taking, college entrance exams.

17 “(2) The department shall base the selection of the contractor under sub-
18 section (1) of this section on all of the following criteria:

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

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

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

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

26 “(C) Provides results that can be used by Oregon’s higher education in-
27 stitutions to recruit students to attend college;

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

30 “(d) The contractor must be able to make available to each student taking

1 the assessment a free career assessment and online exploration of colleges
2 and career opportunities.

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

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

11 “(B) The entity, in coordination with the district, administered a grade
12 10 assessment during the 2007-2008 school year;

13 “(C) For the most recent school year in which the entity administered a
14 grade 10 assessment, the entity met the criteria set forth in subsection (2)
15 of this section as in effect for the school year in which the entity adminis-
16 tered the assessment; and

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

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

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

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

23 “(c) The department shall reimburse a school district for the cost of as-
24 sessments allowed under this subsection from funds available to the depart-
25 ment under ORS 327.008 [(11)] **(12)**.

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

27 “(a) The department may, under rules adopted by the State Board of Ed-
28 ucation, waive the assessment for specific groups of students; and

29 “(b) Upon request from a student who is enrolled in a public school op-
30 erated by a school district or the parent or guardian of the student, the

1 school district shall waive the assessment for the student.

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

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