

Requested by Representative SMITH G

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2246**

1 On page 1 of the printed A-engrossed bill, line 2, after the semicolon de-  
2 lete the rest of the line and lines 3 and 4 and insert “creating new provisions;  
3 amending sections 2, 3, 5, 6, 7, 8, 9, 10, 12, 13, 15, 16 and 18, chapter 1, Oregon  
4 Laws 2017 (Ballot Measure 98 (2016)); repealing sections 11, 14, 17 and 19,  
5 chapter 1, Oregon Laws 2017 (Ballot Measure 98 (2016)); and prescribing an  
6 effective date.”.

7 Delete lines 6 through 20 and delete pages 2 through 6 and insert:

8 “**SECTION 1.** Section 2, chapter 1, Oregon Laws 2017 (Ballot Measure  
9 98), is amended to read:

10 “**Sec. 2.** The High School Graduation and College and Career Readiness  
11 **Grant Fund** is established in the General Fund for the purposes of improving  
12 the graduation rates and college and career readiness of *[all]* high school  
13 students in Oregon. The Legislative Assembly shall appropriate, allocate or  
14 otherwise make available *[to the]* **moneys for the High School Graduation**  
15 **and College and Career Readiness Grant Fund** *[an amount not less than*  
16 *\$800 per high school student per school year]*. The **High School Graduation**  
17 **and College and Career Readiness Grant Fund** is continuously appropri-  
18 ated to the Department of Education for the purposes of sections 2 to 16,  
19 **chapter 1, Oregon Laws 2017 (Ballot Measure 98 (2016))** *[of this 2016*  
20 *Act]*.

21 “**SECTION 2.** Section 3, chapter 1, Oregon Laws 2017 (Ballot Measure

1 98), is amended to read:

2 “**Sec. 3.** [(1)(a)] (1) Subject to sections 10 and [14] **13, chapter 1, Oregon**  
3 **Laws 2017 (Ballot Measure 98 (2016))**, [*of this 2016 Act, for school years*  
4 *beginning on or after July 1, 2017,*] the High School Graduation and College  
5 and Career Readiness **Grant** Fund shall be apportioned to each school dis-  
6 trict **that elects to receive an apportionment** based on the extended  
7 weighted average daily membership of high school students computed as  
8 provided in ORS 327.013 (1)(c). **Funds received by a school district must**  
9 **be used for any of the purposes described in sections 5, 6 and 7, chapter**  
10 **1, Oregon Laws 2017 (Ballot Measure 98 (2016))**, **as determined by the**  
11 **school district based on the needs and interests of the community and**  
12 **the students the school district serves.**

13 “[*(b)*] (2) In the event the Department of Education is unable to determine  
14 the extended weighted average daily membership of high school students for  
15 a school district, the department may determine the average extended  
16 weighted average daily membership for all students in the school district and  
17 apply the average extended weighted average daily membership to the num-  
18 ber of high school students in the school district.

19 “[*(2)(a)* *For school years beginning on or after July 1, 2018, the amount*  
20 *appropriated, allocated or otherwise made available to the fund under section*  
21 *2 of this 2016 Act shall be increased each school year in a biennium by the*  
22 *amount derived from the application of the process in Executive Order 14-14*  
23 *used to calculate the cost to maintain the current level of service.*]

24 “[*(b)* *The intent of paragraph (a) of this subsection is to apply the process*  
25 *in Executive Order 14-14 in the event Executive Order 14-14 is canceled, su-*  
26 *perseded or otherwise made ineffective.*]

27 “**SECTION 3.** Section 5, chapter 1, Oregon Laws 2017 (Ballot Measure  
28 98), is amended to read:

29 “**Sec. 5. (1)** A school district [*shall use a portion of the funds*] **that re-**  
30 **ceives an apportionment under section 3, chapter 1, Oregon Laws 2017**

1 **(Ballot Measure 98 (2016))**, may use any or all of the amount [*apportioned under section 3 of this 2016 Act*] to establish [*and*] or expand career-  
2 technical education programs in high schools that are relevant to the job  
3 market in the community or region the school district serves. **For purposes**  
4 **of this section**, establishment [*and*] or expansion of a career-technical edu-  
5 cation program includes the purchase of equipment, the construction of fa-  
6 cilities, **the provision of related student transportation** and the  
7 recruitment, [*licensing,*] employment and training of [*personnel*] **licensed**  
8 **educators** to provide career-technical education.

10 **“(2) Nothing in this section prohibits a school district, public school**  
11 **or public charter school from participating in the Career and Techni-**  
12 **cal Education Revitalization Grant Program established by ORS 344.075**  
13 **or from using any moneys from that program in combination with**  
14 **apportionments received under section 3, chapter 1, Oregon Laws 2017**  
15 **(Ballot Measure 98 (2016)).**

16 **“SECTION 4.** Section 6, chapter 1, Oregon Laws 2017 (Ballot Measure  
17 98), is amended to read:

18 **“Sec. 6.** (1) A school district [*shall use a portion*] **that receives an ap-**  
19 **portionment under section 3, chapter 1, Oregon Laws 2017 (Ballot**  
20 **Measure 98 (2016))**, may use any or all of the amount [*apportioned under*  
21 *section 3 of this 2016 Act*] to establish [*and*] or expand college-level educa-  
22 tional opportunities for students in high schools.

23 **“(2)** The college-level educational opportunities [*must*] **may** include:

24 **“(a)(A)** Advanced placement, International Baccalaureate or comparable  
25 college-level courses; or

26 **“(B)** Dual credit, [*co-enrollment*] **coenrollment** programs or extended [*co-*  
27 *enrollment*] **coenrollment** programs offered in conjunction with an Oregon  
28 community college, public university or other accredited institutions of  
29 higher learning or post-high school career schools;

30 **“(b)** Assisting students with the selection and successful completion of

1 college-level educational opportunities; [and] **or**

2 “(c) The recruitment, [*licensing,*] employment and training of [*personnel*]  
3 **licensed educators** to provide college-level educational opportunities for  
4 **high school** students [*in all high schools*].

5 “**SECTION 5.** Section 7, chapter 1, Oregon Laws 2017 (Ballot Measure  
6 98), is amended to read:

7 “**Sec. 7.** (1) A school district [*shall use a portion*] **that receives an ap-**  
8 **portionment under section 3, chapter 1, Oregon Laws 2017 (Ballot**  
9 **Measure 98 (2016)), may use any or all** of the amount apportioned [*under*  
10 *section 3 of this 2016 Act*] to establish [and] **or** expand dropout-prevention  
11 strategies [*in all high schools*] **for middle and high school students.**

12 “(2) The dropout-prevention strategies [*must*] **may** include:

13 “(a) Implementing activities designed to reduce chronic absenteeism;

14 “[*(b) Establishing and maintaining data management systems that provide*  
15 *timely reports on students’ grades, absences and discipline by school and by*  
16 *course;*]

17 “[*(c)*] **(b)** Beginning with grade 8, using attendance, course grades, credits  
18 earned and disciplinary referrals to identify students at risk of not graduat-  
19 ing;

20 “[*(d)*] **(c)** Beginning in the summer after grade 8, providing academic and  
21 social supports for students at risk of not graduating to ensure that the  
22 students are on track to graduate by the time the students enter grade 10  
23 and stay on track to graduate after entering grade 10, including such sup-  
24 ports as summer programs, additional instructional time before and after  
25 school hours, tutoring or small-group instruction during the school day or  
26 counseling services; [and]

27 “[*(e)*] **(d)** Providing counseling and coaching to provide early exposure for  
28 students to employment opportunities and requirements and options for  
29 post-secondary education[.]; **or**

30 “**(e) Other educationally appropriate strategies to support at-risk**

1 **students.**

2 **“SECTION 6.** Section 8, chapter 1, Oregon Laws 2017 (Ballot Measure  
3 98), is amended to read:

4 **“Sec. 8.** (1) A school district **that elects to receive an apportionment**  
5 **under section 3, chapter 1, Oregon Laws 2017 (Ballot Measure 98 (2016)),**  
6 must use the amount apportioned [*under section 3 of this 2016 Act*] to estab-  
7 lish [*and*] **or** expand programs, opportunities and strategies under sections  
8 5, 6 and 7, **chapter 1, Oregon Laws 2017 (Ballot Measure 98 (2016)).** [*of*  
9 *this 2016 Act and may not use the amount apportioned to maintain programs,*  
10 *opportunities and strategies established prior to the effective date of this 2016*  
11 *Act, except when a use is necessary to replace the loss or expiration of time-*  
12 *limited grants, federal funds and funds that support extended co-enrollment*  
13 *programs in effect prior to the effective date of this 2016 Act.*]

14 “(2) School districts may, and are encouraged to:

15 “(a) Cooperate, coordinate or act jointly with other school districts and  
16 with education service districts, including through the use of professional  
17 learning communities, to achieve the purposes of the High School Gradu-  
18 ation and College and Career Readiness **Grant** Fund and to maximize bene-  
19 fits from apportionments under section 3, **chapter 1, Oregon Laws 2017**  
20 **(Ballot Measure 98 (2016))** [*of this 2016 Act*];

21 “(b) Cooperate, coordinate or act jointly with nonprofit programs and  
22 community-based organizations that have demonstrated achievement of posi-  
23 tive outcomes in work with [*underserved*] **at-risk** student populations; and

24 “(c) Use evidence-based criteria to determine appropriate staffing ratios  
25 and class sizes to achieve the purposes of the fund and to maximize benefits  
26 from apportionments under section 3, **chapter 1, Oregon Laws 2017 (Ballot**  
27 **Measure 98 (2016))** [*of this 2016 Act*].

28 “[*(3) When establishing and expanding career-technical education programs*  
29 *and college-level educational opportunities, school districts may, and are en-*  
30 *couraged to, give preference to programs and opportunities in science, technol-*

1 *ogy, engineering and mathematics.]*

2 **“SECTION 7.** Section 9, chapter 1, Oregon Laws 2017 (Ballot Measure  
3 98), is amended to read:

4 **“Sec. 9.** To ensure the High School Graduation and College and Career  
5 Readiness **Grant** Fund improves students’ progress toward graduation be-  
6 ginning with grade 9, graduation rates and college and career readiness, the  
7 Department of Education **may offer school districts technical assistance**  
8 **in the selection and use of strategies related to student success.**  
9 *[shall:]*

10 *“[(1) Monitor the performance of school districts that receive apportionments*  
11 *under section 3 of this 2016 Act, including students’ progress toward gradu-*  
12 *ation beginning with grade 9, graduation rates, rates of college attendance and*  
13 *need for remedial classes in college;]*

14 *“[(2) Intervene where necessary to ensure appropriate and effective use of*  
15 *amounts apportioned under section 3 of this 2016 Act; and]*

16 *“[(3) Facilitate continuous improvement of use of amounts apportioned un-*  
17 *der section 3 of this 2016 Act by implementing strategies for school districts*  
18 *to share best practices for improving students’ progress toward graduation be-*  
19 *ginning with grade 9, graduation rates and college and career readiness.]*

20 **“SECTION 8.** Section 10, chapter 1, Oregon Laws 2017 (Ballot Measure  
21 98), is amended to read:

22 **“Sec. 10.** *[(1) For the biennium beginning July 1, 2017, the Department of*  
23 *Education may retain up to one and one-half percent of the High School*  
24 *Graduation and College and Career Readiness Fund for purposes of adminis-*  
25 *tering sections 2 to 16 of this 2016 Act.]*

26 *“[(2) For biennia beginning on or after July 1, 2019,]* The Department of  
27 **Education** may retain up to one and one-quarter percent of the **amount**  
28 **available for apportionment each biennium from the High School**  
29 **Graduation and College and Career Readiness Grant** Fund for purposes  
30 of administering sections 2 to 16, **chapter 1, Oregon Laws 2017 (Ballot**

1 **Measure 98 (2016))** *[of this 2016 Act]*.

2 **“SECTION 9. Notwithstanding section 10, chapter 1, Oregon Laws**  
3 **2017 (Ballot Measure 98 (2016)), for the first biennium for which ap-**  
4 **portionments are made under section 3, chapter 1, Oregon Laws 2017**  
5 **(Ballot Measure 98 (2016)), the Department of Education may retain**  
6 **up to one and one-half percent of the High School Graduation and**  
7 **College and Career Readiness Grant Fund for purposes of administer-**  
8 **ing sections 2 to 16, chapter 1, Oregon Laws 2017 (Ballot Measure 98**  
9 **(2016)).**

10 **“SECTION 10.** Section 12, chapter 1, Oregon Laws 2017 (Ballot Measure  
11 98), is amended to read:

12 **“Sec. 12.** *[(1) By March 1, 2017,]* The State Board of Education shall by  
13 rule adopt eligibility requirements, biennial plan guidelines, biennial plan  
14 submission deadlines[,] **and** reporting criteria *[and audit processes]* to ensure  
15 that amounts apportioned under *[section 3 of this 2016 Act improve students’*  
16 *progress toward graduation beginning with grade 9, increase the graduation*  
17 *rates of high schools and improve high school graduates’ readiness for college*  
18 *or career]* **section 3, chapter 1, Oregon Laws 2017 (Ballot Measure 98**  
19 **(2016)), are used for efforts to improve the graduation rates and college**  
20 **and career readiness of high school students as provided by sections**  
21 **5, 6 and 7, chapter 1, Oregon Laws 2017 (Ballot Measure 98 (2016)), by**  
22 **providing apportionments to establish or expand career-technical edu-**  
23 **cation programs, college-level educational opportunities and dropout-**  
24 **prevention strategies.**

25 *“[(2) The requirements for eligibility adopted under subsection (2) of this*  
26 *section must include:]*

27 *“[(a) A school district’s providing sufficient time for teachers and staff of*  
28 *students in grade 9 to review data on students’ grades, absences and discipline*  
29 *by school and by course and to develop strategies to ensure at-risk students*  
30 *stay on track to graduate;]*

1       “[(b) A school district’s implementing district-wide evidence-based practices  
2 for reducing chronic absenteeism in grades 9 through 12;]

3       “[(c) A school district’s assignment of high school students to advanced and  
4 dual-credit courses based on academic qualifications in order to avoid bias in  
5 course assignments; and]

6       “[(d) A school district’s implementing systems to ensure that high school  
7 students, including English Language Learners, are taking courses required  
8 for on-time graduation.]

9       “**SECTION 11.** Section 13, chapter 1, Oregon Laws 2017 (Ballot Measure  
10 98), is amended to read:

11       “**Sec. 13.** To qualify for an apportionment under section 3, **chapter 1,**  
12 **Oregon Laws 2017 (Ballot Measure 98 (2016))** [of this 2016 Act], a school  
13 district must:

14       “**(1) Apply to receive the apportionment; and**

15       “[(1)] **(2)** Meet the [requirements for] eligibility **requirements** adopted by  
16 the State Board of Education under section 12, **chapter 1, Oregon Laws**  
17 **2017 (Ballot Measure 98 (2016)).** [of this 2016 Act; and]

18       “[(2) Obtain approval of a biennial plan for the proposed use of the amount  
19 apportioned under section 3 of this 2016 Act.]

20       “**SECTION 12.** Section 15, chapter 1, Oregon Laws 2017 (Ballot Measure  
21 98), is amended to read:

22       “**Sec. 15.** [(1) For the biennium beginning July 1, 2017, a school district  
23 may not use more than five percent of an apportionment under section 3 of this  
24 2016 Act for administrative costs.]

25       “[(2)] **(1)** [For biennia beginning on or after July 1, 2019,] A school district  
26 may not use more than four percent of an apportionment **under section 3,**  
27 **chapter 1, Oregon Laws 2017 (Ballot Measure 98 (2016)),** for administra-  
28 tive costs.

29       “[(3)] **(2)** A school district may not use an apportionment to administer  
30 activities not [directly] related to the programs, opportunities and strategies



1 described in sections 5, 6 and 7, **chapter 1, Oregon Laws 2017 (Ballot**  
2 **Measure 98 (2016))** [*of this 2016 Act*].

3 “[(4) *From the portion of the apportionment used for administrative costs,*  
4 *a school district must conduct an annual analysis of:*]

5 “[(a) *Student attendance in grades 9 through 12; and*]

6 “[(b) *Disciplinary referrals, suspensions and expulsions in grades 9 through*  
7 *12 disaggregated by race and ethnicity.*]

8 “**SECTION 13. Notwithstanding section 15, chapter 1, Oregon Laws**  
9 **2017 (Ballot Measure 98 (2016)), for the first biennium for which ap-**  
10 **portionments are made under section 3, chapter 1, Oregon Laws 2017**  
11 **(Ballot Measure 98 (2016)), a school district may not use more than five**  
12 **percent of an apportionment under section 3, chapter 1, Oregon Laws**  
13 **2017 (Ballot Measure 98 (2016)), for administrative costs.**

14 “**SECTION 14.** Section 16, chapter 1, Oregon Laws 2017 (Ballot Measure  
15 98), is amended to read:

16 “**Sec. 16. As used in sections 2 to 16, chapter 1, Oregon Laws 2017**  
17 **(Ballot Measure 98 (2016)):**

18 “(1) [*As used in sections 7 and 12 of this 2016 Act,*] ‘Chronic  
19 absenteeism’ means [*a student’s missing two weeks or more in*] **10 or more**  
20 **unexcused absences during** a school year.

21 “[(2) *As used in section 12 of this 2016 Act, ‘English Language Learner’*  
22 *means a child whose native language is other than English or who speaks a*  
23 *language other than English in the child’s home.*]

24 “[(3)] **(2)** [*As used in this section and sections 6 and 8 of this 2016 Act,*]  
25 ‘Extended [*co-enrollment*] **coenrollment** program’ means a program in which  
26 a student who has satisfied the requirements for a diploma established by the  
27 State Board of Education under ORS 329.451:

28 “(a) Does not receive a diploma;

29 “(b) Remains enrolled at a school district;

30 “(c) Attends a community college for at least half of the student’s

1 coursework; and

2 “(d) Has some or all of the student’s tuition, fees and books for  
3 coursework at the community college paid by the school district where the  
4 student is enrolled.

5 “[~~(4)~~] **(3)** [*As used in sections 3 and 12 of this 2016 Act,*] ‘High school  
6 student’ means a student enrolled in grades 9 through 12 or age level  
7 equivalent.

8 “[~~(5)~~ *As used in section 11 of this 2016 Act, ‘Program audit’ means deter-*  
9 *mining:*]

10 “[*(a) The extent to which the desired results or benefits of a program are*  
11 *being achieved;*]

12 “[*(b) The extent to which the need for or objectives of an ongoing program*  
13 *are necessary or relevant;*]

14 “[*(c) Whether the program complements, duplicates, overlaps or conflicts*  
15 *with other related programs;*]

16 “[*(d) The effectiveness of organizations, programs, activities or functions;*  
17 *and*]

18 “[*(e) Whether the entity that is the subject of the audit has complied with*  
19 *laws and regulations applicable to the program.*]

20 “[~~(6)~~] **(4)** [*As used in sections 2 to 16 of this 2016 Act,*] ‘School district’  
21 means a common or union high school district.

22 “**SECTION 15.** Section 18, chapter 1, Oregon Laws 2017 (Ballot Measure  
23 98), is amended to read:

24 “**Sec. 18.** [*Sections 13 and 14 of this 2016 Act apply to school years begin-*  
25 *ning July 1, 2018.*] **Section 13, chapter 1, Oregon Laws 2017 (Ballot**  
26 **Measure 98 (2016)), applies to any apportionments made under section**  
27 **3, chapter 1, Oregon Laws 2017 (Ballot Measure 98 (2016)), that occur**  
28 **on or after the effective date of this 2017 Act.**

29 “**SECTION 16.** Sections 11, 14, 17 and 19, chapter 1, Oregon Laws  
30 **2017 (Ballot Measure 98 (2016)), are repealed.**

1 **“SECTION 17. This 2017 Act takes effect on the 91st day after the**  
2 **date on which the 2017 regular session of the Seventy-ninth Legislative**  
3 **Assembly adjourns sine die.”.**

4 \_\_\_\_\_