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# House Bill 3427

## -10 Amendment

### Section-by-Section Summary

#### Section 1

Makes Section 2 part of ORS chapter 327.

#### Section 2

Establishes the Fund for Student Success in the State Treasury. Allows Fund to receive gifts, grants, and donations. Continuously appropriates moneys in Fund to Oregon Department of Education for transfer to state school fund in an amount calculated by the Legislative Fiscal Officer and the Legislative Revenue Officer, District Improvement Account (50 percent of remainder), Statewide Initiative Account (30 percent of remainder), and Early Learning Account (20 percent of remainder).

#### Section 3

Transfers \$200 million from Fund for Student Success to State School Fund for the 2019-2021 biennium.

#### Section 4

Allows transfer of moneys from Fund for Student Success to State School Fund.

#### Section 5

Allows transfer of moneys from Fund for Student Success to State School Fund.

#### Section 6

Establishes operative date for Section 5.

#### Section 7

Adds sections 8 through 17 to ORS 327.

Section 8

Establishes the District Improvement Account. Allows ODE to accept gifts, grants, donations for the account. Continuously appropriates moneys in the account to ODE for the purpose of awarding grants.

Section 9

Establishes purpose of grants and grant requirements. Establishes eligible uses, including increased instructional time, student health and safety, reduced class sizes and caseloads, and increased access to well-rounded educational opportunities. Establishes grant distribution formula of each district's weighted average daily membership with a doubling of the poverty weight. Establishes payment schedule.

Section 10

Establishes application requirements. Defines eligible applicants as common school districts, union high school districts, or charter schools 1) whose student populations are at least 35 percent either economically disadvantaged or from racial or ethnic groups that have historically experienced academic disparities and 2) whose qualifying population is of a higher percentage than the surrounding district. Requires school districts who choose to use their non-eligible charter school populations in their ADMw for grant application purposes to include those charter schools in their plans and pass through the resources specified for the uses outlined in the plan. Requires eligible applicants to engage in strategic planning; analyze potential academic impact of proposed investments; submit budgetary information; solicit input from community; make equity-based decisions using student-level data; identify which programs and services will be funded by grant moneys; and describe how grant funds will be used to meet students' mental or behavioral health needs, increase achievement for all students, and reduce academic disparities. Requires districts to submit four-year plan every two years and to base their plans on their Continuous Improvement Plans, including a needs assessment required under ORS 329.095. Requires governing bodies to approve plan at an open meeting following a verbal presentation of the application to the board by the Superintendent and opportunity for public comment.

Section 10a

Requires grant applications for the 2019-2021 biennium to contain a three-year plan and be updated after the first year.

Section 11

Defines high school diploma, completion rate, disaggregated rates, graduation rate, ninth-grade on-track rate, regular attendance rates, and third-grade reading proficiency rate. Requires ODE to review applications and develop statistically based longitudinal performance growth targets on the following metrics as applicable:

- On-time graduation and completion rates, including disaggregated rates for historically underserved students.
- Percentage of students completing ninth grade with six credits, and disaggregated percentages for historically underserved students.
- Percentage of third-grade students achieving reading proficiency, and disaggregated percentages for historically underserved students.

- Percentage of students attending school regularly, and disaggregated percentages for historically underserved students.

Allows the use of local metrics in addition. Requires ODE to use a process for strategically developing equitable policies and programs. Requires ODE to enter into grant agreements with each applicant, which must include performance growth targets. Requires applicants to approve grant agreement at an open meeting following a verbal presentation of the agreement to the governing body by an administrator and opportunity for public comment. Requires applicants to maintain funds in separate accounts.

#### Section 12

Establishes grant distribution formula and requirement for State Board of Education to establish minimum grant distributions for districts with 50 ADMw or less.

#### Section 12a

Requires Department of Education to establish timelines for first grant distribution during the 2020-2021 school year.

#### Section 13

Requires school districts to have their grant funds audited annually. Requires school districts to conduct an annual review of progress toward growth targets. Requires administrator to present progress review verbally to governing board at an open meeting with opportunity for public comment. Requires applicants to make audit and performance review available to the public at their main office and on their website, and to include the information in the audit report filed with ODE under ORS 327.137.

Requires ODE to provide technical assistance or deduct funds from future disbursements in an amount equal to any funds that were either misspent by districts. Provides appeal process.

Allows ODE to deduct amounts not committed from future grant distributions of applicant fails to commit to spending all available grant moneys.

Requires ODE to provide technical assistance available to districts. Requires districts that do not meet growth targets to enter into one-year coaching program administered by ODE.

Requires districts to conduct a district-wide performance review every four years.

#### Section 14

Outlines requirements for technical assistance to be provided to applicants by ODE.

#### Section 15

Describes one-year coaching program administered by ODE for school districts that do not meet growth targets.

#### Section 16

Establishes intensive four-year program for high needs school districts. Requires ODE to establish intensive program for high needs districts. Requires ODE to identify and select districts

to participate. Establishes program requirements. Allocates extra per-pupil funding for selected districts. Requires student success teams to develop recommendations for districts to improve performance. Requires local school boards to adopt and implement recommendations of student success teams related to grant moneys and additional funding received under the intensive program. Requires participating districts to report to local community on the recommendations to be implemented and timelines for implementation, the recommendations that will not be implemented, and the reasons why or why not.

#### Section 17

Requires ODE to create an annual report listing the performance growth targets for each district, whether or not the district met those targets, and whether or not the district received any grant funds.

#### Section 17a

Requires ODE to make first report required in Section 17 by February 1, 2022.

#### Section 18

Adds requirements for needs assessment to statute requiring districts to create Continuous Improvement Plans.

#### Section 19

Establishes effective date for Section 18.

#### Section 20

Establishes Statewide Initiative Account as part of ORS chapter 327.

#### Section 21

Establishes the Statewide Initiative Account, allows it to receive moneys from the Fund for Student Success as well as other appropriations and gifts, grants, and donations. Continuously appropriates money to ODE for the purposes of the Account.

#### Section 22

Establishes acceptable uses for the Statewide Initiative Account, including funding the High School Graduation and College and Career Readiness Act, expanding school breakfast and lunch programs, operating youth reengagement programs, establishing and maintaining a Statewide School Safety and Prevention System, funding statewide equity initiatives, summer learning, funding for early warning systems to assist students in graduating from high school, planning for increased transparency and accountability, funding student success teams, funding for Education Service Districts, and funding administrative costs incurred by ODE in implementing this Act. Establishes distribution formula for Education Service Districts.

#### Section 23

Defines eligible student. Allows districts that make breakfast accessible to do so after the start of the school day. Requires districts with populations of 70 percent or more eligible students to make breakfast accessible to all students free of charge after the start of the school day. Allows districts already providing breakfast to 70 percent of their eligible students to be exempt.

Section 24

Establishes operative date for Section 23.

Section 25

Allows ODE to award grants or enter into contracts to enable to purchase of equipment needed for school breakfast programs.

Section 26

Establishes Section 27 in ORS chapter 327.

Section 27

Expands reimbursement for schools providing meals under the Community Eligibility Provision.

Section 28

Establishes operative date for Section 27.

Section 29

Establishes the Hunger Free Schools Account in the State Treasury and continuously appropriates moneys in the Account to the Department of Education.

Sections 30 and 31

Deleted

Sections 32 through 34

Establishes a Youth Reengagement Program. Incorporates provisions of Senate Bill 692 and House Bill 2939. Establishes program requirements.

Sections 35 and 35a

Establishes the Statewide School Safety and Prevention System. Incorporates provisions of Senate Bill 584 and House Bill 2327, enacting the recommendations of the School Safety Task Force. Establishes program requirements.

Section 36

Establishes American Indian and Alaska Native Student Success Plan. Establishes program, eligibility, and reporting requirements.

Section 37

Establishes Latino or Hispanic Student Success Plan. Establishes program, eligibility, and reporting requirements.

Section 38

Requires ODE to submit a report to the legislature relating to the development of the statewide education plans required under Sections 36 and 37 by January 1, 2021.

Section 39

Establishes effective date for Section 37.

Section 40

Establishes Section 41 in ORS chapter 327.

Sections 41 and 41a

Establishes grants for summer learning programs in Title I schools. Establishes program, eligibility, and reporting requirements.

Section 42

Establishes Section 43 in ORS chapter 327

Sections 43 and 44

Authorizes ODE to award grants from the SEIA to school districts for the purchase of early warning systems, so that teachers and administrators will be more aware of student progress and be able to intervene when students are not on track to graduate on time.

Sections 45 and 46

Requires ODE, the Teacher Standards and Practices Commission, the Educator Advancement Council, school district representatives, and education stakeholders to make recommendations to the 2020 legislature relating to educator diversity, retention, scholarships, mentoring, and education preparation programs.

Section 47

Adds Sections 48 and 49 to ORS chapter 327

Section 48

Establishes the Early Learning Account. Allows the Early Learning Account to accept transfers from the Fund for Student Success as well as from gifts, grants, and donations. Continuously appropriates moneys in the account for use as described in Section 49.

Section 49

Establishes acceptable uses of the Early Learning Account: early childhood special education or early intervention services, relief nurseries, the Early Childhood Equity Fund established by Section 37 of this Act, additional slots in the Oregon prekindergarten program and other public preschool programs or the expansion of current half-day slots to full day, professional development for early childhood educators, and Early Head Start Programs.

Sections 50 through 52

Establishes the Early Childhood Equity Fund. Incorporates provisions of House Bill 2897 and its -4 amendment. Continuously appropriates moneys to ODE for the ELD to make grants to culturally specific early learning, early childhood, and parent support programs and to promote the capacity of culturally specific organizations to deliver these programs. Establishes eligibility, program, and reporting requirements.

Sections 53 and 54

Requires ODE to provide a report to the legislature by February 1, 2020 regarding the progress in implementing this measure, and allows the inclusion of recommendations for legislation.

Section 55

Captions

Section 56

Establishes effective date of 91<sup>st</sup> day after adjournment sine die.