



# Oregon

Kate Brown, Governor



OREGON  
DEPARTMENT OF  
EDUCATION

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**Colt Gill**

Director of the Oregon Department of Education

May 10, 2021

The Honorable Senator Betsy Johnson  
The Honorable Senator Elizabeth Steiner Hayward  
The Honorable Representative Dan Rayfield  
Joint Committee on Ways and Means  
900 Court Street NE  
H-178 State Capitol  
Salem OR 97301-4048

Dear Co-Chairpersons:

### **Nature of Request**

This report responds to a budget note in [House Bill 5042A](#), which asks the Oregon Department of Education (ODE) to report on the development of the Summer Learning and Child Care programs, as well as anticipated participation by school districts and other entities. As part of accepting this report, ODE requests the Legislature authorize the Department of Administrative Services (DAS) to reschedule \$195,624,228 of General Fund and \$66,512,237 of Other Funds limitation for ODE to begin disbursing funds for the programs in the Summer Learning Program Account.

### **Background**

The pandemic has had an immense and disruptive impact on Oregon's children. In particular, COVID-19 and the response to COVID-19 has disproportionately impacted Black, American Indian/Alaska Native, Latino/a/x, and Pacific Islander communities; students experiencing disabilities; and students and families navigating poverty. Students, families and educators have been resilient in the face of the many challenges presented by the pandemic and many have acquired new skills and knowledge. Nevertheless, many students have experienced [unfinished learning](#) and inconsistent connections with their peers. Many children also continue to lack basic necessities such as food, shelter, wellness and support for mental, social and emotional health.

To address these needs, the 2021 Legislature approved [House Bill 5042A](#) for the Oregon Department of Education (ODE) to expend \$250 million in General Fund and \$21.2 million in Federal Funds on one-time initiatives to provide academic learning and enrichment for school-aged students and preschoolers during the summer of 2021. The spending for these programs would occur in both the 2019-21 and 2021-23 biennium and would be disbursed as follows:

- \$195.6 million from the Summer Learning Program Account and \$10 million in Federal Funds for school district grants to support high school students facing academic credit loss, summer enrichment programs for K-8 students, and wrap-around child care for K-5 students participating in enrichment who qualify for free and reduced lunch.
- \$12 million in General Fund and \$11.2 million in Federal Funds on one-time increases for the Early Learning Division to expand existing preschool and other early learning programs during the summer of 2021.
- \$41.2 million in General Fund for a one-time grant for the Oregon Community Foundation (OCF) to: 1) award Summer Activities Grants to public and non-profit community-based organizations to provide indoor and outdoor activities for school-aged children that encourage engagement and participation with peers; and 2) award Parent Child Support Grants to provide multi-week parent-child summer programming to bolster social emotional development and healthy attachment in families with children under the age of five.

To ensure ODE is able to effectively administer these programs and provide adequate monitoring and accountability for the resources, \$1.2 million was provided to support ODE administrative costs.

### **Summer Learning Program Account**

As directed by the Legislature, the Summer Learning Program Account will provide \$195.6 million along with an additional \$10.0 from the federal Child Care and Development Block Grant for three separate grant programs:

- Summer Academic Support Program,
- Summer Enrichment/Academic Program, and the
- Summer Child Care Program.

ODE has developed these grant programs over the course of an expedited three week period with these values in mind:

- Providing as much flexibility to school districts as possible;
- Prioritizing communities disproportionately impacted by the pandemic; and
- Meeting the Legislature's timelines.

### ***Summer Learning Best Practices***

To support school districts and public charter schools in designing and implementing summer learning programs that align with these guiding principles, ODE has also released its [Summer Learning Best Practices guide](#). This document centers in equity and draws upon research and best practices to help districts and charter schools develop their summer learning programs and to prioritize the needs of students and families disproportionately impacted by the pandemic. ODE remains committed to the following principles as it provides assistance to districts and charter schools developing Summer Learning Programs:

- **Ensure safety and wellness.** Providing students and families with access to critical services, such as nutrition, healthcare, including preventative health screenings, and mental health support, is essential during the summer of 2021. Fundamental to any level of in-person programming will be prioritizing Ready Schools, Safe Learners (RSSL) safety guidelines and building deep trust among families, staff, and students.
- **Center health and well-being.** Intentionally acknowledge the health and mental health impacts of this past year. Commit to creating a breadth of summer learning opportunities that foster creative expression, make space for reflection and connection, and center on the needs of the whole child rather than solely emphasizing academic achievement.
- **Cultivate connection and relationship.** Summer learning programs are key opportunities for students, families and educators to reconnect with one another after a year of separation. Quality summer learning experiences require deep interpersonal relationships and an identity-affirming learning environment where students feel seen and valued.
- **Prioritize equity.** Recognize the disproportionate impact of COVID-19 on Black, American Indian/Alaska Native, Latino/a/x, and Pacific Islander communities; students experiencing disabilities; students identifying as LGBTQ2SIA+ and students and families navigating poverty. Apply an equity-informed, anti-racist, and anti-oppressive lens to promote culturally sustaining and revitalizing summer learning experiences that are identity-affirming and support every child.
- **Innovate.** Summer is an opportunity to think outside the box to improve teaching and learning year-round by iterating on recent instructional innovations from the past year, testing new instructional strategies, rethinking learning environments, and investing in creative approaches to address [unfinished learning](#).

### ***Engagement and Feedback***

Over six hundred education and community partners provided ODE with feedback on these proposed grant programs through a series of engagement sessions held in April 2021. Districts and charter schools broadly signaled that they believe they will be able to use these funds to provide services for their students this summer.

In the process of sharing feedback, ODE's education and community partners also shared some challenges related to implementing the proposed Summer Learning grant programs that are important for the Legislature to understand:

- The timeline to implement high quality learning experiences for the summer of 2021 is very short. Districts and charter schools recommend extending the timeline to spend these funds to include the summer of 2022 or for extended learning and after school and before school activities during the 2021-22 school year.
- The ability to adequately identify and staff these programs is a major concern. Many districts and charter schools are reporting that their staff are exhausted after pivoting the way they teach and managing an increased and stressful workload during this school year. The recommendation of extending the eligible spending period for these funds could help mitigate the impact of a fatigued educator workforce.

- In some regions, there may not be alternative activities for some students if districts do not apply to the program (it is voluntary) due to the lack of other organizations in the area to provide enrichment activities.

### ***Summer Grant Programs Descriptions***

With the expertise of agency staff informed by feedback received from education and community partners, ODE has developed and communicated the requirements and guidance for each program to school districts and other education and community partners, summarized below.

#### **Summer Academic Support Program**

The Summer Academic Support Program provides grants to school districts (or charter schools that wish to participate independently) to support credit recovery opportunities for their students in high school. The goal of this program is to provide opportunities for high school students to acquire academic credits needed to stay on-track for graduation. This program is designed to engage with students on-site and in-person in order to redress the disruptions caused to students by the pandemic, in which distance learning was the primary mode of instruction for the past school year. Best practices for districts would be to have staff and facilities open to facilitate in-person instruction and not rely on distance learning models.

The Summer Academic Support Program is estimated, if fully utilized by all 197 school districts, to cost \$95,859,621. Of this amount, 75 percent or \$71,894,716 would be provided by the state through the Summer Learning Program Account. The remaining 25 percent would be provided as matching grants by the districts or charter schools. Districts or charter schools may use any source of funds for the matching grants, so long as the expenses are related to summer academic recovery and the source funds allow the funds to be used for summer programming.

The estimated costs of the program were based on schools providing academic support to a minimum of half, or 50 percent of their high school students. Districts and charter schools may offer academic support to more or less students depending on the needs of the school's students. Districts and charter schools will be reimbursed based on actual expenses with the ability to receive 25 percent of the grant funds up front to cover any start-up costs required to provide the programs.

The basis for district or charter school allocations is based on the most recent Average Daily Membership (ADM) count for the 2020-21 school year. This equates to approximately \$1,067 per ADM with districts with 10 or less high school students allocating a minimum of \$10,675 for both state and district match funds. As mentioned above, ODE will provide 75% of the cost through the Summer Academic Support Grant which will provide districts with a minimum state grant of \$8,006. Allocations are also based on the number of students participating in the grant program and will not exceed 50% of the total number of high school students in the district or charter school. The 50% threshold is for allocation purposes only and does not prevent more than 50% of high school students from participating in the program.

Summer Enrichment/Academic Program

The Summer Enrichment/Academic Program provides grants for school districts and charter schools to offer services for K-8 students for: (1) enrichment activities (robotics, dance, martial arts, art, music, outdoor programs, etc.); (2) academic learning and readiness supports (summer school, bridge programs, transition programs, etc.); and/or (3) social-emotional and mental health services. These programs may be provided by the school district or charter school with local staff or in partnership with other organizations. Best practices for districts and charter schools would be to have staff and facilities open to facilitate in-person enrichment activities.

The total estimated cost is \$124,943,787 of which up to \$93,707,840 (75 percent) would be provided through Summer Enrichment/Academic Program Grants. The remaining 25 percent would be provided as matching grants by the districts or charter schools. The estimated cost is calculated based on a maximum of \$1,800 per student which enables a minimum of 17.6 percent of K-8 students to participate. Districts or charter schools may use any source of funds for the matching grants, so long as the expenses are related to summer enrichment and the source funds allow the funds to be used for summer programming.

The basis for district and charter school allocations for the Summer Enrichment/Academic Program is based on the most recent weighted Average Daily Membership (ADMw) count for the 2020-21 school year from the State School Fund.

The methodology for calculating allocations started with the weighted Average Daily Membership (ADMw) of the school district or charter school from the 2020-21 State School Fund information. This ADMw was added to the result of three times the poverty weighting for each entity. This was then multiplied by fifteen percent and results in the Adjusted ADMw. A minimum floor of ten Adjusted ADMw is then applied to make sure every school district or charter school receives a minimum level of weights for the funding formula.

The state total of Adjusted ADMw is divided into the available amount of funding to calculate a rate of funding per Adjusted ADMw. This rate is then multiplied by the Adjusted ADMw of either the school district or charter school and becomes the allocation for each entity. In other words, the available amount of funding for the program, \$124,943,787, is divided by the total state Adjusted ADMw of 101,622.21. The result is a rate per Adjusted ADMw of \$1,150.26. This rate is then multiplied by each school district and charter school total Adjusted ADMw. As mentioned above, 75% of the cost incurred by the school districts will be funded by the Summer Enrichment Program Grant, and the remaining 25% will be provided by district matching funds.

Summer Child Care Program

The School Child Care Program provides a supplemental grant opportunity to school districts and public charter schools that wish to provide wrap around child care services for K-5 students that are participating in the Summer Enrichment Program. Students that are eligible to receive these services must meet three requirements:

- They must be in grades K-5;
- They must be participating in a Summer Enrichment Program that is occurring on the same day; and
- They must be identified as students experiencing high poverty.

Students that qualify for free and reduced lunches are considered to meet the eligibility requirement of high poverty students. However, for those districts and charter schools that do not have recent free and reduced lunch counts for their students, they are able to use other means to identify students experiencing high poverty. This can include, but is not limited to, students attending a Title I school or students attending a school that qualifies through the Community Eligibility Provisions of the school lunch program.

The School Child Care Program provides resources that support 100 percent of the estimated cost of providing wrap around child care services. There is no local match requirement. Districts and charter schools will be paid based on the number of days they serve each individual child. Each day of service provided for each child will be reimbursed at the rate of \$33/day for regular students and \$53.05/day for students with disabilities. The total estimated cost is \$40,028,896. The percentage of state versus federal funds will be dictated based on the demand for program resources.

### ***Grant Application Process***

In order to ensure accountability for allocated funds and provide clear understanding of how resources will be mobilized, all school districts and charter school “subrecipients” that wish to participate must apply for the Summer Learning Program grants. Each district or charter school can apply for all three grant programs on one application. Once ODE reviews and accepts the applications, ODE will proceed by executing a grant agreement with the subrecipient. Once grant agreements are executed, subrecipients can claim 25 percent of the grant funds for the Summer Academic Support Program and the Summer Enrichment/Academic Program. These funds can be used to pay any start-up costs of these programs.

ODE has provided flexibility that will enable a variety of program models, depending on the needs of the students and the current capacity of the subrecipients. The following expenditures are eligible for reimbursement under the Summer Learning Programs:

- Personnel costs
- Curriculum, Supplies, and Technology
- COVID-19 related Expenses
- Third-Party Contracts
- Student Expenses
- Facility related Expenses
- Transportation Expenses
- Snacks and Meals

All subrecipients will be entitled to receive up to 5 percent for costs associated with the administration of the grant funds.

Each grant must expend funds between May 1, 2021 and September 30, 2021. Expenses outside of these dates will be ineligible for reimbursement. Subrecipients will submit reimbursement forms to ODE that will specify how the funds were spent and what funding source was used to provide the required match for the Summer Academic Support Program and the Summer Enrichment/Academic Program. Once ODE approves the reimbursement forms, subrecipients may claim the grant funds through ODE's electronic grant management system. Each subrecipient must claim all their grant funds by November 30, 2021, and any funds not claimed by that time will be returned to the Legislature by January 1, 2022.

The application process was opened on April 26, 2021 and closes May 10, 2021. At the close of business hours on May 10th, ODE had received the following response:

- Over 160 districts and charter schools applied for the Summer Learning Programs.
- These districts and charter schools enroll over 448,000 students in 2020-21 which is 78 percent of students across the state.

### ***Reporting Process***

ODE has worked diligently to set up a reporting system that ensures accountability of all funds, but doesn't put undue administrative burden on the subrecipients. The goal is to help the subrecipient to quickly and effectively stand up programs that support students this summer without any complex reporting requirements that take away from the true intent of this funding.

To accomplish this, ODE will mirror much of the process it has used for administering federal stimulus funding. This process enables the reporting of the expenditures in accordance with standard department categories during the request for reimbursement process, as opposed to requiring additional reports. ODE will require all subrecipients to submit a final program report to ODE by October 15, 2021. This final report will contain different information for each grant.

- **Summer Academic Support Programs** will collect the number of students served by grade, number of students that successfully recovered credits through the grant, the number of credits earned, and subject area supported.
- **Summer Enrichment/Academic Programs** will collect the number of students served by grade, number services and programs offered, and categories of services offered.
- **Summer Child Care Programs** will collect the number of students served by grade.

### ***Summary of Implementation Plan***

In order for ODE to implement each of these programs in a manner that not only meets the legislative reporting timeframes, but also enables sufficient time for districts to prepare programming and staffing for this summer, it required a very quick turnaround time. The following timeline represents a summary of the steps ODE has taken to date, along with the anticipated next steps pending the approval of this report.

- **April 6, 2021:** Released a statewide communication on program summaries, timelines, and district allocations.
- **April 9, 2021:** Completed draft program guidance.
- **April 15, 2021:** Governor signs HB 5042A into law and finalizes approval of summer programs investment.
- **April 16, 2021:** Completed facilitated feedback and engagement sessions with districts, charter schools and other stakeholders.
- **April 23, 2021:** Reviewed feedback collected and finalized program guidance.
- **April 26, 2021 to May 10, 2021:** ODE initiated an application process that enables school districts to determine if they voluntarily wish to participate in all or some of the grant programs. School districts and charter schools were required to complete the application to participate in programs.
- **May 12, 2021:** Presentation of this report to the Legislature
- **May 16, 2021 to May 31, 2021:** If approved by Legislature, ODE will begin executing Grant Agreements with school districts and charter schools.
- **June 1 to September 30:** Provision of Summer Learning Programs and services.
- **November 1:** Report back to Legislature on program results and outcomes
- **January 1, 2022:** Return any funds not expended by September 30, 2021 by ODE or any grant subrecipients.

### **Early Learning Programs**

The Early Learning Division (ELD) received \$3 million in General Fund (GF) for the 2019-21 biennium with the additional \$9 million in GF in the 2021-23 biennium budget for a total of \$12 million in GF for summer learning for Preschool Promise (PSP), Oregon Pre-Kindergarten (OPK), Early Childhood Equity Fund (ECEP), and Kindergarten Readiness Partnership & Readiness (KPI). The summer learning program grants are available to current PSP, OPK, and ECEP grantees. The grantees will extend programming to enrolled children and families or will enroll new eligible children and families. The grant programs will be for services to support child's learning, social and emotional development, kindergarten transition, parent-child attachment, and parent engagement. The grants will include general operational expenses including staff compensation, curricula, equipment, food, transportation, PPE, and training. Contract amendments are currently at ODE procurement and once agreements are executed, grant funding will be available. The funds for KPI will be used to expand kindergarten transition programming during the summer and will be allocated to the Early Learning Hubs based on existing allocations.

The federal funds the ELD received are for Employment-Related Day Care (ERDC) summer expansion and emergency childcare grants. The IAA with Oregon Department of Human Services (ODHS) for ERDC is being reviewed and will be executed to allocate the current biennium funds by mid-May. The focus is to expand



the program to eligible families in the ERDC program. Emergency childcare grants are for eligible grantees including certified centers and certified family and registered family licensed providers that are currently approved and operating as an emergency childcare facility. Notice of awards and grant agreements will be issued the end of May. ELD will transfer \$1 million to ODHS for distribution to family, friends and neighbor providers in July 2021. The remaining emergency grant funds will be distributed to licensed programs who are not currently providing child care but are actively planning to open by September 2021, providers that are currently operating as a temporary unlicensed provider, but transitioning to an active licensed facility by September 2021, and licensed providers not providing childcare due to COVID, but agree to receive referrals from 211. The application for these grants will be open by the end of May and payments will be issued following a fully executed agreement. The funds for the emergency childcare grants may be used for allowable costs including lease/mortgage payments, utilities, insurance, food and supplies, staff compensation, and other reasonable operating costs.

### **The Oregon Community Foundation**

The Legislature provided \$41.2 million in funds to the Oregon Community Foundation (OCF). The purpose of this grant is to provide funds to Community-Based Organizations, Tribes, non-profit organizations, and other organizations for summer enrichment programs for students in kindergarten to grade 12 and parent-child summer programming for children up to age five. Priority will be given to programs that serve, reflect, and are responsive to the specific needs of K-12 youth from communities of color, youth from low-income families, and youth living in under-resourced rural communities.

ODE executed a grant agreement with OCF on April 28, 2021, and approved the disbursement of funds May 4, 2021. Through the agreement, OCF must use \$39,464,400 of the Grant Funds to award sub-grants to public agencies, non-profit organizations, tribal governments, schools or school districts, and colleges to provide community-based services for school-aged children (K-12) that enables participation in enrichment programs across the state during the summer 2021. OCF will ensure the following:

- Conduct a process for awarding sub-grants for summer programming in a way that provides opportunities for services that represent all geographic regions of the state;
- Award sub-grants to emphasize the need to address students who have been disproportionately impacted by the COVID-19 pandemic;
- Give preference to applicants for sub-grant awards that provide additional family resources (food, transportation, etc.) to encourage maximum participation, particularly for low-income students.
- Require all sub-grantee awards to focus on a variety of indoor and outdoor activities, including but not limited to music, arts, physical education, and other various activities that encourage engagement and participation with peers.
- Ensure that sub-grants awarded to a school or school district include a signed certification by sub-grantee that assures compliance with [Ready Schools, Safe Learners](#) (RSSL) sections 0-3 requirements regarding in-person on-site enrichment programs on school district grounds.

- Ensure that sub-grants awarded to other non-school or school district organizations include a signed certification by sub-grantee that assures compliance with Oregon Health Authority ([OHA youth program guidance](#)) for summer enrichment programs.
- Ensure that all sub-grantees receiving an award provide a signed certification by a person authorized by the governing board of the organization to submit the grant application and who is subject to the Oregon False Claims Act that states the sub-grantee is in compliance with all applicable federal, state, and local laws; in compliance with all federal, state, and local licensing and industry standards that ensure the safety and protection of the children or students with whom they provide services; and registered and in good standing with the State of Oregon.
- All sub-grantees receiving an award must provide a signed certification that assures they will carry all requisite insurance needed to protect against loss or damages incurred in the performance of activities of the sub-grant.

In addition, OCF will use \$1,200,000.00 of the Grant Funds to award sub-grants to public agencies, non-profit organizations, tribal governments, schools, and colleges to support community-based birth to 5 parent-child interactive programs across the state during the summer 2021. With these funds, OCF will follow the same requirements as stated above; however, the prioritization will be substituted for applications with programs that serve, reflect, and are responsive to the specific needs of children and families from Black, Indigenous, Latino/a/x, and other communities of color, immigrant/refugee communities, children from low-income families, Lesbian, Gay, Bisexual, Trans., Queer, Intersex, Asexuality,+ (LGBTQIA+) families, children with disabilities, and children living in under-resourced rural communities.

OCF will be required to provide quarterly progress reports to ODE, including a final report as of September 30, 2021. This report will include:

- Total amount of funding disbursed by OCF;
- Identification of each sub-grantee and the amount of award;
- Geographic region of the state that sub-grantee is serving; and
- Number of estimated students, children, and parents (as applicable) to be served by each sub-grantee; and
- The types of service being provided.

Like the other programs, any funds not expended by OCF by September 30, 2021, must be returned to the Legislature.

Upon execution of the grant agreement with ODE, OCF opened up their Request for Proposal (RFP) process. OCF will accept, review, and award grants on a rolling basis throughout the spring to ensure programs have funds in hand to begin planning and implementation. Throughout the process, OCF will seek the advice of a diverse, community-based advisory committee throughout the granting process to ensure the program is meeting community priorities. As of May 10, 2021, OCF has reviewed almost \$1 million in grant recommendations for the K-12 program. There are an additional 100 proposals that have been received for review. For the birth to age 5 grant program, they have received 25 applications to date.

The Honorable Senator Betsy Johnson  
The Honorable Senator Elizabeth Steiner Hayward  
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May 10, 2021  
Page 11

**Agency Request**

Accept this report as required by a budget note in House Bill 5042A, and approve the Department of Administrative Services to reschedule \$195,624,228 of General Fund and \$66,512,237 of Other Funds limitation for ODE to begin disbursing funds for the programs in the Summer Learning Program Account.

**Legislation Affected**

None

Thank you for considering the approval of this request.

Sincerely,



Colt Gill  
Agency Director