A-Bill For An Act

Relating to distributions of state moneys to school districts impacted by wildfires; and declaring an emergency.

Whereas wildfires raged through several Oregon communities in 2020, causing devastation to the communities and to families and public schools in the communities; and

Whereas many of these wildfire-impacted communities are overrepresented by populations historically marginalized because of poverty, housing insecurity, race or ethnicity; and

Whereas students in wildfire-impacted school districts lost their permanent housing and all of their belongings; and

Whereas the families in these wildfire-impacted communities lost power, Internet access, television service and telephone service; and

Whereas many families of students who are residents of wildfire-impacted school districts had to relocate to stable housing outside of the school district in the aftermath of this tragedy; and

Whereas the schools of these wildfire-impacted areas are the hearts of the communities and are critical to their efforts to rebuild; and

Whereas Oregon’s commitment to its most vulnerable students has been matched with renewed commitment to educational funding through the Student Success Act; and

Whereas school districts severely impacted by the devastation of the 2020 wildfires in the midst of the global COVID-19 pandemic have a uniquely urgent need to have stable funding over five years to enable them to fully recover; now, therefore,

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 and 4 of this 2021 Act are added to and made a part of ORS chapter 327.
SECTION 2. (1) As used in this section:

(a) “ADMw” means the weighted average daily membership of a school district, as calculated under ORS 327.013, minus any ADMw attributable to a virtual public charter school, as defined in ORS 338.005.

(b) “District ADM” means the average daily membership for a school district, minus any ADM attributable to a virtual public charter school, as defined in ORS 338.005.

(2) In addition to distributing moneys through the State School Fund and the Student Investment Account, the Department of Education shall award grants to wildfire-impacted school districts as provided by this section.

(3) A school district may apply for a grant under this section if:

(a) The district ADM, as compared to the district ADM for the 2019-2020 school year, decreased for any school year occurring after the 2019-2020 school year; and

(b) The school district can demonstrate that one or more of the following occurred:

(A) One or more school buildings of the school district were damaged as the result of wildfires and that damage resulted in students being displaced from the building or the building being closed to students;

(B) The cause of the decrease in district ADM was the result of damage to students’ permanent homes and the relocation of students to housing outside of the school district; or

(C) Any other circumstances identified by the State Board of Education by rule as being directly related to the wildfires and causing a decrease in the district ADM.

(4) The amount of a grant awarded under this section shall equal the sum of:

(a) The difference between the following, in relation to distributions from the State School Fund under ORS 327.013:

(A) The amount distributed to the school district from the State School Fund under ORS 327.013, as calculated based on a district extended ADMw that equals the district ADMw for the 2019-2020 school year; and

(B) The amount distributed to the school district from the State School Fund under ORS 327.013, as calculated based on a district extended ADMw that equals the district ADMw for the current school year; and

(b) The difference between the following, in relation to distributions from the Student Investment Account under ORS 327.195:

(A) The amount distributed to the school district from the Student Investment Account under ORS 327.195, as calculated based on the district ADMw for the 2019-2020 school year; and

(B) The amount distributed to the school district from the Student Investment Account under ORS 327.195, as calculated based on the district ADMw for the current school year.

(5) Notwithstanding ORS 327.013 and 327.195, if a school district receives a grant under this section, the district extended ADMw for purposes of calculating State School Fund distributions under ORS 327.013 and the district ADMw for purposes of calculating Student Investment Account distributions under ORS 327.195 shall equal the ADMw of the current school year.

(6) A school district may qualify for a grant under this section only for school years in which the district ADM for the current school year is less than the district ADM for the 2019-2020 school year.
(7) The department shall award grants under this section from moneys available in the School Stabilization Subaccount for Wildfire-impacted School Districts established under section 4 of this 2021 Act.

(8) The State Board of Education shall adopt any rules necessary for the administration of this section.


SECTION 4. (1) The School Stabilization Subaccount for Wildfire-impacted School Districts is established within the Statewide Education Initiatives Account.

(2) Interest earned on the School Stabilization Subaccount for Wildfire-impacted School Districts shall be credited to the subaccount.

(3) The School Stabilization Subaccount for Wildfire-impacted School Districts shall consist of moneys transferred to the subaccount from the Statewide Education Initiatives Account.

(4) Moneys in the School Stabilization Subaccount for Wildfire-impacted School Districts are continuously appropriated to the Department of Education for the purpose described in section 2 of this 2021 Act.

SECTION 5. In addition to the uses of the Statewide Education Initiatives Account that are authorized under ORS 327.254, the Department of Education shall transfer $10 million from the Statewide Education Initiatives Account to the School Stabilization Subaccount for Wildfire-impacted School Districts established by section 4 of this 2021 Act for the purpose of awarding grants as provided by section 2 of this 2021 Act.

SECTION 6. Sections 2 and 4 of this 2021 Act are repealed on July 1, 2025.

SECTION 7. (1) On July 1, 2025, the School Stabilization Subaccount for Wildfire-impacted School Districts established by section 4 of this 2021 Act is abolished.

(2) Any moneys remaining in the School Stabilization Subaccount for Wildfire-impacted School Districts on July 1, 2025, shall be transferred to the Statewide Education Initiatives Account.

SECTION 8. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect July 1, 2021.