

A-Engrossed House Bill 3199

Ordered by the House April 16
Including House Amendments dated April 16

Sponsored by Representative NGUYEN H, Senator WEBER; Representatives FRAGALA, WRIGHT, Senator FREDERICK (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Enacts many directives to study, track and improve the rate of students being at school. (Flesch Readability Score: 67.5).

[Digest: Tells LPRO to conduct a study on attempts to improve school attendance. (Flesch Readability Score: 67.7).]

[Requires the Legislative Policy and Research Director to conduct a study regarding policies, grant programs, support programs and other initiatives implemented in this state with the intent of improving school attendance. Directs the director to submit findings to the interim committees of the Legislative Assembly related to education no later than December 1, 2025.]

Requires the Legislative Policy and Research Director to conduct a study on statewide attendance initiatives. Directs the Department of Education to convene an advisory committee to review the study and to recommend for adoption by the State Board of Education a policy regarding the improvement of school attendance.

Requires the department to make available to the public data provided to the department by school districts and public charter schools related to students who are regular attenders and students who are chronically absent.

Directs the department to develop best practices related to student absences and to develop a common coding system for school districts to record and report student absences.

Modifies requirements and allowed uses of grants awarded to school districts to implement a parent notification and early warning system.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to school attendance; creating new provisions; amending ORS 327.254 and 327.367; and declaring an emergency.

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

ATTENDANCE STUDY

SECTION 1. (1) As used in this section, "statewide attendance initiative" includes any statewide policies, grant programs, support programs, communication strategies, attendance campaigns, community partnerships or other initiatives implemented with the intent of improving school attendance.

(2) The Legislative Policy and Research Director shall conduct a study regarding:

(a) Statewide attendance initiatives implemented in this state since the 2017-2018 school year; and

(b) Statewide policies providing for the collection of attendance data.

(3) In relation to statewide attendance initiatives implemented, as described in subsection (2)(a) of this section, the director shall review:

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (a) The original goal of the initiative and how that goal was intended to improve school
2 attendance.

3 (b) Any differences between how the initiative was intended to be implemented and how
4 the initiative was actually implemented.

5 (c) The effectiveness of the initiative in improving school attendance.

6 (d) How the level of available funding impacted the effectiveness of the initiative.

7 (e) Other barriers encountered in relation to the initiative.

8 (4) In relation to statewide policies providing for the collection of attendance data, as
9 described in subsection (2)(b) of this section, the director shall review:

10 (a) How the collection of attendance data helped or hindered the understanding of the
11 impact of statewide initiatives.

12 (b) Options for separating out the collection of attendance data for school funding pur-
13 poses and for school improvement and student success purposes.

14 (5) For the purpose of the study conducted under this section:

15 (a) The director must consider:

16 (A) Longitudinal performance growth targets;

17 (B) Technical assistance provided by education service districts;

18 (C) School performance reports; and

19 (D) Average daily membership data collection.

20 (b) The director shall select a sample of school districts and education service districts
21 that represents a variety of sizes, demographic characteristics and geographic locations.

22 (6) All agencies of state government, as defined in ORS 174.111, and all school districts
23 and education service districts are directed to assist the director, and any entity working
24 under contract with the director, in conducting the study and, to the extent permitted by
25 laws related to confidentiality, to furnish information and advice necessary for the director
26 or contractor to complete the study.

27 (7) The director shall submit a report in the manner provided by ORS 192.245 to the in-
28 terim committees of the Legislative Assembly related to education no later than September
29 30, 2026.

30 SECTION 2. Section 1 of this 2025 Act is repealed on January 2, 2027.

31
32 **ATTENDANCE ADVISORY COMMITTEE**
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34 SECTION 3. (1) The Department of Education shall convene an advisory committee to
35 review the study conducted under section 1 of this 2025 Act and to recommend for adoption
36 by the State Board of Education a policy regarding the improvement of school attendance,
37 with an emphasis on student groups who have historically experienced academic disparities,
38 as identified in ORS 327.180 (2)(b).

39 (2) The advisory committee convened under this section shall include:

40 (a) One member who is a representative of the Department of Human Services;

41 (b) One member who is a representative of the Department of Education;

42 (c) One member who is a representative of the State Board of Education;

43 (d) One member who is a representative of the Educator Advancement Council;

44 (e) One member who is a representative of the Youth Development Division;

45 (f) One member who is a representative of an association that represents school boards;

1 (g) One member who is a representative of an association that primarily represents li-
2 censed educators;

3 (h) One member who is a representative of an association that primarily represents
4 classified educator staff;

5 (i) One member who is a representative of a coalition that represents school adminis-
6 trators;

7 (j) One member who is a representative of an association that represents education ser-
8 vice districts;

9 (k) Three members who are teachers or administrators and who represent a variety of
10 sizes of school districts in a variety of geographic locations in this state; and

11 (L) Three members who represent community-based organizations that support families
12 from student groups that have historically experienced academic disparities, as described in
13 ORS 327.180 (2)(b).

14 (3) The advisory committee convened under this section shall provide information that
15 the Department of Education may use to develop a memorandum of understanding with the
16 Department of Human Services, school districts and other entities identified by the Depart-
17 ment of Education. The information shall include:

18 (a) Current practices used to improve attendance, including family coach programming,
19 educator professional development on best practices and other approaches that involve col-
20 laboration between school districts and the Department of Human Services; and

21 (b) Common practices that involve formal communication between educators, school
22 districts and the Department of Human Services.

23 (4) The Department of Education shall submit a report in the manner provided by ORS
24 192.245 to the interim committees of the Legislative Assembly related to education no later
25 than:

26 (a) May 30, 2026, for a preliminary report on the progress of the advisory committee; and

27 (b) December 31, 2026, for the final report of the advisory committee.

28 SECTION 4. The Department of Education shall first convene the advisory committee
29 established under section 3 of this 2025 Act no later than October 31, 2025.

30 SECTION 5. Section 3 of this 2025 Act is repealed on January 2, 2027.

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32 **ATTENDANCE DATA**

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34 SECTION 6. Section 7 of this 2025 Act is added to and made a part of ORS chapter 329.

35 SECTION 7. (1) As used in this section:

36 (a) “Absent” means a missed school day that is the result of an excused absence, a
37 nonexcused absence or a disciplinary exclusion.

38 (b) “Chronically absent” means that a student is absent for 10 percent or more of the
39 school days for which the student is enrolled.

40 (c) “Regular attender” means that a student is absent for less than 10 percent of the
41 school days for which the student is enrolled.

42 (2) The Department of Education shall make available to the public on the department’s
43 website data provided to the department by school districts and public charter schools re-
44 lated to students who are regular attenders or who are chronically absent. The information
45 made available to the public must include:

1 (a) Disaggregated student group data that aligns, to the greatest extent practicable, with
2 the student groups identified under ORS 327.180 (2)(b) and for which data is collected under
3 ORS 327.235 (2)(d). The student group of students with disabilities must be disaggregated by
4 students who have an education plan developed in accordance with section 504 of the Reha-
5 bilitation Act of 1973 and students who have an individualized education program.

6 (b) The collection of the following data:

7 (A) The total number of students in average daily membership for the school district or
8 public charter school;

9 (B) The total number of students in average daily membership who are regular attenders;

10 (C) The percentage of students who are regular attenders;

11 (D) The total number of students in average daily membership who are chronically ab-
12 sent; and

13 (E) The percentage of students who are chronically absent.

14 (3) The department shall update the data that is provided four times each year on the
15 department's website as described in subsection (2) of this section.

16
17 **RECORDING OF STUDENT ABSENCES**

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19 **SECTION 8.** (1) The Department of Education shall:

20 (a) Review, make recommendations and develop best practices related to:

21 (A) The recording of student absences by school districts; and

22 (B) School district responses to student absences that exceed 10 days.

23 (b) Develop a common coding system for school districts to record and report student
24 absences for the purposes of ORS 339.065, with consideration of district size and geographic
25 location.

26 (2)(a) Not later than May 31, 2026, the department shall provide a report to:

27 (A) The interim committees of the Legislative Assembly related to education; and

28 (B) The State Board of Education.

29 (b) The report required under paragraph (a) of this subsection shall:

30 (A) Summarize the review conducted and the recommendations and best practices de-
31 veloped as described in subsection (1) of this section;

32 (B) Summarize the common coding system developed as provided by subsection (1) of this
33 section; and

34 (C) Recommend any changes in administrative rules and legislation, including identifying
35 any funding needed for implementation.

36 **SECTION 9.** Section 8 of this 2025 Act is repealed on January 2, 2027.

37
38 **EARLY WARNING SYSTEM**

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40 **SECTION 10.** ORS 327.367 is amended to read:

41 327.367. (1) In addition to those moneys distributed through the State School Fund, the Depart-
42 ment of Education shall [*award grants*] **use moneys** from the Statewide Education Initiatives Ac-
43 count to [*school districts to implement the early warning system described in this section that*] assist
44 students in graduating from high school[.] **by awarding grants to school districts to implement**
45 **the parent notification and early warning system described in this section.**

1 **(2)(a) The State Board of Education shall establish by rule the allowed uses for a grant**
2 **received under this section.**

3 **(b) The rules adopted by the State Board of Education may require a school district to**
4 **use a grant to purchase:**

5 **(A) Technology sufficient for attendance data analysis systems that assist the school**
6 **district in implementing the parent notification and early warning system if the school dis-**
7 **trict is unable to demonstrate that the school district already has sufficient technology.**

8 **(B) A parent notification system if the school district does not already have a parent**
9 **notification system.**

10 **(c) If a school district satisfies the requirements of paragraph (b) of this subsection, the**
11 **school district may use a grant in a manner that is consistent with subsection (3) of this**
12 **section for research and evidence-based uses, as determined by the department based on**
13 **rules adopted by the State Board of Education, including:**

14 **(A) Daily attendance tracking that includes cumulative attendance notifications;**

15 **(B) Communications to parents; and**

16 **(C) Multilingual supports for students and students' families.**

17 **[(2)(a)] (3)(a)** A system funded by a grant awarded under this section must enable school dis-
18 tricts, students, students' families, educators, school counselors and community organizations to take
19 necessary corrective actions to assist students in graduating from high school.

20 (b) Corrective actions that may be taken must be based on research on *[graduation rates]*
21 **statewide performance metrics** and on reports of individual students related to:

22 (A) The student's attendance;

23 (B) The student's behavior at school;

24 (C) The student's academic or skill progress; and

25 (D) Any other factors identified by the State Board of Education by rule.

26 **[(3)] (4)** The department shall assist school districts that may apply for a grant under this sec-
27 tion, that have applied for a grant under this section or that have received a grant under this sec-
28 tion, as appropriate, by:

29 (a) Providing technical assistance to school districts to ensure that the school districts under-
30 stand the goals and objectives of the system;

31 (b) Assisting school districts in developing expertise in assisting students in graduating from
32 high school and developing a culture that encourages and assists students in graduating from high
33 school;

34 (c) Identifying meaningful predictive indicators of high school graduation;

35 (d) Developing local communication systems among students, students' families, educators and
36 community organizations to assist students in graduating from high school;

37 (e) Identifying and developing interventions at school, at home and in the community to meet
38 students' needs; and

39 (f) Reviewing existing policies and practices to:

40 (A) Expand policies and practices that encourage high school graduation; and

41 (B) Eliminate or modify policies and practices that may provide a disincentive to graduate from
42 high school.

43 **[(4)] (5)(a)** The amount of each grant awarded under this section shall equal the school district's
44 ADM as defined in ORS 327.006 \times **[\$3] \$5**.

45 **(b) The dollar amount identified in paragraph (a) of this subsection must be adjusted**

1 **annually based on changes in the Consumer Price Index for All Urban Consumers, West**
2 **Region (All Items), as published by the Bureau of Labor Statistics of the United States De-**
3 **partment of Labor.**

4 **(c) The department shall adjust a grant amount calculated as provided by paragraphs (a)**
5 **and (b) of this subsection to ensure that a school district with an ADMw of 1,650 or less re-**
6 **ceives the minimum grant amount identified by the State Board of Education by rule.**

7 [(5)] **(6)** The State Board of Education shall adopt any rules necessary for the administration of
8 the grants described in this section.

9 **SECTION 11.** ORS 327.254, as amended by section 25, chapter 95, Oregon Laws 2024, is
10 amended to read:

11 327.254. (1) The Department of Education shall use moneys in the Statewide Education Initi-
12 atives Account to provide funding for statewide education initiatives, including:

13 (a) Funding the High School Graduation and College and Career Readiness Act at the levels
14 prescribed by ORS 327.856;

15 (b) Expanding school breakfast and lunch programs;

16 (c) Operating youth reengagement programs or providing youth reengagement services;

17 (d) Establishing and maintaining the Statewide School Safety and Prevention System under ORS
18 339.341;

19 (e) Developing and providing statewide equity initiatives, including any statewide education plan
20 developed and implemented by the department;

21 (f) Providing summer learning programs at schools that are considered high poverty under Title
22 I of the federal Elementary and Secondary Education Act of 1965;

23 (g) Funding **parent notification and** early warning systems to assist students in graduating
24 from high school, as described in ORS 327.367;

25 (h) Developing and implementing professional development programs and training programs, in-
26 cluding programs that increase educator diversity and retain diverse educators;

27 (i) Planning for increased transparency and accountability in the public education system of this
28 state;

29 (j) Providing additional funding to school districts participating in the intensive program under
30 ORS 327.222;

31 (k) Providing technical assistance, including costs incurred for:

32 (A) The coaching program described in ORS 327.214; and

33 (B) The intensive program described in ORS 327.222, including costs for student success teams;

34 (L) Funding public charter schools, as described in ORS 327.362;

35 (m) Funding the Early Literacy Success School Grant program, as provided by ORS 327.833;

36 (n) Funding the Early Literacy Success Community Grant program, as established by ORS
37 327.843;

38 (o) Funding any additional amounts for approved recovery schools, as provided by rules of the
39 State Board of Education adopted under ORS 327.029;

40 (p) Funding education service districts, as described in subsection (2) of this section;

41 (q) Funding the Youth Corrections Education Program and the Juvenile Detention Education
42 Program through the Juvenile Justice Education Fund established under section 22, chapter 95,
43 Oregon Laws 2024, when necessary as provided by section 23, chapter 95, Oregon Laws 2024; and

44 (r) Funding costs incurred by the department in implementing this section and ORS 327.175 to
45 327.235 and 327.274.

1 (2)(a) The amount of a distribution to an education service district under this section shall be
2 made as provided by paragraph (b) of this subsection after calculating the following for each edu-
3 cation service district:

4 (A) One percent of the total amount available for distribution to education service districts in
5 each biennium.

6 (B) The education service district's $ADMw \times$ (the total amount available for distribution to
7 education service districts in each biennium \div the total ADMw of all education service districts
8 that receive a distribution).

9 (b) The amount of the distribution to an education service district shall be the greater of the
10 amounts calculated under paragraph (a) of this subsection, except that, for distributions made as
11 provided by paragraph (a)(B) of this subsection, the total amount available for distribution to edu-
12 cation service districts shall be the amount remaining after any distributions required under para-
13 graph (a)(A) of this subsection have been made.

14 (c) For purposes of this subsection, ADMw equals the ADMw as calculated under ORS 327.013,
15 except that the additional amount allowed for students who are in poverty families, as determined
16 under ORS 327.013 (1)(c)(A)(v)(I), shall be 0.5.

17 (d) An education service district shall use moneys received under this section as provided by a
18 plan developed by the school districts located within the education service district. A school district
19 that declines to participate in the development of the plan or that has withdrawn from an education
20 service district as provided by ORS 334.015 is not entitled to any moneys distributed to the educa-
21 tion service district under this subsection.

22 (e) A plan developed under this subsection must:

23 (A) Align with and support the meeting of performance growth targets established for recipients
24 of moneys under ORS 327.195 that are located within the education service district;

25 (B) Include the provision, to recipients of moneys under ORS 327.195 that are located within the
26 education service district, of technical assistance in developing, implementing and reviewing a plan
27 for receiving a grant from the Student Investment Account;

28 (C) Provide for coordination with the department in administering and providing technical as-
29 sistance to recipients of moneys under ORS 327.195 that are located within the education service
30 district, including coordinating any coaching programs established under ORS 327.214; and

31 (D) Be adopted and amended as provided for local service plans under ORS 334.175 and approved
32 by the department.

33 (f) For the purposes of paragraph (e) of this subsection, recipients of moneys under ORS 327.195
34 that are located within the education service district include, as applicable:

35 (A) Common school districts and union high school districts;

36 (B) Any charter school that is an eligible applicant, as defined in ORS 327.185; and

37 (C) The Youth Corrections Education Program or the Juvenile Detention Education Program.

38 (g) Each education service district must submit an annual report to the department that:

39 (A) Describes how the education service district spent moneys received under this subsection;
40 and

41 (B) Includes an evaluation of the education service district's compliance with the plan from the
42 superintendent of each school district that participated in the development of the plan.

43 (3) The State Board of Education shall adopt rules necessary for the distribution of moneys un-
44 der this section.

45 **SECTION 12. The amendments to ORS 327.254 and 327.367 by sections 10 and 11 of this**

1 **2025 Act become operative on July 1, 2025.**

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CAPTIONS

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5 **SECTION 13. The unit captions used in this 2025 Act are provided only for the conven-**
6 **ience of the reader and do not become part of the statutory law of this state or express any**
7 **legislative intent in the enactment of this 2025 Act.**

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9

EMERGENCY CLAUSE

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11 **SECTION 14. This 2025 Act being necessary for the immediate preservation of the public**
12 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
13 **on its passage.**

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