

House Bill 2802

Sponsored by Representative SMITH DB; Representatives LEIF, ZIKA (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 **as introduced**.

Allows school district with remote small high school to use moneys received under High School Graduation and College and Career Readiness Act on existing career and technical education programs.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the use of state moneys for career and technical education; amending ORS 327.865 and
3 327.874; and declaring an emergency.

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

5 **SECTION 1.** ORS 327.865 is amended to read:

6 327.865. (1)(a) **Except as provided in paragraph (b) of this subsection**, a school district shall
7 use a portion of the funds apportioned under ORS 327.859 to establish or expand career and tech-
8 nical education programs in high schools that are relevant to the job market in the community or
9 region the school district serves.

10 **(b) A school district may use a portion of the funds apportioned under ORS 327.859 on**
11 **existing career and technical education programs if the school district:**

12 **(A) Has a high school that is a remote small high school, as defined by the State Board**
13 **of Education by rule; and**

14 **(B) Demonstrates in the biennial plan prepared under ORS 327.883 how existing career**
15 **and technical education programs satisfy eligibility requirements and how the establishment**
16 **or expansion of career and technical education programs would not satisfy eligibility re-**
17 **quirements.**

18 (2) For purposes of this section, establishment or expansion of a career and technical education
19 program includes the purchase of equipment, the construction of facilities and the recruitment, li-
20 censing, employment and training of personnel to provide career and technical education.

21 (3) The portion of funds to be used as described in this section shall be determined as provided
22 by ORS 327.874.

23 **SECTION 2.** ORS 327.874 is amended to read:

24 327.874. (1) A school district must use the amount apportioned under ORS 327.859 to establish
25 or expand programs, opportunities and strategies under ORS 327.865, 327.868 and 327.871 and may
26 not use the amount apportioned to maintain programs, opportunities and strategies established prior
27 to December 8, 2016, except when a use is necessary to replace the loss or expiration of time-limited
28 grants or federal funds **or except as allowed under ORS 327.865 (1)(b).**

29 (2)(a) The portion of funds that a school district uses for the purposes of ORS 327.865, 327.868
30 and 327.871 shall be determined as follows:

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) If a school district receives less than \$100,000 for the school year from an apportionment
 2 made under ORS 327.859, the school district may use all of the funds for any one of the purposes
 3 described in ORS 327.865, 327.868 or 327.871.

4 (B) If a school district receives \$100,000 or more but less than \$350,000 for the school year from
 5 an apportionment made under ORS 327.859, the school district must use a portion of the funds for
 6 the purpose described in ORS 327.865 and a portion of the funds for a purpose described in ORS
 7 327.868 or 327.871.

8 (C) If a school district receives \$350,000 or more for the school year from an apportionment
 9 made under ORS 327.859, the school district must use a portion of the funds for all three of the
 10 purposes described in ORS 327.865, 327.868 and 327.871.

11 (b) Notwithstanding paragraph (a) of this subsection, if a school district receives an apportion-
 12 ment for the second school year of a biennium that is greater than the apportionment for the first
 13 school year of the biennium and the increase would affect the portion of moneys the school district
 14 is required to use for the purposes described in ORS 327.865, 327.868 and 327.871, as described in
 15 paragraph (a) of this subsection, the school district is not required to change the portions that the
 16 school district uses for the purposes of ORS 327.865, 327.868 and 327.871 for the second school year
 17 of the biennium.

18 (c) Nothing in this subsection prohibits a school district receiving an apportionment as described
 19 in paragraph (a)(A) or (B) of this subsection from using any portion of the apportionment for more
 20 purposes than what is described in paragraph (a)(A) or (B) of this subsection.

21 (3) Notwithstanding the requirements in ORS 327.865, 327.868, 327.871 and 327.889 (3) that ap-
 22 portionments made under ORS 327.859 be used for career and technical education programs in high
 23 schools, college-level educational opportunities for students in high schools and dropout-prevention
 24 strategies in high schools, a school district may use up to 15 percent of the apportionments the
 25 school district receives, after deducting any amounts used for administrative costs under ORS
 26 327.889 for programs, opportunities and strategies for students in eighth grade. The use of appor-
 27 tionments under this subsection must comply with the distribution requirements described in sub-
 28 section (2) of this section.

29 (4) When establishing or expanding career and technical education programs and college-level
 30 educational opportunities, school districts may, and are encouraged to, give preference to programs
 31 and opportunities in science, technology, engineering and mathematics.

32 **SECTION 3. This 2021 Act being necessary for the immediate preservation of the public**
 33 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
 34 **on its passage.**