

Senate Bill 55

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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**.

Directs Office of School Facilities to administer statewide facilities assessment program. Provides funding for program.

Declares emergency, effective July 1, 2021.

A BILL FOR AN ACT

1
2 Relating to the Office of School Facilities; amending ORS 326.125 and 327.008; and declaring an
3 emergency.

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

5 **SECTION 1.** ORS 326.125 is amended to read:

6 326.125. For the purpose of assisting school districts with capital costs, the Office of School
7 Facilities is established within the Department of Education. The office shall be responsible for:

8 (1) Distributing hardship grants to school districts with facility needs. Grants awarded under
9 this section may not exceed \$500,000 and shall be provided to school districts based on the order in
10 which the Department of Education receives the completed applications for the grants. A school
11 district may be eligible for a grant under this subsection if the school district meets requirements
12 established by the State Board of Education by rule, including any requirements to provide matching
13 funds.

14 (2) Providing technical assistance and establishing and maintaining standards for facilities as-
15 sessments and long-range facilities plans for school districts.

16 (3) Administering a certification program for qualified providers of technical assistance for the
17 purposes described in subsection (2) of this section.

18 (4) Providing grants to school districts for the cost of technical assistance for the purposes de-
19 scribed in subsection (2) of this section. The State Board of Education may establish by rule re-
20 quirements for a school district to receive a grant under this subsection. Grants for a school district
21 under this subsection may not exceed:

22 (a) \$20,000 for a facilities assessment;

23 (b) \$25,000 for a long-range facilities plan;

24 (c) \$25,000 for an assessment of school district facilities for potential environmental hazards
25 under ORS 332.331; and

26 (d) \$25,000 for a seismic assessment or other specialized assessment.

27 (5) Maintaining the Oregon School Facilities Database. The database must include information
28 that:

29 (a) Assists with analyzing, planning and prioritizing school capital improvement needs for school
30 districts by providing district-to-district and school-to-school comparisons; and

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 (b) Is required by the State Board of Education by rule.

2 (6) Administering the grant program described in ORS 286A.801.

3 **(7) Administering a statewide facilities assessment program.**

4 **SECTION 2.** ORS 327.008 is amended to read:

5 327.008. (1)(a) There is established a State School Fund in the General Fund.

6 (b) The Department of Education, on behalf of the State of Oregon, may solicit and accept gifts,
7 grants, donations and other moneys from public and private sources for the State School Fund.
8 Moneys received as provided in this paragraph shall be deposited into the State School Fund.

9 (c) The State School Fund shall consist of moneys appropriated by the Legislative Assembly,
10 moneys transferred from the Fund for Student Success, moneys transferred from the Education Sta-
11 bility Fund and the Oregon Marijuana Account and moneys received as provided in paragraph (b)
12 of this subsection.

13 (d) The State School Fund is continuously appropriated to the Department of Education for the
14 purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125, 327.137, 327.348, 336.575,
15 336.580, 336.635, 343.243, 343.533, 343.941 and 343.961.

16 (2) There shall be apportioned from the State School Fund to each school district a State School
17 Fund grant, consisting of the positive amount equal to a general purpose grant and a facility grant
18 and a transportation grant and a high cost disabilities grant minus local revenue, computed as pro-
19 vided in ORS 327.011 and 327.013.

20 (3) For the first school year after a public charter school ceases to operate because of dissol-
21 ution or closure or because of termination or nonrenewal of a charter, there shall be apportioned
22 from the State School Fund to each school district that had sponsored a public charter school that
23 ceased to operate an amount equal to the school district's general purpose grant per extended
24 ADMw multiplied by five percent of the ADM of the public charter school for the previous school
25 year.

26 (4) There shall be apportioned from the State School Fund to each education service district a
27 State School Fund grant as calculated under ORS 327.019.

28 (5) All figures used in the determination of the distribution of the State School Fund shall be
29 estimates for the same year as the distribution occurs, unless otherwise specified.

30 (6) Numbers of students in average daily membership used in the distribution formula shall be
31 the numbers as of June of the year of distribution.

32 (7) A school district may not use the portion of the State School Fund grant that is attributable
33 to the facility grant for capital construction costs.

34 (8) The total amount of the State School Fund that is distributed as facility grants may not ex-
35 ceed [~~\$7~~] **\$3** million in any biennium. If the total amount to be distributed as facility grants exceeds
36 this limitation, the Department of Education shall prorate the amount of funds available for facility
37 grants among those school districts that qualified for a facility grant. If the total amount to be dis-
38 tributed as facility grants does not exceed this limitation, any remaining amounts shall be expended
39 for expenses incurred by the Office of School Facilities as provided in ORS 326.125 (1).

40 (9) Each biennium, the Department of Education may expend from the State School Fund no
41 more than [~~\$6~~] **\$10** million for expenses incurred by the Office of School Facilities under ORS 326.125
42 (2) to [~~(6)~~] **(7)**.

43 (10) Each fiscal year, the Department of Education shall transfer to the Pediatric Nursing Fa-
44 cility Account established in ORS 327.022 the amount necessary to pay the costs of educational
45 services provided to students admitted to pediatric nursing facilities as provided in ORS 343.941.

1 (11) Each fiscal year, the Department of Education shall transfer the amount of \$55 million from
2 the State School Fund to the High Cost Disabilities Account established in ORS 327.348.

3 (12)(a) Each biennium, the Department of Education shall transfer \$39.5 million from the State
4 School Fund to the Educator Advancement Fund established under ORS 342.953.

5 (b) For the purpose of making the transfer under this subsection:

6 (A) The total amount available for all distributions from the State School Fund shall be reduced
7 by \$6 million;

8 (B) The amount distributed to school districts from the State School Fund under this section and
9 ORS 327.013 shall be reduced by \$16.75 million; and

10 (C) The amount distributed to education service districts from the State School Fund under this
11 section and ORS 327.019 shall be reduced by \$16.75 million.

12 (c) For each biennium, the amounts identified in this subsection shall be adjusted by the same
13 percentage by which the instructions furnished to state agencies by the Governor under ORS 291.204
14 direct the state agencies to adjust their agency budget requests for special payments under ORS
15 291.216 (6)(a)(C).

16 (13) Each biennium, the Department of Education shall transfer \$12.5 million from the State
17 School Fund to the Statewide English Language Learner Program Account established under ORS
18 327.344.

19 (14) Each fiscal year, the Department of Education may expend up to \$550,000 from the State
20 School Fund for the contract described in ORS 329.488. The amount distributed to education service
21 districts from the State School Fund under this section and ORS 327.019 shall be reduced by the
22 amount expended by the department under this subsection.

23 (15) Each biennium, the Department of Education may expend up to \$350,000 from the State
24 School Fund to provide administration of and support for the development of talented and gifted
25 education under ORS 343.404.

26 (16) Each biennium, the Department of Education may expend up to \$150,000 from the State
27 School Fund for the administration of a program to increase the number of speech-language
28 pathologists and speech-language pathology assistants under ORS 348.394 to 348.406.

29 (17) Each biennium, the Department of Education shall transfer \$2 million from the State School
30 Fund for deposit to the Healthy School Facilities Fund established under ORS 332.337.
31 Notwithstanding ORS 332.337, the department may expend moneys received in the Healthy School
32 Facilities Fund under this subsection only as grants for costs associated with testing for elevated
33 levels of lead in water used for drinking or food preparation.

34 **SECTION 3. This 2021 Act being necessary for the immediate preservation of the public**
35 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
36 **July 1, 2021.**