

# Senate Bill 1539

Sponsored by Senator KNOPP (Presession 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**.

Establishes pilot program to provide funding to school districts for purposes of increasing access to schools by homeless students and improving academic achievement of homeless students. Directs Department of Education to award grants to school districts participating in pilot program from Statewide Education Initiatives Account. Sunsets pilot program July 1, 2025.

Directs Department of Education to submit report on homeless students, including pilot program, to interim committees of Legislative Assembly related to education.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to homeless youth; creating new provisions; amending ORS 327.254; and declaring an  
3 emergency.

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

5 **SECTION 1. Section 2 of this 2022 Act is added to and made a part of ORS chapter 327.**

6 **SECTION 2. (1) As used in this section:**

7 (a) "ADM" has the meaning given that term in ORS 327.006.

8 (b) "Homeless students" means students who are considered homeless children and youth  
9 under the McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. 11434a(2).

10 (2) The Department of Education shall establish a pilot program for the purpose of pro-  
11 viding additional funding to school districts that have a significant population of homeless  
12 students.

13 (3) The department shall award grants to school districts participating in the pilot pro-  
14 gram established by this section. Grants shall be awarded from the Statewide Education  
15 Initiatives Account and must be used to provide direct assistance and supports to the  
16 homeless students of the school district, including transportation services, for the purposes  
17 of increasing access to schools and improving academic achievement.

18 (4)(a) The amount of a grant awarded to a school district under this section shall equal  
19 the total number of homeless students who make up the school district's ADM  $\times$  (the total  
20 amount available for distribution to school districts under this section for each school year  
21  $\div$  the total number of homeless students who make up the ADM of all school districts that  
22 participate in the pilot program under this section).

23 (b) For the purpose of the calculation made under paragraph (a) of this subsection, the  
24 total amount available for distribution to school districts under this section shall equal the  
25 amount that is 1.0 of the additional amount used to calculate weighted average daily mem-  
26 bership under ORS 327.013 for purposes of State School Fund distributions  $\times$  the total  
27 number of homeless students who make up the ADM of all school districts that participate  
28 in the pilot program under this section.

**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 (5) The department shall select seven school districts to participate in the pilot program  
2 established by this section. Any school district may apply to participate in the pilot program.  
3 To the greatest extent practicable, the department shall select school districts that:

4 (a) Have significant populations of homeless students, based on either total number of  
5 homeless students or the percentage of homeless students; and

6 (b) Represent a diversity of sizes and geographic locations.

7 (6) If the department selects a school district to participate in the pilot program, the  
8 department shall enter into a grant agreement with the school district.

9 (7) After the department and the school district have entered into a grant agreement,  
10 the department shall award a grant to the school district in the amount calculated under  
11 subsection (4) of this section. The school district shall deposit grant moneys received under  
12 this section into a separate account and shall apply the amount in that account as provided  
13 by the grant agreement.

14 (8) Each year, each school district that is a grant recipient must submit to the depart-  
15 ment a description of how grant moneys received under this section were used to advance  
16 the purposes described in subsection (3) of this section. A grant recipient shall provide the  
17 information required under this subsection based on the timelines and forms prescribed by  
18 the department.

19 (9) The Department of Education may provide technical assistance to school districts  
20 participating in the pilot program. Technical assistance may include collaborating with the  
21 Department of Human Services to identify locations in each school district to use as shelters  
22 for homeless students.

23 (10) Prior to November 1 of each year, the Department of Education shall submit to the  
24 appropriate interim legislative committees related to education a report that summarizes the  
25 uses of grant moneys awarded under this section.

26 (11) The State Board of Education shall adopt any rules necessary for the administration  
27 of the pilot program under this section.

28 **SECTION 3.** (1) Section 2 of this 2022 Act becomes operative on July 1, 2022.

29 (2) Notwithstanding the operative date set forth in subsection (1) of this section, the  
30 State Board of Education and the Department of Education may take any action that is  
31 necessary for the board or department to exercise, on and after the operative date set forth  
32 in subsection (1) of this section, all of the duties, functions and powers conferred on the  
33 board and the department by section 2 of this 2022 Act.

34 **SECTION 4.** Section 2 of this 2022 Act is repealed on July 1, 2025.

35 **SECTION 5.** No later than September 15, 2025, the Department of Education, in collab-  
36 oration with the Department of Human Services, shall submit to the interim committees of  
37 the Legislative Assembly related to education a report on the education of homeless students  
38 in this state. The report must include, for the 2022-2023, 2023-2024 and 2024-2025 school years,  
39 information on:

40 (1) The percentage of homeless students who received a high school diploma, both as a  
41 percentage of total homeless students and as a percentage of all students;

42 (2) The demographics of homeless students; and

43 (3) The uses of moneys received by school districts under section 2 of this 2022 Act.

44 **SECTION 6.** Section 5 of this 2022 Act is repealed on January 2, 2026.

45 **SECTION 7.** ORS 327.254 is amended to read:

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

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

5 (b) Expanding school breakfast and lunch programs;

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

7 (d) Establishing and maintaining the Statewide School Safety and Prevention System under ORS  
 8 339.341;

9 (e) Developing and providing statewide equity initiatives, including the Black or African-  
 10 American education plan developed under ORS 329.841, the American Indian or Alaska Native edu-  
 11 cation plan developed under ORS 329.843, the Latino or Hispanic education plan developed under  
 12 ORS 329.845 or any similar education plan identified by the department;

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

15 (g) Funding early warning systems to assist students in graduating from high school, as de-  
 16 scribed in ORS 327.367;

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

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

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

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

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

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

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

27 (m) Funding education service districts, as described in subsection (2) of this section; *and*

28 **(n) Funding for homeless students, as provided in section 2 of this 2022 Act; and**

29 *[(n)]* (o) Funding costs incurred by the department in implementing this section and ORS 327.175  
 30 to 327.235 and 327.274.

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

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

36 (B) The education service district's  $ADM_w \times$  (the total amount available for distribution to  
 37 education service districts in each biennium  $\div$  the total  $ADM_w$  of all education service districts  
 38 that receive a distribution).

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

44 (c) For purposes of this subsection,  $ADM_w$  equals the  $ADM_w$  as calculated under ORS 327.013,  
 45 except that the additional amount allowed for students who are in poverty families, as determined

1 under ORS 327.013 (1)(c)(A)(v)(I), shall be 0.5.

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

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

8 (A) Align with and support school districts in meeting the performance growth targets of the  
9 school districts developing the plan;

10 (B) Include the provision of technical assistance to school districts in developing, implementing  
11 and reviewing a plan for receiving a grant from the Student Investment Account;

12 (C) Provide for coordination with the department in administering and providing technical as-  
13 sistance to school districts, including coordinating any coaching programs established under ORS  
14 327.214; and

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

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

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

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

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

24 **SECTION 8.** ORS 327.254, as amended by section 7 of this 2022 Act, is amended to read:

25 327.254. (1) The Department of Education shall use moneys in the Statewide Education Initi-  
26 atives Account to provide funding for statewide education initiatives, including:

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

29 (b) Expanding school breakfast and lunch programs;

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

31 (d) Establishing and maintaining the Statewide School Safety and Prevention System under ORS  
32 339.341;

33 (e) Developing and providing statewide equity initiatives, including the Black or African-  
34 American education plan developed under ORS 329.841, the American Indian or Alaska Native edu-  
35 cation plan developed under ORS 329.843, the Latino or Hispanic education plan developed under  
36 ORS 329.845 or any similar education plan identified by the department;

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

39 (g) Funding early warning systems to assist students in graduating from high school, as de-  
40 scribed in ORS 327.367;

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

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

45 (j) Providing additional funding to school districts participating in the intensive program under

1 ORS 327.222;

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

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

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

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

6 (m) Funding education service districts, as described in subsection (2) of this section; **and**

7 *[(n) Funding for homeless students, as provided in section 2 of this 2022 Act; and]*

8 *[(o)]* (n) Funding costs incurred by the department in implementing this section and ORS 327.175  
9 to 327.235 and 327.274.

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

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

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

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

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

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

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

32 (A) Align with and support school districts in meeting the performance growth targets of the  
33 school districts developing the plan;

34 (B) Include the provision of technical assistance to school districts in developing, implementing  
35 and reviewing a plan for receiving a grant from the Student Investment Account;

36 (C) Provide for coordination with the department in administering and providing technical as-  
37 sistance to school districts, including coordinating any coaching programs established under ORS  
38 327.214; and

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

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

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

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

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

3 **SECTION 9. The amendments to ORS 327.254 by section 8 of this 2022 Act become oper-**  
4 **ative on July 1, 2025.**

5 **SECTION 10. This 2022 Act being necessary for the immediate preservation of the public**  
6 **peace, health and safety, an emergency is declared to exist, and this 2022 Act takes effect**  
7 **on its passage.**

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