

Requested by Representative WRIGHT

**PROPOSED AMENDMENTS TO
HOUSE BILL 3444**

1 On page 1 of the printed bill, line 2, after “327.185,” insert “327.195,”.

2 In line 3, after “327.362,” insert “327.825,”.

3 Delete lines 5 through 25 and delete page 2.

4 On page 3, delete lines 1 through 31 and insert:

5 **“SECTION 1.** ORS 338.155 is amended to read:

6 “338.155. (1)(a) Students of a public charter school shall be considered to
7 be residents of the school district in which the public charter school is lo-
8 cated for purposes of distribution of the State School Fund.

9 “(b) All amounts to be distributed from the State School Fund for public
10 charter schools shall first be distributed to the school district in which the
11 public charter school is located.

12 “(c) For the purpose of determining the amounts to be distributed to a
13 school district from the State School Fund for a public charter school, the
14 district extended ADMw described in ORS 327.013 shall be calculated:

15 “(A) Except as provided by subparagraph (B) or (C) of this paragraph, as
16 though the students enrolled at a public charter school are students enrolled
17 at the public schools of the school district in which the public charter school
18 is located.

19 “(B) By not including any portion of the ADM of the public charter
20 school for the previous school year if the public charter school ceased to
21 operate because of dissolution or closure or because of termination or

1 nonrenewal of a charter.

2 “(C) By calculating the current school year’s ADMw separately for a
3 virtual public charter school and for the school district if the school district,
4 without consideration of the ADM of the virtual public charter school, had
5 a decrease in ADM or ADMw compared to the previous school year.

6 “[*(2) A school district shall contractually establish, with any public charter
7 school that is sponsored by the board of the school district, payment for pro-
8 vision of educational services to the public charter school’s students. The pay-
9 ment shall equal an amount per weighted average daily membership (ADMw)
10 of the public charter school that is at least equal to:*]

11 “[*(a) Eighty percent of the amount of the school district’s General Purpose
12 Grant per ADMw as calculated under ORS 327.013 for students who are en-
13 rolled in kindergarten through grade eight; and]*

14 “[*(b) Ninety-five percent of the amount of the school district’s General
15 Purpose Grant per ADMw as calculated under ORS 327.013 for students who
16 are enrolled in grades 9 through 12.*]

17 “[*(3) A school district shall contractually establish, with any public charter
18 school that is sponsored by the State Board of Education and that is within
19 the boundaries of the school district, payment for provision of educational
20 services to the public charter school’s students. The payment shall equal an
21 amount per weighted average daily membership (ADMw) of the public charter
22 school that is at least equal to:*]

23 “[*(a) Ninety percent of the amount of the school district’s General Purpose
24 Grant per ADMw as calculated under ORS 327.013 for students who are en-
25 rolled in kindergarten through grade eight; and]*

26 “[*(b) Ninety-five percent of the amount of the school district’s General
27 Purpose Grant per ADMw as calculated under ORS 327.013 for students who
28 are enrolled in grades 9 through 12.*]

29 “**(2) A school district shall contractually establish, with any public
30 charter school within the boundaries of the school district, payment**

1 for provision of educational services to the public charter school's
2 students.

3 **“(3) Except as provided in ORS 338.165, the payment required under**
4 **subsection (2) of this section shall equal an amount per weighted av-**
5 **erage daily membership (ADMw) of the public charter school that is**
6 **at least equal to:**

7 **“(a) Ninety-five percent of the amount of the school district’s Gen-**
8 **eral Purpose Grant per ADMw as calculated under ORS 327.013 for the**
9 **sponsor if the sponsor is the board of a school district; or**

10 **“(b) Ninety-five percent of the General Purpose Grant per ADMw**
11 **as calculated under ORS 327.013 for the school district where the public**
12 **charter school is located if the sponsor is the State Board of Educa-**
13 **tion.**

14 **“(4) The estimated amount of each school district’s General Purpose**
15 **Grant per ADMw shall be determined each year by the Department of Edu-**
16 **cation and made available to all school districts.**

17 **“(5) The school district in which [the] a public charter school sponsored**
18 **by the State Board of Education is located shall transfer an amount per**
19 **weighted average daily membership (ADMw) of the public charter school**
20 **that is equal to 50 percent of the amount of the school district’s General**
21 **Purpose Grant per ADMw as calculated under ORS 327.013 that is not paid**
22 **to the public charter school through a contract created pursuant to sub-**
23 **section [(3)] (2) of this section to the Department of Education.**

24 **“(6)(a) A sponsor may retain any amounts that are not paid to a**
25 **public charter school as provided by subsection (3) of this section.**
26 **Except as provided in paragraph (b) of this subsection, any amounts**
27 **retained by the sponsor as provided by this subsection must be used**
28 **for administrative costs incurred by the sponsor in relation to public**
29 **charter schools.**

30 **“[(6)] (b) The department may use any moneys received under this section**

1 for activities related to public charter schools.

2 “(7) A school district and a public charter school may negotiate to es-
3 tablish a payment for the provision of educational services to the public
4 charter school’s students that is more than the minimum [*amounts*] **amount**
5 specified in subsection [(2) or] (3) of this section.

6 “(8) **In addition to payments received by a public charter school**
7 **under subsection (3) of this section and except as provided by ORS**
8 **338.165, the public charter school is entitled to receive:**

9 “(a) **Any local, state or federal moneys that are for the benefit of**
10 **the public charter school and that are received by a sponsor or by the**
11 **school district in which the public charter school is located.**

12 “(b) **Any local, state or federal moneys that are for the benefit of**
13 **public schools in the school district and that are received by a sponsor**
14 **or by the school district in which the public charter school is located.**
15 **Moneys described in this paragraph must be distributed to public**
16 **charter schools on the same basis as moneys are distributed to non-**
17 **chartered public schools in the school district.**

18 “(c) **Any local revenues, as described in ORS 327.011, that are**
19 **available to the nonchartered public schools in the school district.**
20 **Moneys described in this paragraph must be distributed to public**
21 **charter schools based on the number of students who attend the**
22 **schools.**

23 “[8] (9) A school district shall send payment to a public charter school
24 based on a contract negotiated under this section within 10 days after re-
25 ceiving payments from the State School Fund pursuant to ORS 327.095 **or**
26 **after receiving moneys pursuant to subsection (8) of this section.**

27 “[9(a)] (10)(a) A public charter school may apply for any grant that is
28 available to school districts or nonchartered public schools from the De-
29 partment of Education. The department shall consider the application of the
30 public charter school in the same manner as an application from a school

1 district or nonchartered public school.

2 “(b) The department shall award any grant that is available to school
3 districts based solely on the weighted average daily membership (ADMw) of
4 the school district directly to the public charter school. This paragraph does
5 not apply to any grant from the State School Fund.”.

6 In line 38, after the first “schools” delete the rest of the line.

7 In line 39, delete “338.005”.

8 On page 4, line 12, delete “(12)” and insert “(10)”.

9 On page 6, after line 1, insert:

10 **“SECTION 4.** ORS 327.195 is amended to read:

11 “327.195. (1)(a) Except as provided by paragraph (d) of this subsection, the
12 amount of a grant awarded from the Student Investment Account = the
13 grant recipient’s ADMw × (the total amount available for distribution as
14 grants in each biennium ÷ the total ADMw of all grant recipients).

15 “(b) For purposes of this subsection and except as provided by paragraph
16 (c) of this subsection, ADMw equals:

17 “(A) For school districts, the ADMw as calculated under ORS 327.013,
18 except that the additional amount allowed for students who are in poverty
19 families, as determined under ORS 327.013 (1)(c)(A)(v)(I), shall be 0.5.

20 “(B) For an educational program under the Youth Corrections Education
21 Program or the Juvenile Detention Education Program, as provided in ORS
22 327.026.

23 “(c) When calculating ADMw for a school district, the Department of
24 Education shall remove from the calculation any amounts that are attribut-
25 able to:

26 “[A] *A virtual public charter school, as defined in ORS 338.005;*]

27 “[B)] (A) A public charter school that provided notice of the public
28 charter school’s intent to apply for a grant as an eligible applicant; and

29 “[C)] (B) A public charter school sponsored by, or located within, the
30 school district that did not participate in the grant application or grant

1 agreement.

2 “(d) The amount of a grant distributed under this section may be adjusted
3 by the department to ensure that:

4 “(A) A grant recipient does not receive any moneys for uses that are not
5 allowed uses under ORS 327.180 (3).

6 “(B) A school district with an ADMw of 50 or less receives a minimum
7 grant amount.

8 “(C) Each site of the Youth Corrections Education Program and the Ju-
9 venile Detention Education Program receives a grant amount that is no less
10 than the minimum grant amount provided to a school district under subpar-
11 agraph (B) of this paragraph.

12 “(2) The State Board of Education shall adopt any rules necessary for the
13 distribution of grants under this section, including establishing:

14 “(a) The minimum grant amounts under subsection (1)(d) of this section;
15 and

16 “(b) Any percentages and timelines for installment payments and adjust-
17 ments of those installment payments.

18 “(3) A grant recipient shall deposit the grant moneys the grant recipient
19 receives under this section into a separate account and shall apply amounts
20 in that account as provided by the grant agreement.”.

21 In line 2, delete “4” and insert “5”.

22 In line 32, delete “(12)” and insert “(10)”.

23 On page 7, line 17, delete “5” and insert “6”.

24 In line 37, delete “(12)” and insert “(10)”.

25 On page 8, after line 17, insert:

26 “**SECTION 7.** ORS 327.825 is amended to read:

27 “327.825. As used in ORS 327.825 to 327.845:

28 “(1) ‘Early elementary grades’ means any grade from prekindergarten
29 through grade three.

30 “(2) ‘Elementary school’ means a school of a school district, or a public

1 charter school, with students in early elementary grades.

2 “(3) ‘High-dosage tutoring’ means one-on-one tutoring or tutoring in small
3 groups, as determined by rule of the State Board of Education, that:

4 “(a) Is provided in addition to daily instruction;

5 “(b) Is provided two or more times each week over at least a 10-week pe-
6 riod; and

7 “(c) Uses a research-aligned tutoring model that is administered in a
8 culturally responsive manner and that is combined with the training neces-
9 sary for tutors to implement the model effectively.

10 “(4) ‘Prekindergarten’ means a preschool or prekindergarten program that
11 is:

12 “(a) Provided by a school district or public charter school; or

13 “(b) Delivered in partnership between a school district and another or-
14 ganization.

15 “(5) ‘Preschool’ means a high-quality program that serves children at least
16 three years of age but not older than five years of age.

17 “(6) ‘Public charter school’ means a public charter school that[:]

18 “[*a*] is established under ORS chapter 338. [*; and*]

19 “[*b*] *Is not a virtual public charter school, as defined in ORS 338.005.*]

20 “(7) ‘Qualified tutor’ means an individual who is trained to implement a
21 program providing high-dosage tutoring.

22 “(8) ‘Research-aligned literacy strategies’ means strategies that:

23 “(a) Are literacy focused;

24 “(b) Are culturally responsive and relevant to diverse learners;

25 “(c) Are based on long-term research derived from the science of reading
26 and writing; and

27 “(d) Apply instructional practices that are developmentally appropriate
28 and specifically designed for students with disabilities and students who are
29 English language learners.

30 “(9) ‘Science of reading and writing’ means:

1 “(a) The convergence of findings from research on reading and writing
2 processes, development and instruction; and

3 “(b) The teaching of phonemic awareness, phonics, fluency, vocabulary
4 and comprehension through explicit and systematic instruction that can be
5 differentiated to meet the needs of individual learners through develop-
6 mentally appropriate practices.

7 “(10) ‘Student groups that have historically experienced academic dispar-
8 ities’ means:

9 “(a) Economically disadvantaged students, as determined under rules
10 adopted by the State Board of Education;

11 “(b) Students from racial or ethnic groups that have historically experi-
12 enced academic disparities, as determined under rules adopted by the State
13 Board of Education;

14 “(c) Students with disabilities;

15 “(d) Students who are English language learners;

16 “(e) Students who are foster children, as defined in ORS 30.297;

17 “(f) Students who are homeless, as determined under rules adopted by the
18 State Board of Education;

19 “(g) Students who attend an elementary school that:

20 “(A) Is identified for comprehensive support and improvement or for tar-
21 geted support and improvement under the federal Every Student Succeeds
22 Act (P.L. 114-95, 129 Stat. 1802); or

23 “(B) Qualifies for assistance under Title I of the federal Elementary and
24 Secondary Education Act of 1965; or

25 “(h) Any other student groups that have historically experienced academic
26 disparities, as determined under rules adopted by the State Board of Educa-
27 tion by rule.”.

28 In line 18, delete “6” and insert “8”.

29 In line 44, delete “7” and insert “9” and after “327.185,” insert “327.195,”
30 and after “327.311,” insert “327.825,”.

- 1 In line 45, delete “6” and insert “8”.
- 2 On page 9, line 3, delete “8” and insert “10”.
- 3 In line 6, after the second “school” delete the rest of the line.
- 4 In line 7, delete “charter school, as defined in ORS 338.005, and”.
- 5 On page 11, line 3, delete “9” and insert “11”.
- 6 In line 12, delete “10” and insert “12”.
- 7 _____