

## SENATE AMENDMENTS TO SENATE BILL 228

By SPECIAL COMMITTEE ON BUDGET

July 6

1 On page 1 of the printed bill, line 2, delete the first “and”.

2 In line 3, after “338.115” insert “; and appropriating money”.

3 On page 2, after line 22, insert:

4 “(7) Each school year the Department of Education shall collect and make available to the  
5 public information on every elementary and middle public school regarding the number of minutes  
6 of physical education instruction provided to students.”.

7 On page 4, line 28, delete “2006-2007” and insert “2017-2018”.

8 After line 28, insert:

9 **“SECTION 7. Section 2 of this 2005 Act and the amendments to ORS 336.631, 338.025 and  
10 338.115 by sections 3 to 5 of this 2005 Act become operative on July 1, 2017.**

11 **“SECTION 8. (1) There is established the Physical Education Fund, separate and distinct  
12 from the General Fund.**

13 **“(2) The moneys in the Physical Education Fund are appropriated continuously to the  
14 Department of Education for purposes of the grant program created by section 9 of this 2005  
15 Act.**

16 **“SECTION 9. (1) Beginning with the 2007-2009 biennium, in addition to those moneys  
17 distributed through the State School Fund, the Department of Education shall award grants  
18 to school districts and public charter schools to enable the districts and schools to meet the  
19 requirements of section 2 of this 2005 Act. The goal of the grant program is to award grants  
20 each biennium to school districts and public charter schools to achieve full compliance with  
21 section 2 of this 2005 Act prior to the operative date of section 2 of this 2005 Act.**

22 **“(2) The State Board of Education shall adopt any rules necessary for the administration  
23 of this section.**

24 **“SECTION 10. Sections 8 and 9 of this 2005 Act are repealed on June 30, 2017.**

25 **“SECTION 11. (1) During the 2005-2007 biennium, the Department of Education shall  
26 convene an advisory committee to develop rules and criteria for the physical education grant  
27 program created by section 9 of this 2005 Act.**

28 **“(2) The advisory committee shall consider the following criteria for awarding grants:**

29 **“(a) Whether a school district or public charter school has the facilities capacity to ex-  
30 pand physical education instruction;**

31 **“(b) Whether a school district or public charter school has demonstrated an economic  
32 or geographic need for funding; and**

33 **“(c) Whether a school district or public charter school has demonstrated readiness to  
34 involve community partners in promoting physical activity to students.**

35 **“(3) The advisory committee shall consider:**

1       “(a) Limiting the number of biennia for which a school district or public charter school  
2 may receive grant funds under this section;

3       “(b) Requiring a school district or public charter school that receives grant funds under  
4 this section to meet the requirements of section 2 of this 2005 Act;

5       “(c) Requiring a school district or public charter school that receives grant funds to use  
6 the grant funds for:

7       “(A) Hiring teachers to fill new physical education teaching positions established after  
8 the application for grant funds was made;

9       “(B) Professional development of physical education staff; and

10       “(C) Purchasing equipment for physical education;

11       “(d) Requiring a school district or public charter school that receives grant funds to use  
12 the majority of the funds for hiring new teachers; and

13       “(e) Restricting a school district or public charter school that receives grant funds from  
14 using any of the funds for paying the costs of employing teachers in physical education  
15 teaching positions that existed at the time the grant application was made.

16       “SECTION 12. (1) During the 2005-2007 biennium, the Department of Education shall  
17 collect data relating to the number of minutes of physical education that are provided to  
18 kindergarten through grade 8 students by school districts and public charter schools. Based  
19 on the data the department shall estimate how many additional teachers will be necessary  
20 to achieve full compliance with the requirements of section 2 of this 2005 Act.

21       “(2) Prior to February 1, 2007, the department shall report to the Seventy-fourth Legis-  
22 lative Assembly on the data and the estimate of additional teachers needed.”.

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