

# House Bill 3045

Sponsored by COMMITTEE ON EDUCATION

## 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**.

Removes requirement that school district transfer moneys to other school district for student who attends public charter school in school district and is resident of other school district.  
Declares emergency, effective July 1, 2015.

## A BILL FOR AN ACT

1  
2 Relating to funding for public charter schools; creating new provisions; amending ORS 338.155; and  
3 declaring an emergency.

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

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 be residents of the  
7 school district in which the public charter school is located for purposes of distribution of the State  
8 School Fund.

9 (b)(A) For the purpose of determining the amounts to be distributed from the State School Fund  
10 to a school district in which a public charter school is located, the district extended ADMw de-  
11 scribed in ORS 327.013 shall be determined by:

12 (i) Separately calculating the extended ADMw for students at the public charter school and the  
13 extended ADMw for students at nonchartered public schools in the school district; and

14 (ii) Adding the extended ADMw for students at the public charter school and the extended  
15 ADMw for students at nonchartered public schools in the school district.

16 (B) Except as provided in subparagraph (A) of this paragraph:

17 (i) All other calculations made under ORS 327.013 shall be made as though the students enrolled  
18 at a public charter school were students enrolled at the public schools in the school district in  
19 which the public charter school is located; and

20 (ii) All references to the district extended ADMw shall be based on the calculation made under  
21 subparagraph (A)(ii) of this paragraph.

22 (C) All amounts to be distributed from the State School Fund to public charter schools shall first  
23 be distributed to the school district in which the public charter school is located.

24 (2) A school district shall contractually establish, with any public charter school that is spon-  
25 sored by the board of the school district, payment for provision of educational services to the public  
26 charter school's students. The payment shall equal an amount per weighted average daily member-  
27 ship (ADMw) of the public charter school that is at least equal to:

28 (a) Eighty percent of the amount of the school district's General Purpose Grant per ADMw as  
29 calculated under ORS 327.013 for students who are enrolled in kindergarten through grade eight;  
30 and

31 (b) Ninety-five percent of the amount of the school district's General Purpose Grant per ADMw

**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 as calculated under ORS 327.013 for students who are enrolled in grades 9 through 12.

2 (3) A school district shall contractually establish, with any public charter school that is spon-  
 3 sored by the State Board of Education or an institution of higher education and that is within the  
 4 boundaries of the school district, payment for provision of educational services to the public charter  
 5 school's students. The payment shall equal an amount per weighted average daily membership  
 6 (ADMw) of the public charter school that is at least equal to:

7 (a) Ninety percent of the amount of the school district's General Purpose Grant per ADMw as  
 8 calculated under ORS 327.013 for students who are enrolled in kindergarten through grade eight;  
 9 and

10 (b) Ninety-five percent of the amount of the school district's General Purpose Grant per ADMw  
 11 as calculated under ORS 327.013 for students who are enrolled in grades 9 through 12.

12 (4) The estimated amount of each school district's General Purpose Grant per ADMw shall be  
 13 determined each year by the Department of Education and made available to all school districts.

14 (5) The school district in which the public charter school is located shall transfer an amount  
 15 per weighted average daily membership (ADMw) of the public charter school that is equal to 50  
 16 percent of the amount of the school district's General Purpose Grant per ADMw as calculated under  
 17 ORS 327.013 that is not paid to the public charter school through a contract created pursuant to  
 18 subsection [(2) or] (3) of this section to:

19 [(a) For a public charter school sponsored by a school district, any school district in which the  
 20 parent or guardian of, or person in parental relationship to, a student of a public charter school resides  
 21 pursuant to ORS 339.133 and 339.134;]

22 [(b)] (a) For a public charter school sponsored by the State Board of Education, the Department  
 23 of Education; or

24 [(c)] (b) For a public charter school sponsored by an institution of higher education, the insti-  
 25 tution of higher education.

26 (6) The department may use any moneys received under this section for activities related to  
 27 public charter schools.

28 (7) A school district and a public charter school may negotiate to establish a payment for the  
 29 provision of educational services to the public charter school's students that is more than the min-  
 30 imum amounts specified in subsection (2) or (3) of this section.

31 (8) A school district shall send payment to a public charter school based on a contract negoti-  
 32 ated under this section within 10 days after receiving payments from the State School Fund pursuant  
 33 to ORS 327.095.

34 (9)(a) A public charter school may apply for any grant that is available to school districts or  
 35 nonchartered public schools from the Department of Education. The department shall consider the  
 36 application of the public charter school in the same manner as an application from a school district  
 37 or nonchartered public school.

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

41 **SECTION 2. The amendments to ORS 338.155 by section 1 of this 2015 Act apply to State**  
 42 **School Fund distributions made for transfer to public charter schools commencing with the**  
 43 **2015-2016 distributions.**

44 **SECTION 3. This 2015 Act being necessary for the immediate preservation of the public**  
 45 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**

1 **July 1, 2015.**

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