

Senate Bill 534

Sponsored by Senator THATCHER; Representative WILSON (Pre-session 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**.

Increases percentage of moneys that school district must transfer to public charter school for students eligible for special education and related services.

Declares emergency, effective July 1, 2017.

A BILL FOR AN ACT

1
2 Relating to funding for special education students in public charter schools; creating new provisions;
3 amending ORS 338.165 and 340.073; and declaring an emergency.

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

5 **SECTION 1.** ORS 338.165 is amended to read:

6 338.165. (1)(a) The school district in which a public charter school is located shall identify, lo-
7 cate and evaluate students enrolled in the public charter school to determine which students may
8 be in need of special education and related services.

9 (b) The school district in which a public charter school is located:

10 (A) Shall receive funding from the State School Fund as provided by this section for students
11 who are eligible for special education and related services and who are enrolled in the public
12 charter school; and

13 (B) Is eligible to receive high cost disabilities grants as provided by ORS 327.348 for students
14 who are enrolled in the public charter school.

15 (c) Students who are eligible for special education and related services shall be considered stu-
16 dents of the school district in which the public charter school is located for purposes of data col-
17 lection and reporting.

18 (2) If a student is enrolled in a public charter school and is eligible for special education and
19 related services, an additional amount shall be added to the ADM of the public charter school as
20 described in ORS 327.013 (1)(c)(A)(i). The payment per ADMw in the public charter school that is
21 attributable to the student who is eligible for special education and related services shall equal an
22 amount that is at least equal to[.]

23 [(a) 40] **80** percent of the amount of the General Purpose Grant per ADMw for the school district
24 in which the public charter school is located, as calculated under ORS 327.013[, *for students who are*
25 *enrolled in kindergarten through grade eight; and*]

26 [(b) 47.5 percent of the amount of the General Purpose Grant per ADMw for the school district in
27 which the public charter school is located, as calculated under ORS 327.013, *for students who are en-*
28 *rolled in grades 9 through 12*].

29 (3) If the State Board of Education is the sponsor of a public charter school, the school district
30 in which the public charter school is located, for each ADMw that is attributable to a student en-
31 rolled in a public charter school who is eligible for special education and related services, shall

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 transfer five percent of the amount of the school district's General Purpose Grant per ADMw as
2 calculated under ORS 327.013 to the State Board of Education.

3 (4) Notwithstanding subsection (2) of this section, a school district and a public charter school
4 may negotiate on a case-by-case basis for an alternative distribution of funds other than the dis-
5 tribution prescribed by subsection (2) of this section.

6 (5) Payments under this section must be made within 10 days after a school district receives
7 payment from the State School Fund pursuant to ORS 327.095.

8 **SECTION 2.** ORS 340.073 is amended to read:

9 340.073. (1) A public charter school may elect to participate in the Expanded Options Program
10 by amending its charter under ORS 338.065.

11 (2) Actual instructional costs associated with participating eligible students shall be negotiated
12 and paid directly to the eligible post-secondary institution by the public charter school.

13 (3) The participating public charter school may not require funding from the sponsor of the
14 school for payment of Expanded Options Program costs that is in addition to funding that already
15 has been contractually established pursuant to ORS 338.155 (2)(b) or (3)(b) or 338.165 (2)[(b)].

16 **SECTION 3. The amendments to ORS 338.165 by section 1 of this 2017 Act first apply to**
17 **the 2017-2018 school year.**

18 **SECTION 4. This 2017 Act being necessary for the immediate preservation of the public**
19 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
20 **July 1, 2017.**

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