

HOUSE AMENDMENTS TO HOUSE BILL 2817

By COMMITTEE ON EDUCATION

March 29

1 On page 1 of the printed bill, line 12, after “Is” insert “eligible to attend school under ORS
2 339.115 (1) and is”.

3 Delete lines 14 through 31 and delete page 2.

4 On page 3, delete lines 1 through 10 and insert:

5 “**SECTION 2.** ORS 339.460 is amended to read:

6 “339.460. (1) As used in this section:

7 “(a) ‘**GED program**’ means a program provided by a school district or an education ser-
8 vice district to assist a student in earning a General Educational Development (GED) cer-
9 tificate.

10 “(b) ‘**GED student**’ means a student who is eligible to attend school under ORS 339.115
11 (1) and who is enrolled in a GED program.

12 “[*(a)*] (c) ‘Homeschooled student’ means a child who is taught by a private teacher, a parent or
13 a legal guardian, as described in ORS 339.030.

14 “[*(b)*] (d) ‘Interscholastic activities’ includes:

15 “(A) For students in any grade from kindergarten through grade 12, athletics, music, speech and
16 other similar or related activities.

17 “(B) For students in any grade from kindergarten through grade eight, activities that are offered
18 only before or after regular school hours and that may, but are not required to, involve interaction
19 among other schools.

20 “[*(c)*] (e) ‘Public charter school’ has the meaning given that term in ORS 338.005.

21 “(2) A school district may not deny a **GED student**, a homeschooled student[,] or a student who
22 attends a public charter school that does not provide interscholastic activities[,] the opportunity to
23 participate in all interscholastic activities available in the school district within the attendance
24 boundaries in which the **GED student**, homeschooled student or public charter school student re-
25 sides if the student fulfills the following conditions, **as applicable**:

26 “(a)(A) For a **GED student** or a homeschooled student, the student must meet all school district
27 eligibility requirements except:

28 “(i) The school district’s school or class attendance requirements; and

29 “(ii) The class requirements of the voluntary association that administers the interscholastic
30 activity, if applicable.

31 “(B) For a student who attends a public charter school, the student must meet all school district
32 eligibility requirements except the school district’s school or class attendance requirements.

33 “(b) **For a homeschooled student or a student who attends a public charter school**, the
34 student must meet one of these requirements:

35 “(A) Achieve a minimum score that places the student at or above the 23rd percentile, based

1 on national norms, on an examination from the list the State Board of Education adopts under ORS
2 339.035. The student must take the examination at the end of each school year, and the student's
3 parent or legal guardian must submit the results to the school district for use in determining eligi-
4 bility for the following year.

5 “(B) Meet alternative requirements that a school district adopts, in consultation with the
6 student's parent or legal guardian, to participate in interscholastic activities, including but not
7 limited to a requirement that a student submit a portfolio of work samples to a school district
8 committee for review to determine whether the student is eligible to participate in interscholastic
9 activities.

10 “(c) **For a GED student, the student must demonstrate that, prior to beginning the**
11 **interscholastic activity, the student has passed at least one practice test administered**
12 **through the GED program.**

13 “(3)(a) In addition to the requirements set forth in subsection (2) of this section, a public charter
14 school that enrolls a student who intends to participate in an interscholastic activity must pay to
15 the school district or school that offers the interscholastic activity, as appropriate and if the school
16 district or school requires payment as provided by this subsection:

17 “(A) An annual fee that is equivalent to not more than five percent of the amount of the school
18 district's General Purpose Grant per ADMw, as calculated under ORS 327.013; and

19 “(B) An additional annual fee that is equivalent to not more than five percent of the amount of
20 the school district's General Purpose Grant per ADMw, as calculated under ORS 327.013, if partic-
21 ipating in the interscholastic activity requires the student to enroll in a course for credit.

22 “(b) The school district and the public charter school shall enter into an agreement to specify
23 the amount of the fees described in paragraph (a) of this subsection.

24 “(c) A public charter school is required to pay a fee described in paragraph (a) of this subsection
25 only once per year per student participating in an interscholastic activity at a school in the school
26 district, regardless of the number of interscholastic activities in which the student participates.

27 “(4) A **GED student, a** homeschooled student or a student who attends a public charter school
28 may participate in interscholastic activities while awaiting examination **or practice test** results.

29 “(5) A **GED student, a** homeschooled student[,] or a student who attends a public charter
30 school[,] who does not maintain academic eligibility is ineligible to participate in interscholastic
31 activities for the duration of the school year in which the student becomes academically ineligible
32 and for the following year. The student must take the required examinations **or practice tests** at
33 the end of the second year and meet the standards described in subsection (2)(b) **or (c)** of this sec-
34 tion to become eligible for the third year.

35 “(6)(a) A **GED student, a** homeschooled student or a student who attends a public charter
36 school must fulfill the same responsibilities and standards of behavior and performance, including
37 related class or practice requirements, as other students who participate in the interscholastic ac-
38 tivity. The student must also comply with all public school requirements during the time of partic-
39 ipation.

40 “(b) A student who attends a public charter school must be allowed to participate in an inter-
41 scholastic activity in the same manner that a resident of the school district may participate in the
42 interscholastic activity. A school district may not give priority to residents of the school district to
43 participate in interscholastic activities, but may require a student who attends a public charter
44 school to satisfy any standards for acceptance for participation.

45 “(7) A **GED student, a** homeschooled student[,] or a student who attends a public charter

1 school[,] who participates in interscholastic activities must reside within the attendance boundaries
2 of the school at which the student participates unless the school district has a policy that allows
3 any student attending a school of the school district to participate in interscholastic activities at
4 any school of the school district.”.

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