

Enrolled Senate Bill 923

Sponsored by Senator GELSNER BLOUIN

CHAPTER

AN ACT

Relating to school enrollment designation of student; creating new provisions; amending ORS 327.061; and declaring an emergency.

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

SECTION 1. ORS 327.061 is amended to read:

327.061. (1)(a) Numbers of students in average daily membership used in the distribution formula as specified in ORS 327.013 (1)(c), shall be projections of the average daily membership in the school district for the school year ending on June 30 of the distribution year. The Department of Education shall verify all projections used for purposes of the distribution formula.

(b) For the purpose of paragraph (a) of this subsection:

(A) A student may be included in average daily membership only if the student is reported with a school identification number, as issued in accordance with rules adopted by the State Board of Education.

(B) A student may not be included in average daily membership if the student has only a program identification number. As used in this subparagraph, "program" means a series of interrelated activities or services contributing to the attainment of a goal or set of goals that are provided on a part-time basis, for a temporary time period or as a secondary component of educational services.

(2) The department shall use information from the Department of Revenue under ORS 311.175 as the basis for determining projected school district property taxes. The department shall request relevant information from the school districts to enable the department to estimate the amount each school district shall receive from the State School Fund. The department shall provide this estimate no later than the first Monday in March of each year for the distribution for the following fiscal year.

(3) Except as provided in subsection (4) of this section, a school district may appeal to the department any projection verified by the department under subsection (1) of this section. The department shall rule on the appeal in a timely manner and if necessary issue a revised estimate of the amount each school district shall receive from the State School Fund no later than the last Friday in March.

(4) A school district may not appeal any projection verified under subsection (1) of this section if the school district failed to provide information requested by the department under subsection (2) of this section.

(5) Notwithstanding the dates provided by this section and pursuant to rules adopted by the State Board of Education, the Superintendent of Public Instruction may specify an alternative date to provide an estimate or revised estimate if a human-created disaster or a natural disaster affects

the ability of the Department of Education to provide the estimate or revised estimate by the date specified by this section.

SECTION 2. The amendments to ORS 327.061 by section 1 of this 2023 Act first apply to the 2023-2024 school year.

SECTION 3. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect July 1, 2023.

Passed by Senate April 17, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 24, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

.....M.,....., 2023

Approved:

.....M.,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2023

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Secretary of State