

HB 4068-1  
(LC 38)  
1/26/24 (HRL/ps)

Requested by HOUSE COMMITTEE ON EDUCATION (at the request of Representative Courtney Neron)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4068**

1 On page 1 of the printed bill, line 2, after “education” insert “; creating  
2 new provisions; amending ORS 327.348; and prescribing an effective date”.

3 Delete lines 4 through 26 and delete pages 2 and 3 and insert:

4 **“SECTION 1.** ORS 327.348 is amended to read:

5 “327.348. (1) There is established within the State School Fund a High  
6 Cost Disabilities Account.

7 “(2) Each fiscal year, the Department of Education shall distribute mon-  
8 eys from the account to school districts as high cost disabilities grants. A  
9 school district may receive moneys from the account if the school district:

10 **“(a)** Has a resident pupil with a disability for whom the approved costs  
11 to the school district of providing special education and related services, as  
12 determined under subsection (4) of this section, exceed \$30,000[.]; **or**

13 **“(b)** **Has a community impact that causes disproportionately high**  
14 **costs associated with the provision of special education and related**  
15 **services, as determined by the department based on identified and**  
16 **quantifiable factors that are beyond the control of the school district**  
17 **and that result in a significantly increased number of pupils qualifying**  
18 **for special education and related services.**

19 “(3) The amount of moneys received by a school district under this section  
20 [*for each resident pupil with a disability*] shall equal:

21 **“(a) For distributions made as provided by subsection (2)(a) of this**

1 **section**, the approved costs, as determined under subsection (4) of this sec-  
2 tion, incurred by the school district in providing special education and re-  
3 lated services to [*the pupil*] **each resident pupil described in subsection**  
4 **(2)(a) of this section** minus \$30,000.

5 “(b) **For distributions made as provided by subsection (2)(b) of this**  
6 **section, the approved costs, as determined under subsection (4) of this**  
7 **section, incurred by the school district in providing special education**  
8 **and related services to the resident pupils minus any amounts dis-**  
9 **tributed to the school district as provided by ORS 327.013 (1)(c)(A)(i).**

10 “(4) The department shall determine the approved costs incurred by a  
11 school district in providing special education and related services to [*a*  
12 *pupil*] **pupils** with a disability. The approved costs incurred by a school dis-  
13 trict may include costs incurred by an education service district of providing  
14 special education and related services to the school district through the re-  
15 solution process described in ORS 334.175. In determining the approved costs  
16 for which a school district may receive moneys under this section, the de-  
17 partment shall consider:

18 “(a) How efficiently the special education and related services are pro-  
19 vided by the school district; and

20 “(b) The use of available resources by the school district.

21 “(5) If the total approved costs for which school districts are seeking  
22 moneys from the account exceed the amount in the account in any fiscal  
23 year, the department shall prorate the amount of moneys available for dis-  
24 tribution in the account among those school districts that are eligible for  
25 moneys from the account.

26 “(6) The department shall distribute any moneys in the account that are  
27 not distributed under this section in any fiscal year to school districts based  
28 on ORS 327.008 and 327.013.

29 “(7) The State Board of Education may adopt any rules necessary for the  
30 administration of this section.

1       **“SECTION 2. The amendments to ORS 327.348 by section 1 of this**  
2 **2024 Act apply to distributions of the High Cost Disabilities Account**  
3 **commencing with the 2024-2025 distributions.**

4       **“SECTION 3. In addition to and not in lieu of any other appropri-**  
5 **ation, there is appropriated to the Department of Education, for the**  
6 **biennium ending June 30, 2025, out of the General Fund, the amount**  
7 **of \$150 million, which shall be transferred to the High Cost Disabilities**  
8 **Account for purposes of distributions made under ORS 327.348 (3)(b).**

9       **“SECTION 4. This 2024 Act takes effect on July 1, 2024.”.**

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