

## HOUSE AMENDMENTS TO HOUSE BILL 4068

By COMMITTEE ON EDUCATION

February 12

1 On page 1 of the printed bill, line 2, after “education” insert “; creating new provisions;  
2 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 Cost Disabilities Account.

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

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

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

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

19 “(a) **For distributions made as provided by subsection (2)(a) of this section**, the approved  
20 costs, as determined under subsection (4) of this section, incurred by the school district in providing  
21 special education and related services to [*the pupil*] **each resident pupil described in subsection**  
22 **(2)(a) of this section** minus \$30,000.

23 “(b) **For distributions made as provided by subsection (2)(b) of this section**, the approved  
24 **costs, as determined under subsection (4) of this section**, incurred by the school district in  
25 **providing special education and related services to the resident pupils minus any amounts**  
26 **distributed to the school district as provided by ORS 327.013 (1)(c)(A)(i).**

27 “(4) The department shall determine the approved costs incurred by a school district in provid-  
28 ing special education and related services to [*a pupil*] **pupils** with a disability. The approved costs  
29 incurred by a school district may include costs incurred by an education service district of providing  
30 special education and related services to the school district through the resolution process described  
31 in ORS 334.175. In determining the approved costs for which a school district may receive moneys  
32 under this section, the department shall consider:

33 “(a) How efficiently the special education and related services are provided by the school dis-  
34 trict; and

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

1           “(5) If the total approved costs for which school districts are seeking moneys from the account  
2 exceed the amount in the account in any fiscal year, the department shall prorate the amount of  
3 moneys available for distribution in the account among those school districts that are eligible for  
4 moneys from the account.

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

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

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

11           “**SECTION 3. In addition to and not in lieu of any other appropriation, there is appro-**  
12 **riated to the Department of Education, for the biennium ending June 30, 2025, out of the**  
13 **General Fund, the amount of \$150,000,000, which shall be transferred to the High Cost Disa-**  
14 **bilities Account for purposes of distributions made under ORS 327.348 (3)(b).**

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