

SB 624-1
(LC 1840)
2/25/21 (HRL/ps)

Requested by Senator FREDERICK

**PROPOSED AMENDMENTS TO
SENATE BILL 624**

1 On page 1 of the printed bill, line 2, after the semicolon insert “creating
2 new provisions; amending ORS 338.155 and 338.165;”.

3 Delete lines 4 through 30 and delete page 2 and insert:

4 **“SECTION 1.** ORS 338.155 is amended to read:

5 “338.155. (1)(a) Students of a public charter school shall be considered to
6 be residents of the school district in which the public charter school is lo-
7 cated for purposes of distribution of the State School Fund.

8 “(b) All amounts to be distributed from the State School Fund for public
9 charter schools shall first be distributed to the school district in which the
10 public charter school is located.

11 “(c) For the purpose of determining the amounts to be distributed to a
12 school district from the State School Fund for a public charter school, the
13 district extended [*ADM_w*] **weighted average daily membership (ADM_w)**
14 described in ORS 327.013 shall be calculated:

15 “(A) Except as provided by subparagraph (B) of this paragraph, as though
16 the students enrolled at a public charter school are students enrolled at the
17 public schools of the school district in which the public charter school is
18 located.

19 “(B) By not including any portion of the ADM of the public charter
20 school for the previous school year if the public charter school ceased to
21 operate because of dissolution or closure or because of termination or

1 nonrenewal of a charter.

2 “(2) A school district shall contractually establish, with any public char-
3 ter school that is sponsored by the board of the school district, payment for
4 provision of educational services to the public charter school’s students. The
5 payment shall equal an amount per [*weighted average daily membership*
6 (*ADMw*)] **ADMw** of the public charter school that is at least equal to:

7 “(a) Eighty percent of the amount of the school district’s General Purpose
8 Grant per **extended** ADMw as calculated under ORS 327.013 for students
9 who are enrolled in kindergarten through grade eight; and

10 “(b) Ninety-five percent of the amount of the school district’s General
11 Purpose Grant per **extended** ADMw as calculated under ORS 327.013 for
12 students who are enrolled in grades 9 through 12.

13 “(3) A school district shall contractually establish, with any public char-
14 ter school that is sponsored by the State Board of Education and that is
15 within the boundaries of the school district, payment for provision of edu-
16 cational services to the public charter school’s students. The payment shall
17 equal an amount per [*weighted average daily membership (ADMw)*] **ADMw**
18 of the public charter school that is at least equal to:

19 “(a) Ninety percent of the amount of the school district’s General Purpose
20 Grant per **extended** ADMw as calculated under ORS 327.013 for students
21 who are enrolled in kindergarten through grade eight; and

22 “(b) Ninety-five percent of the amount of the school district’s General
23 Purpose Grant per **extended** ADMw as calculated under ORS 327.013 for
24 students who are enrolled in grades 9 through 12.

25 “(4) The estimated amount of each school district’s General Purpose
26 Grant per **extended** ADMw shall be determined each year by the Department
27 of Education and made available to all school districts.

28 “(5) The school district in which the public charter school is located shall
29 transfer an amount per [*weighted average daily membership (ADMw)*] **ADMw**
30 of the public charter school that is equal to 50 percent of the amount of the

1 school district's General Purpose Grant per **extended** ADMw as calculated
2 under ORS 327.013 that is not paid to the public charter school through a
3 contract created pursuant to subsection (3) of this section to the Department
4 of Education.

5 “(6) The department may use any moneys received under this section for
6 activities related to public charter schools.

7 “(7) A school district and a public charter school may negotiate to es-
8 tablish a payment for the provision of educational services to the public
9 charter school's students that is more than the minimum amounts specified
10 in subsection (2) or (3) of this section.

11 “(8) A school district shall send payment to a public charter school based
12 on a contract negotiated under this section within 10 days after receiving
13 payments from the State School Fund pursuant to ORS 327.095.

14 “(9)(a) A public charter school may apply for any grant that is available
15 to school districts or nonchartered public schools from the Department of
16 Education. The department shall consider the application of the public
17 charter school in the same manner as an application from a school district
18 or nonchartered public school.

19 “(b) The department shall award any grant that is available to school
20 districts based solely on the [*weighted average daily membership (ADMw)*]
21 **ADMw** of the school district directly to the public charter school. This
22 paragraph does not apply to any grant from the State School Fund.

23 “**SECTION 2.** ORS 338.165 is amended to read:

24 “338.165. (1)(a) The school district in which a public charter school is lo-
25 cated shall identify, locate and evaluate students enrolled in the public
26 charter school to determine which students may be in need of special edu-
27 cation and related services.

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

29 “(A) Shall receive funding from the State School Fund as provided by this
30 section for students who are eligible for special education and related ser-

1 vices and who are enrolled in the public charter school; and

2 “(B) Is eligible to receive high cost disabilities grants as provided by ORS
3 327.348 for students who are enrolled in the public charter school.

4 “(c) Students who are eligible for special education and related services
5 shall be considered students of the school district in which the public charter
6 school is located for purposes of data collection and reporting.

7 “(2) If a student is enrolled in a public charter school and is eligible for
8 special education and related services, an additional amount shall be added
9 to the ADM of the public charter school as described in ORS 327.013
10 (1)(c)(A)(i). The payment per ADMw in the public charter school that is at-
11 tributable to the student who is eligible for special education and related
12 services shall equal an amount that is at least equal to:

13 “(a) 40 percent of the amount of the General Purpose Grant per **extended**
14 ADMw for the school district in which the public charter school is located,
15 as calculated under ORS 327.013, for students who are enrolled in
16 kindergarten through grade eight; and

17 “(b) 47.5 percent of the amount of the General Purpose Grant per **ex-**
18 **tended** ADMw for the school district in which the public charter school is
19 located, as calculated under ORS 327.013, for students who are enrolled in
20 grades 9 through 12.

21 “(3) If the State Board of Education is the sponsor of a public charter
22 school, the school district in which the public charter school is located, for
23 each ADMw that is attributable to a student enrolled in a public charter
24 school who is eligible for special education and related services, shall
25 transfer five percent of the amount of the school district’s General Purpose
26 Grant per **extended** ADMw as calculated under ORS 327.013 to the State
27 Board of Education.

28 “(4) Notwithstanding subsection (2) of this section, a school district and
29 a public charter school may negotiate on a case-by-case basis for an alter-
30 native distribution of funds other than the distribution prescribed by sub-

1 section (2) of this section.

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

5 **“SECTION 3. The amendments to ORS 338.155 and 338.165 by
6 sections 1 and 2 of this 2021 Act apply to State School Fund distrib-
7 utions commencing with 2021-2022 distributions.**

8 **“SECTION 4. This 2021 Act being necessary for the immediate
9 preservation of the public peace, health and safety, an emergency is
10 declared to exist, and this 2021 Act takes effect July 1, 2021.”.**

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