

HOUSE AMENDMENTS TO HOUSE BILL 2040

By COMMITTEE ON REVENUE

June 22

1 On page 1 of the printed bill, line 2, after the first semicolon delete the rest of the line and lines
2 3 and 4 and insert “and declaring an emergency.”.

3 Delete lines 6 through 28 and delete pages 2 through 11 and insert:

4 **“SECTION 1. Sections 2 to 6 of this 2007 Act are added to and made a part of ORS 336.615**
5 **to 336.665.**

6 **“SECTION 2. As used in sections 2 to 6 of this 2007 Act:**

7 **“(1) ‘Qualified homeschooled child’ means a child who is registered as a child who is**
8 **taught by a parent, legal guardian or private teacher under ORS 339.035 and who is:**

9 **“(a) A resident of a county with a population of more than 320,000 but less than 325,000**
10 **according to the federal decennial census conducted in 2000; or**

11 **“(b) A resident of a school district that contracted with a qualified private alternative**
12 **education program prior to the 2007-2008 school year.**

13 **“(2) ‘Qualified private alternative education program’ means a private alternative educa-**
14 **tion program that:**

15 **“(a) First contracted with a qualified school district beginning with the 1996-1997 school**
16 **year, and has continued to have a contract with a qualified school district through the**
17 **2006-2007 school year, to provide services to homeschooled students; and**

18 **“(b) Is in compliance with ORS 336.615 to 336.665 and rules adopted by the State Board**
19 **of Education that relate to private alternative education programs.**

20 **“(3) ‘Qualified school district’ means a school district:**

21 **“(a) With an administrative office located in the county seat of a county with a popu-**
22 **lation of more than 320,000 but less than 325,000 according to the federal decennial census**
23 **conducted in 2000; and**

24 **“(b) That had a contract with a qualified private alternative education program during**
25 **the 2006-2007 school year.**

26 **“SECTION 3. (1) A qualified school district may contract with a qualified private alter-**
27 **native education program to provide services to homeschooled children. A qualified school**
28 **district that contracts with a program under this section shall evaluate and monitor the**
29 **program.**

30 **“(2) Other school districts may place students in a qualified private alternative education**
31 **program. Except as provided in subsection (1) of this section, if a school district places a**
32 **student in a program under this subsection, the school district is not required to evaluate**
33 **and monitor the program.**

34 **“(3) When necessary to meet a qualified homeschooled child’s educational needs and in-**
35 **terests, the parent or legal guardian with the approval of the resident district and the at-**

1 tending district may enroll the child in a qualified private alternative education program. If
2 the child is determined to be eligible for special education under ORS 343.221 to 343.236 and
3 343.261 to 343.295, the program must be approved by the Department of Education prior to
4 the placement of the student in the program.

5 “(4) As a condition of enrolling in a qualified private alternative education program:

6 “(a) A qualified homeschooled child may not be required to have previously attended a
7 public school;

8 “(b) A school district is not required to find that the student is not benefiting, has not
9 benefited or will not benefit from attendance in public school or other alternative education
10 programs; and

11 “(c) A school district is not required to conduct an assessment of the child in order to
12 find that the program would meet the child’s educational needs and interests.

13 “SECTION 4. Notwithstanding section 3 (3) of this 2007 Act, if a qualified homeschooled
14 child was enrolled in a qualified private alternative education program prior to the effective
15 date of this 2007 Act, additional approval from the resident or attending school district is not
16 required and the qualified homeschooled child may continue to attend the program.

17 “SECTION 5. (1) A qualified private alternative education program shall receive funding
18 from a qualified school district that has entered into a contract with the program. The
19 funding shall be calculated based on this section and section 6 of this 2007 Act.

20 “(2) A qualified private alternative education program may receive funding for a qualified
21 homeschooled child only if the child enrolls in one or more the following courses that meet
22 the academic content standards adopted by the State Board of Education for that course:

23 “(a) Mathematics.

24 “(b) Science.

25 “(c) English.

26 “(d) History.

27 “(e) Geography.

28 “(f) Economics.

29 “(g) Civics.

30 “(h) Physical education.

31 “(i) Health.

32 “(j) The arts.

33 “(k) Second languages.

34 “(L) Computer technology.

35 “(3)(a) Except as provided in paragraph (b) of this subsection, for purposes of receiving
36 funding for a qualified private alternative education program from the State School Fund, a
37 qualified school district that enters into a contract with a program under section 3 of this
38 2007 Act shall be considered to be the resident district of a qualified homeschooled child who
39 attends the program.

40 “(b) Paragraph (a) of this subsection does not apply to a qualified homeschooled child who
41 is receiving special education and related services.

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

43 “(a) ‘ADM’ means the average daily membership as defined in ORS 327.006.

44 “(b) ‘Small group’ means instruction provided in a qualified private alternative education
45 program approved by a qualified school district to a class of two to five students.

1 “(c) ‘Intermediate group’ means instruction provided in a qualified private alternative
2 education program approved by a qualified school district to a class of six to 15 students.

3 “(d) ‘Large group’ means instruction provided in a qualified private alternative education
4 program approved by a qualified school district to a class of 16 or more students.

5 “(e) ‘Tutorial’ means instruction provided in a qualified private alternative education
6 program approved by a qualified school district to a class of one student.

7 “(2) The State Board of Education shall adopt by rule a formula for the calculation of the
8 amount of funding to be received by a qualified private alternative education program. The
9 formula shall be based on:

10 “(a) The ADM of the program;

11 “(b) Whether the program operates full-time or part-time; and

12 “(c) Whether instruction in the program is given as tutorials or in small groups, inter-
13 mediate groups or large groups.

14 “SECTION 7. Sections 5 and 6 of this 2007 Act first apply to State School Fund distrib-
15 utions commencing with the 2007-2008 distribution.

16 “SECTION 8. This 2007 Act being necessary for the immediate preservation of the public
17 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
18 July 1, 2007.”.

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