

House Bill 3150

Sponsored by Representative FLORES; Representatives BOQUIST, CAMERON, DALLUM, THATCHER, WHISNANT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows public charter school or alternative education program to require parent or guardian to participate in education of student as condition of admission to school or program.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to student admissions; creating new provisions; amending ORS 336.635 and 338.125; and
3 declaring an emergency.

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

5 **SECTION 1.** ORS 338.125 is amended to read:

6 338.125. (1) Student enrollment in a public charter school shall be voluntary. **Except as pro-**
7 **vided in subsection (3) of this section,** all students who reside within the school district where
8 the public charter school is located are eligible for enrollment at a public charter school. If the
9 number of applications from students who reside within the school district exceeds the capacity of
10 a program, class, grade level or building, the public charter school shall select students through an
11 equitable lottery selection process. However, after a public charter school has been in operation for
12 one or more years, the public charter school may give priority for admission to students:

13 (a) Who were enrolled in the school in the prior year; or

14 (b) Who have siblings who are presently enrolled in the school and who were enrolled in the
15 school in the prior year.

16 (2)(a) If space is available a public charter school may admit students who do not reside in the
17 school district in which the public charter school is located.

18 (b) Notwithstanding paragraph (a) of this subsection, if a public charter school offers any online
19 courses as part of the curriculum of the school, then 50 percent or more of the students who attend
20 the public charter school must reside in the school district in which the public charter school is
21 located.

22 (3)(a) A public charter school may not limit student admission based on ethnicity, national ori-
23 gin, race, religion, disability, gender, income level, proficiency in the English language or athletic
24 ability[, *but*].

25 (b) **A public charter school** may limit admission to students within a given age group or grade
26 level.

27 (c) **A public charter school may require as a condition of admission of a student that the**
28 **parent or guardian of the student agree to participate in the education of the student. This**
29 **may include, but not be limited to, volunteering at the public charter school or serving as a**
30 **learning coach for the student.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (4) A public charter school may conduct fund-raising activities. However, a public charter school
 2 shall not require a student to participate in fund-raising activities as a condition of admission to the
 3 public charter school.

4 **SECTION 2.** ORS 336.635 is amended to read:

5 336.635. (1) When necessary to meet a student's educational needs and interests, the parent or
 6 guardian with the approval of the resident district and the attending district may enroll the student
 7 in one of the proposed appropriate and accessible public alternative education programs or private
 8 alternative education programs of instruction or instruction combined with counseling registered
 9 with the Department of Education. If the child is determined to be eligible for special education
 10 under ORS 343.221 to 343.236 and 343.261 to 343.295, the program must be approved by the Depart-
 11 ment of Education prior to the placement of the student in the program. A student enrolled pursuant
 12 to this subsection or enrolled in an alternative education program on or after July 1, 1995, because
 13 the student's educational needs and interests are best met through participation in such a program
 14 shall be considered enrolled in the schools of the district for purposes of the distribution of the State
 15 School Fund.

16 (2) The alternative education program in which the student enrolls with the districts' approval
 17 shall notify the school district in which the student or the student's parents or legal guardian, if
 18 any, resided at the time the student enrolled of the child's enrollment and may bill the school dis-
 19 trict for tuition. The billing may be made annually or at the end of each term or semester of the
 20 alternative education program. For each full-time equivalent student enrolled in the alternative ed-
 21 ucation program, the school district shall pay the actual cost of the program or an amount at least
 22 equivalent to 80 percent of the district's estimated current year's average per student net operating
 23 expenditure, whichever is lesser, in accordance with rules adopted by the State Board of Education.
 24 The alternative education program shall be accountable for the expenditures of all State School
 25 Fund and other local school support moneys, providing the school district with an annual statement
 26 of such expenditures.

27 (3) A private alternative education program that is registered with the Department of Education
 28 is not required to employ only licensed teachers or administrators. Teachers and administrators in
 29 such private programs shall not be considered employees of any district for purposes of ORS 342.173.

30 (4) A school district is not required to provide a public alternative education program if there
 31 are public or approved private alternative education programs that are appropriate and accessible
 32 to the student to which a student can be referred.

33 (5) Any Oregon teaching license is valid for teaching all subjects and grade levels in an alter-
 34 native education program operated by a school district or education service district.

35 **(6) An alternative education program may require as a condition of admission of a stu-**
 36 **dent that the parent or guardian of the student agree to participate in the education of the**
 37 **student. This may include, but not be limited to, volunteering in the program or serving as**
 38 **a learning coach for the student.**

39 **SECTION 3.** The amendments to ORS 336.635 and 338.125 by sections 1 and 2 of this 2007
 40 Act first apply to the 2007-2008 school year.

41 **SECTION 4.** This 2007 Act being necessary for the immediate preservation of the public
 42 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect
 43 on its passage.