

House Bill 3221

Sponsored by Representative KOMP

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**.

Bases calculation of State School Fund grant on number of actual instructional hours provided to resident pupils.

Declares emergency, effective July 1, 2007.

A BILL FOR AN ACT

1
2 Relating to school finance; creating new provisions; amending ORS 327.006; and declaring an emer-
3 gency.

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

5 **SECTION 1.** ORS 327.006 is amended to read:

6 327.006. As used in ORS 327.006 to 327.133, 327.348, 327.355, 327.357, 327.360 and 327.731:

7 (1) "Aggregate days membership" means the sum of days [*present and absent*] **of actual in-**
8 **structional hours**, according to the rules of the State Board of Education, of all resident pupils
9 when school is actually in session during a certain period. **The board, by rule, shall specify the**
10 **number of instructional hours that constitutes a day.** The aggregate days membership of
11 kindergarten pupils shall be calculated on the basis of a half-day program.

12 (2)(a) "Approved transportation costs" means those costs as defined by rule of the State Board
13 of Education and is limited to those costs attributable to transporting or room and board provided
14 in lieu of transporting:

15 (A) Elementary school students who live at least one mile from school;

16 (B) Secondary school students who live at least 1.5 miles from school;

17 (C) Any student required to be transported for health or safety reasons, according to supple-
18 mental plans from districts that have been approved by the state board identifying students who are
19 required to be transported for health or safety reasons, including special education;

20 (D) Preschool children with disabilities requiring transportation for early intervention services
21 provided pursuant to ORS 343.224 and 343.533;

22 (E) Students who require payment of room and board in lieu of transportation;

23 (F) A student transported from one school or facility to another school or facility when the
24 student attends both schools or facilities during the day or week; and

25 (G) Students participating in school-sponsored field trips that are extensions of classroom
26 learning experiences.

27 (b) "Approved transportation costs" does not include the cost of constructing boarding school
28 facilities.

29 (3) "Average daily membership" or "ADM" means the aggregate days membership of a school
30 during a certain period divided by the number of days the school was actually in session during the
31 same period. However, if a district school board adopts a class schedule that operates throughout

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 the year for all or any schools in the district, average daily membership shall be computed by the
 2 Department of Education so that the resulting average daily membership will not be higher or lower
 3 than if the board had not adopted such schedule.

4 (4) "Consumer Price Index" means the Consumer Price Index for All Urban Consumers of the
 5 Portland, Oregon, Standard Metropolitan Statistical Area, as compiled by the United States De-
 6 partment of Labor, Bureau of Labor Statistics.

7 (5) "Kindergarten" means a kindergarten program that conforms to the standards and rules
 8 adopted by the State Board of Education.

9 (6) "Net operating expenditures" means the sum of expenditures of a school district in
 10 kindergarten through grade 12 for administration, instruction, attendance and health services, op-
 11 eration of plant, maintenance of plant, fixed charges and tuition for resident students attending in
 12 another district, as determined in accordance with the rules of the State Board of Education, but
 13 net operating expenditures does not include transportation, food service, student body activities,
 14 community services, capital outlay, debt service or expenses incurred for nonresident students.

15 (7)(a) "Resident pupil" means any pupil:

16 (A) Whose legal school residence is within the boundaries of a school district reporting the pu-
 17 pil, if the district is legally responsible for the education of the pupil, except that "resident pupil"
 18 does not include a pupil who pays tuition or for whom the parent pays tuition or for whom the
 19 district does not pay tuition for placement outside the district; or

20 (B) Whose legal residence is not within the boundaries of the district reporting the pupil but
 21 attends school in the district with the written consent of the affected school district boards.

22 (b) A pupil shall not be considered to be a resident pupil under paragraph (a)(A) of this sub-
 23 section if the pupil is attending school in another school district pursuant to a contract under ORS
 24 339.125 and in the prior year was considered to be a resident pupil in another school district under
 25 paragraph (a)(B) of this subsection. The pupil shall continue to be considered a resident of another
 26 school district under paragraph (a)(B) of this subsection.

27 (c) A pupil shall not be considered to be a resident pupil under paragraph (a)(B) of this sub-
 28 section if the pupil is attending school in a school district pursuant to an agreement with another
 29 school district under ORS 339.133 and in the prior year was considered to be a resident pupil under
 30 paragraph (a)(A) of this subsection because the pupil was attending school in another school district
 31 pursuant to a contract under ORS 339.125. The pupil shall continue to be considered a resident
 32 pupil under paragraph (a)(A) of this subsection.

33 (d) "Resident pupil" includes a pupil admitted to a school district under ORS 339.115 (7).

34 (8) "Standard school" means a school meeting the standards set by the rules of the State Board
 35 of Education.

36 (9) "Tax" and "taxes" includes all taxes on property, excluding exempt bonded indebtedness, as
 37 those terms are defined in ORS 310.140.

38 **SECTION 2. The amendments to ORS 327.006 by section 1 of this 2007 Act apply to State**
 39 **School Fund distributions commencing with the 2007-2008 distribution.**

40 **SECTION 3. This 2007 Act being necessary for the immediate preservation of the public**
 41 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
 42 **July 1, 2007.**