

SENATE AMENDMENTS TO SENATE BILL 23

By COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT

April 10

1 On page 4 of the printed bill, delete lines 21 through 45 and insert:

2 **“SECTION 6.** ORS 340.045 is amended to read:

3 “340.045. (1) An eligible student enrolled in an eligible post-secondary course at an eligible
4 post-secondary institution pursuant to ORS 340.030 shall continue to be considered a resident pupil
5 of the student’s school district for purposes of calculation of the State School Fund grant under ORS
6 327.006 to 327.133, 327.348, 327.355, 327.357, 327.360 and 327.731.

7 **“(2) The amount of each school district’s general purpose grant per extended ADMw as**
8 **calculated under ORS 327.013 shall be determined each fiscal year by the Department of Ed-**
9 **ucation and made available to all school districts and, upon request, to any eligible post-**
10 **secondary institution.**

11 “[2] (3) A school district **and any eligible post-secondary institution that accepts a student**
12 **for enrollment in an eligible post-secondary course pursuant to ORS 340.030** shall negotiate in
13 **good faith** a financial agreement [*with any eligible post-secondary institution that accepts a student*
14 *for enrollment in an eligible post-secondary course pursuant to ORS 340.030*] for the payment of actual
15 [*tuition, fees and other required*] instructional costs associated with the enrollment of the **eligible**
16 student in eligible post-secondary courses, **including tuition and fees and the costs of textbooks,**
17 **equipment and materials.**

18 “[3](a) *The amount of each school district’s general purpose grant per extended ADMw as calcu-*
19 *lated under ORS 327.013 shall be determined each fiscal year by the Department of Education and*
20 *made available to all school districts and, upon request, to any eligible post-secondary institution.]*

21 “[b) *Each fiscal year, a school district shall expend per student participating in the Expanded*
22 *Options Program a minimum of 50 percent of the school district’s general purpose grant per extended*
23 *ADMw. Expenditures that qualify under this paragraph include amounts expended on tuition, fees,*
24 *textbooks, equipment and materials required for an eligible post-secondary course.]*

25 “[c) *A school district may request a waiver from the Superintendent of Public Instruction or the*
26 *superintendent’s designee of the requirements of paragraph (b) of this subsection. The superintendent*
27 *or the superintendent’s designee shall grant the waiver if:]*

28 “[A) *Compliance with the requirements of paragraph (b) of this subsection would cause the school*
29 *district extreme financial distress; or]*

30 “[B) *The school district offers dual credit technical preparation programs, such as two-plus-two*
31 *programs, advanced placement or International Baccalaureate programs and other accelerated college*
32 *credit programs, and:]*

33 “[i) *The programs offered by the school district serve all qualified applicants; and]*

34 “[ii) *There are no charges to at-risk students.]*

35 **“(4) As part of the negotiated financial agreement, an eligible post-secondary institution**

1 shall provide the school district with the published refund policy for eligible students who
2 do not complete eligible post-secondary courses in which the students enroll and do not earn
3 credit.

4 “(5) If, after participating in good faith negotiations, a school district and an eligible
5 post-secondary institution are unable to agree on the payment of actual instructional costs
6 as described in subsection (3) of this section, either entity may appeal to the department for
7 a determination of whether the negotiations were conducted in good faith.

8 “(6) The department shall develop a process and criteria to use for appeals.

9 “(7)(a) If the department determines that the negotiations were not conducted in good
10 faith by either the school district or the eligible post-secondary institution, the department
11 shall order the school district and the eligible post-secondary institution to conduct the ne-
12 gotiations again.

13 “(b) If the department determines that the negotiations were conducted in good faith by
14 the school district and the eligible post-secondary institution, the department shall grant the
15 school district a waiver under section 10 of this 2007 Act from participating in the Expanded
16 Options Program with the eligible post-secondary institution with which the school district
17 was negotiating.

18 “(8) The decision of the department shall be binding on the school district and the eligible
19 post-secondary institution.

20 “[4] (9) In addition to any financial agreement entered into under subsection [(2)] (3) of this
21 section, the resident school district of the eligible student shall enter into an agreement with an
22 eligible post-secondary institution that accepts a student for enrollment in an eligible post-secondary
23 course that is a nontuition course or noncredit course pursuant to ORS 340.030 for the payment of
24 the actual instructional costs associated with the student’s attending the eligible post-secondary
25 course at the institution.

26 “[5] (10) Nothing in this section shall prohibit an eligible post-secondary institution from re-
27 ceiving additional state funding that may be available under any other law.”.

28 On page 5, delete lines 1 through 27.