

Enrolled
Senate Bill 1068

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CHAPTER

AN ACT

Relating to kindergarten; and declaring an emergency.

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

SECTION 1. (1) As used in this section:

(a) **“Half-day kindergarten” means instructional hours provided at the kindergarten level that meet the minimum number of instructional hours required for kindergarten by rule of the State Board of Education and that meet other standards and rules of the board.**

(b) **“Supplemental kindergarten” means instructional hours provided at the kindergarten level that exceed the minimum number of instructional hours required for kindergarten by rule of the State Board of Education and that meet other standards and rules of the board.**

(2)(a) **A school district must offer half-day kindergarten in one or more schools in the district and may offer supplemental kindergarten in one or more schools in the district. This paragraph does not apply to union high school districts.**

(b) **If a public charter school offers kindergarten, the school must offer half-day kindergarten and may offer supplemental kindergarten.**

(c) **Half-day kindergarten offered by a school district or a public charter school must meet academic content standards adopted by the State Board of Education under ORS 329.045.**

(3) **Transportation shall be provided to students in half-day kindergarten and supplemental kindergarten as follows:**

(a) **For students who attend a public charter school, in accordance with ORS 338.145.**

(b) **For all other students in a school district, in accordance with ORS 327.043.**

(4)(a) **A school district may not charge tuition for half-day kindergarten attended by a student who resides within the school district.**

(b) **A public charter school may not charge tuition for half-day kindergarten attended by any student.**

(5) **Notwithstanding ORS 336.095, 339.115 (1), 339.141 or 339.155 and except as provided in subsections (6) and (7) of this section, a school district or public charter school may charge tuition for supplemental kindergarten.**

(6) **If a school district or public charter school charges tuition for supplemental kindergarten, the school district or public charter school may not charge tuition for a student who is:**

(a) **A member of a low-income family as defined in ORS 339.147; or**

(b) A ward of a juvenile court or the Department of Human Services.

(7)(a) A parent or guardian of a student not described in subsection (6) of this section who believes that payment of all or part of the tuition is a severe hardship may request that the district school board or public charter school waive in whole or in part the payment of tuition. The district school board or public charter school shall waive the tuition in whole or in part upon a finding of severe hardship.

(b) A school district or public charter school that charges tuition for supplemental kindergarten shall adopt policies establishing factors that constitute a severe hardship under this subsection.

SECTION 2. Section 1 of this 2008 Act applies to the 2007-2008, 2008-2009 and 2009-2010 school years.

SECTION 3. Section 1 of this 2008 Act is repealed on June 30, 2010.

SECTION 4. The collection before the effective date of this 2008 Act of any tuition or other fees by a school district or public charter school for supplemental kindergarten, as defined in section 1 of this 2008 Act, that was invalid solely because there was no Oregon statutory authority for the collection of the tuition or fees, is validated and approved.

SECTION 5. This 2008 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2008 Act takes effect on its passage.

Passed by Senate February 15, 2008

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Secretary of Senate

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President of Senate

Passed by House February 22, 2008

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Speaker of House

Received by Governor:

.....M.,....., 2008

Approved:

.....M.,....., 2008

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Governor

Filed in Office of Secretary of State:

.....M.,....., 2008

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Secretary of State