

A-Engrossed Senate Bill 1068

Ordered by the Senate February 13
Including Senate Amendments dated February 13

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Education and General Government)

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.

Requires school districts to offer half-day kindergarten. Allows school districts and public charter schools to offer supplemental kindergarten. **Requires transportation for students in half-day and supplemental kindergarten.** Allows school districts and public charter schools to charge tuition for supplemental kindergarten. Provides tuition exception for certain students. Allows parent or guardian to appeal tuition charge if payment of tuition is severe hardship.

Applies to 2007-2008, 2008-2009 and 2009-2010 school years.

Sunset on June 30, 2010.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to kindergarten; and declaring an emergency.

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

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

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

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

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

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

16 (c) **Half-day kindergarten offered by a school district or a public charter school must**
17 **meet academic content standards adopted by the State Board of Education under ORS**
18 **329.045.**

19 (3) **Transportation shall be provided to students in half-day kindergarten and supple-**
20 **mental kindergarten as follows:**

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

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

23 (4)(a) **A school district may not charge tuition for half-day kindergarten attended by a**

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 student who resides within the school district.

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

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

7 (6) If a school district or public charter school charges tuition for supplemental
8 kindergarten, the school district or public charter school may not charge tuition for a stu-
9 dent who is:

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

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

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

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

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

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

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

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

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