

# House Bill 3120

Sponsored by Representative WHISNANT; Representatives CAMERON, ESQUIVEL, FREEMAN, GILMAN, HANNA, HUFFMAN, KRIEGER, MAURER, RICHARDSON, SPRENGER, THATCHER, THOMPSON, WEIDNER, WINGARD

## 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**.

Removes restriction on public charter schools offering online courses that 50 percent or more of students in school must reside in school district in which school is located.

Declares emergency, effective July 1, 2009.

## A BILL FOR AN ACT

1  
2 Relating to public charter schools; creating new provisions; amending ORS 338.125; and declaring  
3 an emergency.

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

5 **SECTION 1.** ORS 338.125, as amended by section 23, chapter 100, Oregon Laws 2007, is  
6 amended to read:

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

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

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

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

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

22 (3) A public charter school may not limit student admission based on race, religion, sex, sexual  
23 orientation, ethnicity, national origin, disability, income level, proficiency in the English language  
24 or athletic ability, but may limit admission to students within a given age group or grade level.

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

28 **SECTION 2. The amendments to ORS 338.125 by section 1 of this 2009 Act first apply to**  
29 **the 2009-2010 school year.**

30 **SECTION 3. This 2009 Act being necessary for the immediate preservation of the public**

**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 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**  
2 **July 1, 2009.**  
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