

## SENATE AMENDMENTS TO SENATE BILL 122

By COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT

April 14

1 On page 1 of the printed bill, delete lines 5 through 30.

2 On page 2, delete lines 1 through 17 and insert:

3 “**SECTION 1.** ORS 336.635 is amended to read:

4 “336.635. (1) [*When necessary to meet a student’s educational needs and interests,*] The parent or  
5 guardian **of a student** [*with the approval of the resident district and the attending district*] may enroll  
6 the student in one of the proposed [*appropriate and accessible*] public alternative education programs  
7 or private alternative education programs of instruction or instruction combined with counseling  
8 [*registered with the Department of Education.*] **if:**

9 “**(a) The enrollment is necessary to meet the student’s educational needs and interests.**

10 “**(b) The program is appropriate and accessible to the student.**

11 “**(c) For a program in a school district in which the student is a resident, the resident**  
12 **school district approves the enrollment.**

13 “**(d) For a program in a school district in which the student is not a resident, the resi-**  
14 **dent school district and the attending school district approve the enrollment.**

15 “**(e) For a private alternative education program, the program is registered with the**  
16 **Department of Education.**

17 “**(2)** If the [*child is determined to be*] **student is** eligible for special education under ORS 343.221  
18 to 343.236 and 343.261 to 343.295, the program must be approved by the Department of Education  
19 prior to the placement of the student in the program.

20 “**(3)** A student enrolled pursuant to this [*subsection or enrolled in an alternative education pro-*  
21 *gram on or after July 1, 1995, because the student’s educational needs and interests are best met*  
22 *through participation in such a program shall be*] **section is** considered enrolled in the schools of the  
23 district **offering the program** for purposes of the distribution of the State School Fund.

24 “[*(2)*] **(4)** [*The*] **An** alternative education program [*in which the student enrolls with the districts’*  
25 *approval shall notify the school district in which the student or the student’s parents or legal guardian,*  
26 *if any, resided at the time the student enrolled of the child’s enrollment and*] **that is offered to a**  
27 **student who is not a resident of the school district** may bill **tuition to** the school district [*for*  
28 *tuition*] **where the student is a resident.** The billing may be made annually or at the end of each  
29 term or semester of the alternative education program. For each full-time equivalent student en-  
30 rolled in the alternative education program, the **resident** school district shall pay the actual cost  
31 of the program or an amount at least equivalent to 80 percent of the district’s estimated current  
32 year’s average per student net operating expenditure, whichever is [*lesser*] **less**, in accordance with  
33 rules adopted by the State Board of Education. The alternative education program [*shall be*] **is ac-**  
34 **countable for the expenditures of all State School Fund moneys** and other local school support  
35 moneys[, *providing*] **and shall provide** the **resident** school district with an annual statement of

1 [such] **the** expenditures.

2 “[3] **(5)** A private alternative education program that is registered with the department [of  
3 *Education*] is not required to employ only licensed teachers or administrators. Teachers and admin-  
4 istrators in [such] private programs [shall not be] **are not** considered employees of any **school** dis-  
5 trict for purposes of ORS 342.173.

6 “[4] **(6)** A school district is not required to provide a public alternative education program if  
7 [there are] **the student can be referred to** public or approved private alternative education pro-  
8 grams that are appropriate **for** and accessible to the student [to which a student can be referred].

9 “[5] **(7)** Any [Oregon] **basic, standard, initial or continuing** teaching license **issued by the**  
10 **Teacher Standards and Practices Commission** is valid for teaching all subjects and grade levels  
11 in an alternative education program operated by a school district or education service district.”.

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