

# Senate Bill 421

Sponsored by Senator GIROD

## 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**.

Requires that district school board sending pupils to another school district agree to accept equal number of pupils from other school district. Requires that school district accepting pupils from other school district agree to release equal number of students to other school district.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to school districts; creating new provisions; amending ORS 339.125; and declaring an  
3 emergency.

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

5 **SECTION 1.** ORS 339.125 is amended to read:

6 339.125. (1) *[The]* **A** district school board may **enter into a** contract with the district school  
7 board of any other **school** district for the admission of **nonresident** pupils *[in schools of the other*  
8 *district]*.

9 (2) *[The]* **A** contract *[shall]* **entered into under this section must** be in writing upon forms  
10 furnished by the Department of Education. **The contract must include a requirement that:**

11 (a) **The district school board sending pupils to another school district agree to accept an**  
12 **equal number of pupils from the other school district; and**

13 (b) **The district school board accepting pupils from the other school district agree to re-**  
14 **lease an equal number of pupils to the other school district.**

15 (3) **A contract entered into under this section constitutes written consent to the at-**  
16 **tendance of those pupils for the purposes of ORS 339.133 (7).**

17 (4) Expense incurred **for pupils admitted pursuant to a contract entered into under this**  
18 **section** shall be paid out of the school funds of the district sending *[such]* **the** pupils. If the **school**  
19 district sending the pupils fails to pay the expense *[so incurred according to]* **in the manner pro-**  
20 **vided by** the terms of the contract, the administrative office for the county containing *[such]* **the**  
21 school district, after satisfactory proof of *[such]* **the** failure, shall deduct the amount of the unpaid  
22 expense from the amount due the school district at the next regular apportionment. The county  
23 treasurer shall pay the amount of the reduced apportionment out of the county school fund.

24 *[(2)]* (5) *[In case]* **If** the school district sending *[the]* pupils **to another school district under**  
25 **this section** is a joint district, jurisdiction shall be exercised by the administrative office for the  
26 county in which the most populous part of such district is situated, according to the latest school  
27 census. The office's action in the matter is final.

28 **SECTION 2.** The amendments to ORS 339.125 by section 1 of this 2009 Act apply to con-  
29 tracts entered into under ORS 339.125 on or after the effective date of this 2009 Act.

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 **on its passage.**

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