

Senate Bill 43

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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**.

Allows student to enroll in and attend private alternative education program without written consent from affected districts and contract between affected districts.

Declares emergency, effective July 1, 2009.

A BILL FOR AN ACT

1
2 Relating to private alternative education programs; creating new provisions; amending ORS 336.670;
3 and declaring an emergency.

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

5 **SECTION 1.** ORS 336.670 is amended to read:

6 336.670. (1) A qualified school district may contract with a qualified private alternative educa-
7 tion program to provide services to homeschooled children. A qualified school district that contracts
8 with a program under this section shall evaluate and monitor the program.

9 (2) Other school districts may place students in a qualified private alternative education pro-
10 gram. Except as provided in subsection (1) of this section, if a school district places a student in a
11 program under this subsection, the school district is not required to evaluate and monitor the pro-
12 gram.

13 (3) When necessary to meet a qualified homeschooled child's educational needs and interests, the
14 parent or legal guardian with the approval of the resident district and the attending district may
15 enroll the child in a qualified private alternative education program. **A child may enroll in and**
16 **attend a program under this subsection without the written consent described in ORS 339.133**
17 **(7) or a contract between district school boards described in ORS 339.125.** If the child is de-
18 termined to be eligible for special education under ORS 343.221 to 343.236 and 343.261 to 343.295,
19 the program must be approved by the Department of Education prior to the placement of the student
20 in the program.

21 (4) As a condition of enrolling in a qualified private alternative education program:

22 (a) A qualified homeschooled child may not be required to have previously attended a public
23 school;

24 (b) A school district is not required to find that the student is not benefiting, has not benefited
25 or will not benefit from attendance in public school or other alternative education programs; and

26 (c) A school district is not required to conduct an assessment of the child in order to find that
27 the program would meet the child's educational needs and interests.

28 **SECTION 2.** The amendments to ORS 336.670 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.**
3 _____