

# Enrolled Senate Bill 22

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CHAPTER .....

AN ACT

Relating to education in youth detention programs; creating new provisions; amending ORS 336.585; and declaring an emergency.

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

**SECTION 1.** ORS 336.585 is amended to read:

**336.585. (1) As used in this section:**

(a) **“Juvenile Detention Education Program” means the program defined in ORS 326.695.**

(b) **“Resident district” means the school district in which the parents or legal guardian, if any, of a child resided at the time of the child’s enrollment in the Juvenile Detention Education Program. If the child has no parents or legal guardian, or none can be located, the resident district is the school district in which the child is physically located.**

*[(1)]* (2) The Department of Education shall provide or cause to be provided appropriate education for children *[placed in a detention facility]* **enrolled in an educational program under the Juvenile Detention Education Program.** The Superintendent of Public Instruction may contract with a school district or education service district to provide or cause to be provided appropriate education to children *[placed in a detention facility]* **enrolled in an educational program under the Juvenile Detention Education Program.**

*[(2)]* (3) The superintendent shall pay the costs of providing education to children *[placed in detention facilities]* **enrolled in an educational program under the Juvenile Detention Education Program** from the State School Fund grant allocated *[to the Juvenile Detention Education Program]* for that purpose under ORS 327.026.

*[(3)]* (4) The State Board of Education shall adopt by rule standards to be applied to the operation of the Juvenile Detention Education Program, *[as defined in ORS 326.695.]* **including standards that allow a school district or an education service district under contract with the superintendent to:**

- (a) **Implement an assessment system as provided by ORS 329.485 (3).**
- (b) **Administer a nationally normed assessment as provided by ORS 329.488.**
- (c) **Participate in the Oregon Teacher Corps program created by ORS 329.757 to 329.780.**
- (d) **Participate in the beginning teacher and administrator mentorship program established by ORS 329.788 to 329.820.**
- (e) **Receive funds under ORS chapter 329 as provided by ORS 329.875.**

[4] (5) The superintendent shall ensure that the resident district of each child *[placed in a detention facility]* **enrolled in an educational program under the Juvenile Detention Education Program** is notified, if the resident district can be reasonably identified. The purposes of the notification include, but are not limited to:

- (a) Removing the child from the resident district's census;
- (b) Facilitating transfers of the child's educational records; and
- (c) Facilitating planning for the child's possible return to the resident district.

[5] *As used in this section:*

[a] *"Detention facility" has the meaning given the term in ORS 419A.004.*

[b] *"Placed in a detention facility" means lodged overnight between consecutive days of receiving educational services within the detention facility.*

[c] *"Resident district" means the school district in which the parents or legal guardian, if any, of the child resided at the time of placement. If the child has no parents or legal guardian, or none can be located, the resident district shall be the school district in which the child is physically located.*

**SECTION 2.** (1) **As used in this section, "Youth Corrections Education Program" means the program defined in ORS 326.695.**

(2) **The Department of Education shall provide or cause to be provided appropriate education for children enrolled in an educational program under the Youth Corrections Education Program. The Superintendent of Public Instruction may contract with a school district or education service district to provide or cause to be provided appropriate education to children enrolled in an educational program under the Youth Corrections Education Program.**

(3) **The superintendent shall pay the costs of providing education to children enrolled in an educational program under the Youth Corrections Education Program from the State School Fund grant allocated for that purpose under ORS 327.026.**

(4) **The State Board of Education shall adopt by rule standards to be applied to the operation of the Youth Corrections Education Program, including standards that allow a school district or an education service district under contract with the superintendent to:**

(a) **Award high school diplomas, modified diplomas, extended diplomas and alternative certificates as provided by ORS 329.451 and 339.877.**

(b) **Implement an assessment system as provided by ORS 329.485 (3).**

(c) **Administer a nationally normed assessment as provided by ORS 329.488.**

(d) **Participate in the Oregon Teacher Corps program created by ORS 329.757 to 329.780.**

(e) **Participate in the beginning teacher and administrator mentorship program established by ORS 329.788 to 329.820.**

(f) **Receive funds under ORS chapter 329 as provided by ORS 329.875.**

**SECTION 3.** **Section 2 of this 2011 Act and the amendments to ORS 336.585 by section 1 of this 2011 Act first apply to the 2011-2012 school year.**

**SECTION 4.** **This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect July 1, 2011.**

**Passed by Senate April 13, 2011**

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House June 1, 2011**

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

**Received by Governor:**

.....M,....., 2011

**Approved:**

.....M,....., 2011

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2011

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Kate Brown, Secretary of State