

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Rescind the Subsequent Referral to the Committee on Revenue
Vote:	8 - 0 - 1
Yeas:	Fagan, Gomberg, Gorsek, Huffman, Parrish, Reardon, Sprenger, Whisnant
Nays:	0
Exc.:	Speaker Kotek
Prepared By:	Rick Berkobien, Administrator
Meeting Dates:	3/13, 3/25, 4/1

WHAT THE MEASURE DOES: Prohibits districts that admit nonresidents students from considering race, religion, sex, sexual orientation, ethnicity, national origin, disability and other factors when determining whether to give consent or establishing any terms of consent. Establishes that a district school board considering admission by giving consent may only require name, contact info, birthdate, grade level, and information about student being expelled from a school. Prohibits district school board from requesting from others, when considering admission: 1) information about race, religion, sex and other factors; 2) academic records including participation in a talented and gifted program or special education program; or, 3) request or require student to participate in an interview or request other specified information. Allows district to limit number of students to whom it gives consent. Requires district school board to use lottery selection if number of students seeking admission exceeds limitation, and allows for preference given to siblings in lottery. Permits district school board to revise maximum number of students for whom consent will be given at other than annual date established by board is there are no pending applications. Allows district school board to determine length of time for which consent admission is valid. Requires district school board to provide written explanation to student if it decides not to give consent. Applies to 2014-2015 school year.

ISSUES DISCUSSED:

- Whether a lottery would occur annually after a student was admitted

EFFECT OF COMMITTEE AMENDMENT: Replaces measure.

BACKGROUND: The “open enrollment law,” House Bill 3681 (2011) took effect January 1, 2012. The district can decide whether or not to participate in open enrollment and how many students it is willing to accept. This law requires a district to determine in advance the number of nonresident students they will admit without the consent of the sending district. If the district has more applicants than places available, the district must conduct an equitable lottery to select the students that will be granted transfers. Local school districts have control over the decision of whether to accept students using any of the methods of inter-district transfer.