

Senate Bill 666

Sponsored by Senator DEVLIN; Senator ROBLAN

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 virtual public charter school to receive funding for providing supplemental online courses.

Allows Department of Education to expend moneys from State School Fund to fund supplemental online courses.

Declares emergency, effective July 1, 2013.

A BILL FOR AN ACT

1
2 Relating to public charter schools; creating new provisions; amending ORS 327.008; and declaring
3 an emergency.

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

5 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 338.**

6 **SECTION 2. (1) As used in this section, "supplemental online courses" means online**
7 **courses provided:**

8 (a) **By a virtual public charter school to a student who is enrolled in a public school in**
9 **this state; and**

10 (b) **As less than half of a student's average course load, as determined by the State Board**
11 **of Education by rule.**

12 (2) **Notwithstanding ORS 338.155, a virtual public charter school may receive funding for**
13 **supplemental online courses only as provided by this section.**

14 (3) **Supplemental online courses may be made available to students only through:**

15 (a) **A school district that purchases a course from a virtual public charter school and**
16 **makes the supplemental online course available to a student of the school district; or**

17 (b) **A virtual public charter school that provides the supplemental online course to a**
18 **student enrolled in the virtual public charter school.**

19 (4) **If a student successfully completes a supplemental online course, the Department of**
20 **Education shall make a distribution from moneys available under ORS 327.008 (13) to:**

21 (a) **The school district that purchased the course; or**

22 (b) **The virtual public charter school that provided the course to a student enrolled in the**
23 **school.**

24 (5)(a) **If a student does not successfully complete a supplemental online course, the De-**
25 **partment of Education may not make any distributions from moneys available under ORS**
26 **327.008 (13).**

27 (b) **A virtual public charter school that provided a supplemental online course to a stu-**
28 **dent of a school district who did not successfully complete the supplemental online course**
29 **shall provide a refund to the school district based on the number of weeks of the course that**
30 **the student completed, up to half of the cost of the course as calculated under subsection**

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 **(6)(a) of this section.**

2 **(6)(a) The Department of Education shall calculate the amount to be distributed for a**
 3 **supplemental online course. The amount may not exceed 0.0834 of the weighted average daily**
 4 **membership (ADMw) of the sponsoring school district.**

5 **(b) The school district that is the sponsor of the virtual public charter school may receive**
 6 **up to five percent of the amount distributed from the Department of Education under para-**
 7 **graph (a) of this subsection to pay for the administrative costs of the sponsor.**

8 **(c) The State Board of Education shall adopt by rule any requirements related to the**
 9 **distribution of funds under this subsection, including:**

10 **(A) Timelines for submission of requests for distributions; and**

11 **(B) Provisions for prorating amounts distributed if amounts requested for distribution**
 12 **exceed amounts available for distribution.**

13 **(7) A supplemental online course that is funded as provided by this section:**

14 **(a) Must be taught by a teacher who is licensed by the Teacher Standards and Practices**
 15 **Commission; and**

16 **(b) May not be provided through a third-party entity.**

17 **(8) Prior to distributing funds for a supplemental online course, the Department of Edu-**
 18 **cation must approve the course. When approving the course, the department shall ensure**
 19 **that the course meets the requirements described in subsection (7) of this section.**

20 **(9) For the purpose of determining whether online courses are provided as less than half**
 21 **of a student's average course load, a student shall be considered to be taking online courses**
 22 **as less than half of the student's average course load, even if all courses taken by the stu-**
 23 **dent are online courses, as long as the student's total course load is less than half of an**
 24 **average course load.**

25 **SECTION 3.** ORS 327.008, as amended by section 3, chapter 91, Oregon Laws 2012, is amended
 26 to read:

27 327.008. (1) There is established a State School Fund in the General Fund. The fund shall consist
 28 of moneys appropriated by the Legislative Assembly and moneys transferred from the Education
 29 Stability Fund. The State School Fund is continuously appropriated to the Department of Education
 30 for the purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125, 327.137, 327.348,
 31 336.575, 336.580, 336.635, 342.173, 343.243, 343.533 and 343.961.

32 (2) There shall be apportioned from the State School Fund to each school district a State School
 33 Fund grant, consisting of the positive amount equal to a general purpose grant and a facility grant
 34 and a transportation grant and a high cost disabilities grant minus local revenue, computed as pro-
 35 vided in ORS 327.011 and 327.013.

36 (3) There shall be apportioned from the State School Fund to each education service district a
 37 State School Fund grant as calculated under ORS 327.019.

38 (4) There shall be apportioned from the State School Fund the amount to be transferred to the
 39 Regional Educational Services Account as calculated under ORS 327.009.

40 (5) All figures used in the determination of the distribution of the State School Fund shall be
 41 estimates for the same year as the distribution occurs, unless otherwise specified.

42 (6) Numbers of students in average daily membership used in the distribution formula shall be
 43 the numbers as of June of the year of distribution.

44 (7) A school district may not use the portion of the State School Fund grant that is attributable
 45 to the facility grant for capital construction costs.

1 (8) The total amount of the State School Fund that is distributed as facility grants may not ex-
 2 ceed \$25 million in any biennium. If the total amount to be distributed as facility grants exceeds this
 3 limitation, the Department of Education shall prorate the amount of funds available for facility
 4 grants among those school districts that qualified for a facility grant.

5 (9) Each fiscal year, the Department of Education shall transfer the amount of \$18 million from
 6 the State School Fund to the High Cost Disabilities Account established in ORS 327.348.

7 (10) Each fiscal year, the Department of Education may expend up to \$550,000 from the State
 8 School Fund for the contract described in ORS 329.488. The amount distributed to education service
 9 districts from the State School Fund under this section and ORS 327.019 shall be reduced by the
 10 amount expended by the department under this subsection.

11 (11) Each biennium, the Department of Education may expend up to \$350,000 from the State
 12 School Fund to provide administration of and support for the development of talented and gifted
 13 education under ORS 343.404.

14 (12) Each biennium, the Department of Education may expend up to \$150,000 from the State
 15 School Fund for the administration of a program to increase the number of speech-language
 16 pathologists and speech-language pathology assistants under ORS 348.394 to 348.406.

17 **(13) Each fiscal year, the Department of Education may expend up to \$1.5 million from**
 18 **the State School Fund to fund supplemental online courses as provided by section 2 of this**
 19 **2013 Act.**

20 **SECTION 4. The amendments to ORS 327.008 by section 3 of this 2013 Act apply to State**
 21 **School Fund distributions commencing with the 2013-2014 distributions.**

22 **SECTION 5.** ORS 327.008, as amended by section 3, chapter 91, Oregon Laws 2012, and section
 23 3 of this 2013 Act, is amended to read:

24 327.008. (1) There is established a State School Fund in the General Fund. The fund shall consist
 25 of moneys appropriated by the Legislative Assembly and moneys transferred from the Education
 26 Stability Fund. The State School Fund is continuously appropriated to the Department of Education
 27 for the purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125, 327.137, 327.348,
 28 336.575, 336.580, 336.635, 342.173, 343.243, 343.533 and 343.961.

29 (2) There shall be apportioned from the State School Fund to each school district a State School
 30 Fund grant, consisting of the positive amount equal to a general purpose grant and a facility grant
 31 and a transportation grant and a high cost disabilities grant minus local revenue, computed as pro-
 32 vided in ORS 327.011 and 327.013.

33 (3) There shall be apportioned from the State School Fund to each education service district a
 34 State School Fund grant as calculated under ORS 327.019.

35 (4) There shall be apportioned from the State School Fund the amount to be transferred to the
 36 Regional Educational Services Account as calculated under ORS 327.009.

37 (5) All figures used in the determination of the distribution of the State School Fund shall be
 38 estimates for the same year as the distribution occurs, unless otherwise specified.

39 (6) Numbers of students in average daily membership used in the distribution formula shall be
 40 the numbers as of June of the year of distribution.

41 (7) A school district may not use the portion of the State School Fund grant that is attributable
 42 to the facility grant for capital construction costs.

43 (8) The total amount of the State School Fund that is distributed as facility grants may not ex-
 44 ceed \$25 million in any biennium. If the total amount to be distributed as facility grants exceeds this
 45 limitation, the Department of Education shall prorate the amount of funds available for facility

1 grants among those school districts that qualified for a facility grant.

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3 the State School Fund to the High Cost Disabilities Account established in ORS 327.348.

4 (10) Each fiscal year, the Department of Education may expend up to \$550,000 from the State
5 School Fund for the contract described in ORS 329.488. The amount distributed to education service
6 districts from the State School Fund under this section and ORS 327.019 shall be reduced by the
7 amount expended by the department under this subsection.

8 (11) Each biennium, the Department of Education may expend up to \$350,000 from the State
9 School Fund to provide administration of and support for the development of talented and gifted
10 education under ORS 343.404.

11 (12) Each biennium, the Department of Education may expend up to \$150,000 from the State
12 School Fund for the administration of a program to increase the number of speech-language
13 pathologists and speech-language pathology assistants under ORS 348.394 to 348.406.

14 (13) Each fiscal year, the Department of Education may expend up to [*\$1.5 million*] **\$3.75 million**
15 from the State School Fund to fund supplemental online courses as provided by section 2 of this 2013
16 Act.

17 **SECTION 6. The amendments to ORS 327.008 by section 5 of this 2013 Act apply to State**
18 **School Fund distributions commencing with the 2014-2015 distributions.**

19 **SECTION 7. This 2013 Act being necessary for the immediate preservation of the public**
20 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
21 **July 1, 2013.**

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