

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2747**

1 On page 1 of the printed bill, delete lines 5 through 30 and delete pages  
2 2 and 3 and insert:

3 **“SECTION 1. (1) A district school board that admits nonresident**  
4 **students by giving consent as described in ORS 339.133 (5)(a) may not**  
5 **consider race, religion, sex, sexual orientation, ethnicity, national or-**  
6 **igin, disability, health, whether a student has an individualized edu-**  
7 **cation program, the terms of an individualized education program,**  
8 **income level, residence, proficiency in the English language, athletic**  
9 **ability or academic records when:**

10 **“(a) Determining whether to give consent; or**

11 **“(b) Establishing any terms of consent.**

12 **“(2) A district school board that is considering whether to admit a**  
13 **nonresident student by giving consent may require only the following**  
14 **information prior to deciding whether to give consent:**

15 **“(a) The name, contact information, date of birth and grade level**  
16 **of the student; and**

17 **“(b) Information about whether the school district may be pre-**  
18 **vented or otherwise limited from providing consent as provided by**  
19 **ORS 339.115 (8).**

20 **“(3) A district school board that is considering whether to admit a**  
21 **nonresident student by giving consent may not:**

22 **“(a) Request or require any person to provide or have provided any**

1 of the following information related to a student prior to the district  
2 school board deciding whether to give consent to the student:

3 “(A) Information about the student’s race, religion, sex, sexual  
4 orientation, ethnicity, national origin, disability, health, whether a  
5 student has an individualized education program, the terms of an in-  
6 dividualized education program, income level, residence, proficiency  
7 in the English language or athletic ability; or

8 “(B) Academic records, including eligibility for or participation in  
9 a talented and gifted program or special education and related ser-  
10 vices.

11 “(b) Request or require the student to participate in an interview  
12 or to otherwise meet with any representatives of a school or a school  
13 district prior to the district school board deciding whether to give  
14 consent to the student.

15 “(c) Request any information used to supplement the information  
16 described in subsection (2) of this section prior to deciding whether to  
17 give consent to the student.

18 “(4)(a) A district school board that admits nonresident students by  
19 giving consent as described in ORS 339.133 (5)(a) may limit the number  
20 of students to whom consent is given. The district school board must  
21 make the determination whether to limit the number of students to  
22 whom consent is given by an annual date established by the board.

23 “(b) If the number of students seeking admission exceeds any limi-  
24 tations imposed by the district school board, the board must admit  
25 nonresident students based on an equitable lottery selection process.  
26 The process may give priority to students who have siblings currently  
27 enrolled in a school of the school district.

28 “(c) A district school board may revise the maximum number of  
29 students to whom consent will be given at a time other than the an-  
30 nual date established by the board if there are no pending applications

1 for consent.

2 “(5) A district school board that is requested to give consent to al-  
3 low a resident student to be admitted by another school district as  
4 described in ORS 339.133 (5)(a) may not consider race, religion, sex,  
5 sexual orientation, ethnicity, national origin, disability, health,  
6 whether a student has an individualized education program, the terms  
7 of an individualized education program, income level, residence, pro-  
8 ficiency in the English language, athletic ability or academic records  
9 when determining whether to give consent.

10 “(6) If a district school board decides to not give consent to a stu-  
11 dent, the board must provide a written explanation to the student.

12 “(7) A district school board that gives consent as provided by ORS  
13 339.133 (5)(a) may determine the length of time for which consent is  
14 given. Any limitations in length of time must be applied consistently  
15 among all students to whom consent is given.

16 “(8) Nothing in this section:

17 “(a) Requires a district school board to admit siblings if the board  
18 imposes limitations on the number of students admitted by consent.

19 “(b) Prevents a district school board from denying admission to a  
20 nonresident student as provided by ORS 339.115 (8).

21 **“SECTION 2. (1) Section 1 of this 2013 Act first applies to:**

22 “(a) Nonresident students who seek admission for the 2014-2015  
23 school year; and

24 “(b) State School Fund distributions commencing with the 2014-2015  
25 distributions.

26 “(2) Nothing in section 1 of this 2013 Act affects the status of a  
27 nonresident student who was admitted as provided by ORS 339.125 or  
28 339.133 (5)(a) prior to the 2014-2015 school year.

29 **“SECTION 3. Section 1 of this 2013 Act is amended to read:**

30 **“Sec. 1. (1) A district school board that admits nonresident students by**

1 giving consent as described in ORS 339.133 (5)[(a)] may not consider race,  
2 religion, sex, sexual orientation, ethnicity, national origin, disability, health,  
3 whether a student has an individualized education program, the terms of an  
4 individualized education program, income level, residence, proficiency in the  
5 English language, athletic ability or academic records when:

6 “(a) Determining whether to give consent; or

7 “(b) Establishing any terms of consent.

8 “(2) A district school board that is considering whether to admit a non-  
9 resident student by giving consent may require only the following informa-  
10 tion prior to deciding whether to give consent:

11 “(a) The name, contact information, date of birth and grade level of the  
12 student; and

13 “(b) Information about whether the school district may be prevented or  
14 otherwise limited from providing consent as provided by ORS 339.115 (8).

15 “(3) A district school board that is considering whether to admit a non-  
16 resident student by giving consent may not:

17 “(a) Request or require any person to provide or have provided any of the  
18 following information related to a student prior to the district school board  
19 deciding whether to give consent to the student:

20 “(A) Information about the student’s race, religion, sex, sexual orien-  
21 tation, ethnicity, national origin, disability, health, whether a student has  
22 an individualized education program, the terms of an individualized educa-  
23 tion program, income level, residence, proficiency in the English language  
24 or athletic ability; or

25 “(B) Academic records, including eligibility for or participation in a tal-  
26 ented and gifted program or special education and related services.

27 “(b) Request or require the student to participate in an interview or to  
28 otherwise meet with any representatives of a school or a school district prior  
29 to the district school board deciding whether to give consent to the student.

30 “(c) Request any information used to supplement the information de-

1 scribed in subsection (2) of this section prior to deciding whether to give  
2 consent to the student.

3 “(4)(a) A district school board that admits nonresident students by giving  
4 consent as described in ORS 339.133 (5)[(a)] may limit the number of students  
5 to whom consent is given. The district school board must make the determi-  
6 nation whether to limit the number of students to whom consent is given by  
7 an annual date established by the board.

8 “(b) If the number of students seeking admission exceeds any limitations  
9 imposed by the district school board, the board must admit nonresident stu-  
10 dents based on an equitable lottery selection process. The process may give  
11 priority to students who have siblings currently enrolled in a school of the  
12 school district.

13 “(c) A district school board may revise the maximum number of students  
14 to whom consent will be given at a time other than the annual date estab-  
15 lished by the board if there are no pending applications for consent.

16 “(5) A district school board that is requested to give consent to allow a  
17 resident student to be admitted by another school district as described in  
18 ORS 339.133 (5)[(a)] may not consider race, religion, sex, sexual orientation,  
19 ethnicity, national origin, disability, health, whether a student has an indi-  
20 vidualized education program, the terms of an individualized education pro-  
21 gram, income level, residence, proficiency in the English language, athletic  
22 ability or academic records when determining whether to give consent.

23 “(6) If a district school board decides to not give consent to a student, the  
24 board must provide a written explanation to the student.

25 “(7) A district school board that gives consent as provided by ORS 339.133  
26 (5)[(a)] may determine the length of time for which consent is given. Any  
27 limitations in length of time must be applied consistently among all students  
28 to whom consent is given.

29 “(8) Nothing in this section:

30 “(a) Requires a district school board to admit siblings if the board im-

1 poses limitations on the number of students admitted by consent.

2 “(b) Prevents a district school board from denying admission to a non-  
3 resident student as provided by ORS 339.115 (8).

4 **“SECTION 4.** Section 20, chapter 718, Oregon Laws 2011, is amended to  
5 read:

6 **“Sec. 20.** (1) The amendments to ORS 327.006, 329.485, 332.405, 339.115,  
7 339.134 and 343.151 by sections 11 to 14, 17 and 18 [*of this 2011 Act*], **chapter**  
8 **718, Oregon Laws 2011**, become operative on January 1, 2012.

9 “(2) The amendments to ORS 339.133 by section 19 [*of this 2011 Act*],  
10 **chapter 718, Oregon Laws 2011, and the amendments to section 1 of**  
11 **this 2013 Act by section 3 of this 2013 Act** become operative on July 1,  
12 2017.

13 “(3) The amendments to ORS 339.133 by section 19 [*of this 2011 Act*],  
14 **chapter 718, Oregon Laws 2011**, first apply to the 2017-2018 school year.”.

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