

D R A F T

SUMMARY

Removes requirement that school district transfer moneys to other school district for student who attends public charter school in school district and is resident of other school district.

Declares emergency, effective July 1, 2015.

A BILL FOR AN ACT

1
2 Relating to funding for public charter schools; creating new provisions;
3 amending ORS 338.155; and declaring an emergency.

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

5 **SECTION 1.** ORS 338.155 is amended to read:

6 338.155. (1)(a) Students of a public charter school shall be considered to
7 be residents of the school district in which the public charter school is lo-
8 cated for purposes of distribution of the State School Fund.

9 (b)(A) For the purpose of determining the amounts to be distributed from
10 the State School Fund to a school district in which a public charter school
11 is located, the district extended ADMw described in ORS 327.013 shall be
12 determined by:

13 (i) Separately calculating the extended ADMw for students at the public
14 charter school and the extended ADMw for students at nonchartered public
15 schools in the school district; and

16 (ii) Adding the extended ADMw for students at the public charter school
17 and the extended ADMw for students at nonchartered public schools in the
18 school district.

19 (B) Except as provided in subparagraph (A) of this paragraph:

20 (i) All other calculations made under ORS 327.013 shall be made as

1 though the students enrolled at a public charter school were students en-
2 rolled at the public schools in the school district in which the public charter
3 school is located; and

4 (ii) All references to the district extended ADMw shall be based on the
5 calculation made under subparagraph (A)(ii) of this paragraph.

6 (C) All amounts to be distributed from the State School Fund to public
7 charter schools shall first be distributed to the school district in which the
8 public charter school is located.

9 (2) A school district shall contractually establish, with any public charter
10 school that is sponsored by the board of the school district, payment for
11 provision of educational services to the public charter school's students. The
12 payment shall equal an amount per weighted average daily membership
13 (ADMw) of the public charter school that is at least equal to:

14 (a) Eighty percent of the amount of the school district's General Purpose
15 Grant per ADMw as calculated under ORS 327.013 for students who are en-
16 rolled in kindergarten through grade eight; and

17 (b) Ninety-five percent of the amount of the school district's General
18 Purpose Grant per ADMw as calculated under ORS 327.013 for students who
19 are enrolled in grades 9 through 12.

20 (3) A school district shall contractually establish, with any public charter
21 school that is sponsored by the State Board of Education or an institution
22 of higher education and that is within the boundaries of the school district,
23 payment for provision of educational services to the public charter school's
24 students. The payment shall equal an amount per weighted average daily
25 membership (ADMw) of the public charter school that is at least equal to:

26 (a) Ninety percent of the amount of the school district's General Purpose
27 Grant per ADMw as calculated under ORS 327.013 for students who are en-
28 rolled in kindergarten through grade eight; and

29 (b) Ninety-five percent of the amount of the school district's General
30 Purpose Grant per ADMw as calculated under ORS 327.013 for students who
31 are enrolled in grades 9 through 12.

1 (4) The estimated amount of each school district's General Purpose Grant
2 per ADMw shall be determined each year by the Department of Education
3 and made available to all school districts.

4 (5) The school district in which the public charter school is located shall
5 transfer an amount per weighted average daily membership (ADMw) of the
6 public charter school that is equal to 50 percent of the amount of the school
7 district's General Purpose Grant per ADMw as calculated under ORS 327.013
8 that is not paid to the public charter school through a contract created
9 pursuant to subsection [(2) or] (3) of this section to:

10 [(a) *For a public charter school sponsored by a school district, any school*
11 *district in which the parent or guardian of, or person in parental relationship*
12 *to, a student of a public charter school resides pursuant to ORS 339.133 and*
13 *339.134;*]

14 [(b)] (a) For a public charter school sponsored by the State Board of Ed-
15 ucation, the Department of Education; or

16 [(c)] (b) For a public charter school sponsored by an institution of higher
17 education, the institution of higher education.

18 (6) The department may use any moneys received under this section for
19 activities related to public charter schools.

20 (7) A school district and a public charter school may negotiate to estab-
21 lish a payment for the provision of educational services to the public charter
22 school's students that is more than the minimum amounts specified in sub-
23 section (2) or (3) of this section.

24 (8) A school district shall send payment to a public charter school based
25 on a contract negotiated under this section within 10 days after receiving
26 payments from the State School Fund pursuant to ORS 327.095.

27 (9)(a) A public charter school may apply for any grant that is available
28 to school districts or nonchartered public schools from the Department of
29 Education. The department shall consider the application of the public
30 charter school in the same manner as an application from a school district
31 or nonchartered public school.

1 (b) The department shall award any grant that is available to school dis-
2 tricts based solely on the weighted average daily membership (ADMw) of the
3 school district directly to the public charter school. This paragraph does not
4 apply to any grant from the State School Fund.

5 **SECTION 2. The amendments to ORS 338.155 by section 1 of this**
6 **2015 Act apply to State School Fund distributions made for transfer**
7 **to public charter schools commencing with the 2015-2016 distributions.**

8 **SECTION 3. This 2015 Act being necessary for the immediate pres-**
9 **ervation of the public peace, health and safety, an emergency is de-**
10 **clared to exist, and this 2015 Act takes effect July 1, 2015.**

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