

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Education

MEASURE: SB 820 B
CARRIER: Rep. Huffman

Fiscal: Fiscal impact issued

Revenue: No Revenue Impact

Action Date: 06/03/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 05/20, 05/27, 06/03

Vote:

Yeas: 9 - Barreto, Doherty, Frederick, Hack, McLain, Piluso, Reardon, Sprenger, Wilson

Prepared By: Richard Donovan, Committee Administrator

WHAT THE MEASURE DOES:

Allows public charter school to implement weighted lottery for historically underserved students. Defines “historically underserved students.” Sunsets authorization for weighted lotteries in 2020-21 school year. Mandates review of and report on the implementation of weighted lotteries prior to sunset. Requires consideration of combination of “two or more” factors in determination of traditionally underserved status. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Role that charter schools play in educating historically underserved groups
- Concern with potential constitutional issues of legislation
- Limited ability of charter schools to prioritize historically underserved groups under current law
- Existing ability of charter schools to better serve traditionally underserved groups by increasing outreach and assistance to underserved groups during the application process
- Processes around, laws relating to charter school lottery
- Value amendments in terms of sunset on authorization in order to gather results, review report
- Constitutionality of measure, specific steps to incorporate language recommended by federal and state agencies to preserve constitutionality

EFFECT OF COMMITTEE AMENDMENT:

Sunsets authorization for weighted lotteries in 2020-21 school year. Mandates review of and report on the implementation of weighted lotteries prior to sunset. Requires consideration of combination of “two or more” factors in determination of traditionally underserved status.

BACKGROUND:

ORS 338.125 currently prohibits public charter schools from limiting student enrollment based on race, religion, sex, sexual orientation, ethnicity, national origin, disability, the terms of an individualized education program, income level, proficiency in the English language, or athletic ability. If the number of applications from students who reside in the school district exceeds the school’s capacity, ORS 338.125 requires the public charter school to select students through a lottery, but allows schools that have existed for one or more years to prioritize previously enrolled students, siblings, or students who reside in the school district that is the sponsor of the public charter school or in a school district that is a party to the cooperative agreement with the charter school.

Senate Bill 820-A amends ORS 338.125 to allow public charter schools to implement a weighted lottery for historically underserved students. The bill defines “historically underserved students” as students at risk because of

any combination of race, ethnicity, English language proficiency, socioeconomic status, gender, sexual orientation, disability, and geographic location. The measure sunsets the weighted lottery authorization after for the 2020-21 school year, and requires the Department of Education to produce a report about the lottery results prior to that sunset.