

Enrolled
House Bill 3045

Sponsored by COMMITTEE ON EDUCATION

CHAPTER

AN ACT

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

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

SECTION 1. ORS 338.155 is amended to read:

338.155. (1)(a) Students of a public charter school shall be considered to be residents of the school district in which the public charter school is located for purposes of distribution of the State School Fund.

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

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

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

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

(i) All other calculations made under ORS 327.013 shall be made as though the students enrolled at a public charter school were students enrolled at the public schools in the school district in which the public charter school is located; and

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

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

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

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

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

(3) A school district shall contractually establish, with any public charter school that is sponsored by the State Board of Education or an institution of higher education and that is within the boundaries of the school district, payment for provision of educational services to the public charter

school's students. The payment shall equal an amount per weighted average daily membership (ADMw) of the public charter school that is at least equal to:

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

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

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

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

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

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

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

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

(7) A school district and a public charter school may negotiate to establish a payment for the provision of educational services to the public charter school's students that is more than the minimum amounts specified in subsection (2) or (3) of this section.

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

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

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

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

SECTION 3. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect July 1, 2015.

Passed by House April 15, 2015

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate May 20, 2015

.....
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

.....
Jeanne P. Atkins, Secretary of State