

**PROPOSED AMENDMENTS TO
HOUSE BILL 2657**

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

3 **“SECTION 1.** ORS 327.006 is amended to read:

4 “327.006. As used in ORS 327.006 to 327.133, 327.348 and 327.731 and
5 sections 1 to 3, chapter 735, Oregon Laws 2013:

6 “(1) ‘Aggregate days membership’ means the [*sum of days present and ab-*
7 *sent, according to the rules of the State Board of Education, of all resident*
8 *pupils*] **total number of days, as determined according to rules of the**
9 **State Board of Education that may prescribe a minimum number of**
10 **instructional hours for a half-day program or a full-day program,** when
11 school is actually in session during a certain period **and when all resident**
12 **pupils are present, have an excused absence or are absent for a reli-**
13 **gious observance or practice.** The aggregate days membership of
14 kindergarten pupils shall be calculated on the basis of a half-day program.

15 “(2)(a) ‘Approved transportation costs’ means those costs as defined by
16 rule of the State Board of Education and is limited to those costs attribut-
17 able to transporting or room and board provided in lieu of transporting:

18 “(A) Elementary school students who live at least one mile from school;

19 “(B) Secondary school students who live at least 1.5 miles from school;

20 “(C) Any student required to be transported for health or safety reasons,
21 according to supplemental plans from districts that have been approved by
22 the state board identifying students who are required to be transported for

1 health or safety reasons, including special education;

2 “(D) Preschool children with disabilities requiring transportation for
3 early intervention services provided pursuant to ORS 343.224 and 343.533;

4 “(E) Students who require payment of room and board in lieu of trans-
5 portation;

6 “(F) A student transported from one school or facility to another school
7 or facility when the student attends both schools or facilities during the day
8 or week; and

9 “(G) Students participating in school-sponsored field trips that are exten-
10 sions of classroom learning experiences.

11 “(b) ‘Approved transportation costs’ does not include the cost of con-
12 structing boarding school facilities.

13 “(3) ‘Average daily membership’ or ‘ADM’ means the aggregate days
14 membership of a school during a certain period divided by the number of
15 days the school was actually in session during the same period. However, if
16 a district school board adopts a class schedule that operates throughout the
17 year for all or any schools in the district, average daily membership shall
18 be computed by the Department of Education so that the resulting average
19 daily membership will not be higher or lower than if the board had not
20 adopted such schedule.

21 “(4) ‘Consumer Price Index’ means the Consumer Price Index for All Ur-
22 ban Consumers of the Portland, Oregon, Metropolitan Statistical Area, as
23 compiled by the United States Department of Labor, Bureau of Labor Sta-
24 tistics.

25 “(5) ‘Kindergarten’ means a kindergarten program that conforms to the
26 standards and rules adopted by the State Board of Education.

27 “(6) ‘Net operating expenditures’ means the sum of expenditures of a
28 school district in kindergarten through grade 12 for administration, instruc-
29 tion, attendance and health services, operation of plant, maintenance of
30 plant, fixed charges and tuition for resident students attending in another

1 district, as determined in accordance with the rules of the State Board of
2 Education, but net operating expenditures does not include transportation,
3 food service, student body activities, community services, capital outlay, debt
4 service or expenses incurred for nonresident students.

5 “(7)(a) ‘Resident pupil’ means any pupil:

6 “(A) Whose legal school residence is within the boundaries of a school
7 district reporting the pupil, if the district is legally responsible for the edu-
8 cation of the pupil, except that ‘resident pupil’ does not include a pupil who
9 pays tuition or for whom the parent pays tuition or for whom the district
10 does not pay tuition for placement outside the district; or

11 “(B) Whose legal residence is not within the boundaries of the district
12 reporting the pupil but who attends school in the district with the written
13 consent of the district school board where the school is located as provided
14 by ORS 339.133 (5).

15 “(b) A pupil is not considered to be a resident pupil under paragraph
16 (a)(A) of this subsection if the pupil is attending school in another school
17 district pursuant to a contract under ORS 339.125 and in the prior year was
18 considered to be a resident pupil in another school district under paragraph
19 (a)(B) of this subsection. The pupil shall continue to be considered a resident
20 of another school district under paragraph (a)(B) of this subsection.

21 “(c) A pupil is not considered to be a resident pupil under paragraph
22 (a)(B) of this subsection if the pupil is attending school in a school district
23 pursuant to ORS 339.133 (5) and in the prior year was considered to be a
24 resident pupil under paragraph (a)(A) of this subsection because the pupil
25 was attending school in another school district pursuant to a contract under
26 ORS 339.125. The pupil shall continue to be considered a resident pupil under
27 paragraph (a)(A) of this subsection.

28 “(d) ‘Resident pupil’ includes a pupil admitted to a school district under
29 ORS 339.115 (7).

30 “(8) ‘Standard school’ means a school meeting the standards set by the

1 rules of the State Board of Education.

2 “(9) ‘Tax’ and ‘taxes’ includes all taxes on property, excluding exempt
3 bonded indebtedness, as those terms are defined in ORS 310.140.

4 **“SECTION 2.** ORS 327.006, as amended by section 7, chapter 704, Oregon
5 Laws 2011, and section 5, chapter 735, Oregon Laws 2013, is amended to read:

6 “327.006. As used in ORS 327.006 to 327.133, 327.348 and 327.731:

7 “(1) ‘Aggregate days membership’ means the [*sum of days present and ab-*
8 *sent, according to the rules of the State Board of Education, of all resident*
9 *pupils*] **total number of days, as determined according to rules of the**
10 **State Board of Education that may prescribe a minimum number of**
11 **instructional hours for a half-day program or a full-day program,** when
12 school is actually in session during a certain period **and when all resident**
13 **pupils are present, have an excused absence or are absent for a reli-**
14 **gious observance or practice.** The aggregate days membership of
15 kindergarten pupils shall be calculated on the basis of a half-day program
16 for half-day kindergarten and on the basis of a full-day program for full-day
17 kindergarten.

18 “(2)(a) ‘Approved transportation costs’ means those costs as defined by
19 rule of the State Board of Education and is limited to those costs attribut-
20 able to transporting or room and board provided in lieu of transporting:

21 “(A) Elementary school students who live at least one mile from school;

22 “(B) Secondary school students who live at least 1.5 miles from school;

23 “(C) Any student required to be transported for health or safety reasons,
24 according to supplemental plans from districts that have been approved by
25 the state board identifying students who are required to be transported for
26 health or safety reasons, including special education;

27 “(D) Preschool children with disabilities requiring transportation for
28 early intervention services provided pursuant to ORS 343.224 and 343.533;

29 “(E) Students who require payment of room and board in lieu of trans-
30 portation;

1 “(F) A student transported from one school or facility to another school
2 or facility when the student attends both schools or facilities during the day
3 or week; and

4 “(G) Students participating in school-sponsored field trips that are exten-
5 sions of classroom learning experiences.

6 “(b) ‘Approved transportation costs’ does not include the cost of con-
7 structing boarding school facilities.

8 “(3) ‘Average daily membership’ or ‘ADM’ means the aggregate days
9 membership of a school during a certain period divided by the number of
10 days the school was actually in session during the same period. However, if
11 a district school board adopts a class schedule that operates throughout the
12 year for all or any schools in the district, average daily membership shall
13 be computed by the Department of Education so that the resulting average
14 daily membership will not be higher or lower than if the board had not
15 adopted such schedule.

16 “(4) ‘Consumer Price Index’ means the Consumer Price Index for All Ur-
17 ban Consumers of the Portland, Oregon, Metropolitan Statistical Area, as
18 compiled by the United States Department of Labor, Bureau of Labor Sta-
19 tistics.

20 “(5) ‘Kindergarten’ means a kindergarten program that conforms to the
21 standards and rules adopted by the State Board of Education.

22 “(6) ‘Net operating expenditures’ means the sum of expenditures of a
23 school district in kindergarten through grade 12 for administration, instruc-
24 tion, attendance and health services, operation of plant, maintenance of
25 plant, fixed charges and tuition for resident students attending in another
26 district, as determined in accordance with the rules of the State Board of
27 Education, but net operating expenditures does not include transportation,
28 food service, student body activities, community services, capital outlay, debt
29 service or expenses incurred for nonresident students.

30 “(7)(a) ‘Resident pupil’ means any pupil:

1 “(A) Whose legal school residence is within the boundaries of a school
2 district reporting the pupil, if the district is legally responsible for the edu-
3 cation of the pupil, except that ‘resident pupil’ does not include a pupil who
4 pays tuition or for whom the parent pays tuition or for whom the district
5 does not pay tuition for placement outside the district; or

6 “(B) Whose legal residence is not within the boundaries of the district
7 reporting the pupil but who attends school in the district with the written
8 consent of the district school board where the school is located as provided
9 by ORS 339.133 (5).

10 “(b) A pupil is not considered to be a resident pupil under paragraph
11 (a)(A) of this subsection if the pupil is attending school in another school
12 district pursuant to a contract under ORS 339.125 and in the prior year was
13 considered to be a resident pupil in another school district under paragraph
14 (a)(B) of this subsection. The pupil shall continue to be considered a resident
15 of another school district under paragraph (a)(B) of this subsection.

16 “(c) A pupil is not considered to be a resident pupil under paragraph
17 (a)(B) of this subsection if the pupil is attending school in a school district
18 pursuant to ORS 339.133 (5) and in the prior year was considered to be a
19 resident pupil under paragraph (a)(A) of this subsection because the pupil
20 was attending school in another school district pursuant to a contract under
21 ORS 339.125. The pupil shall continue to be considered a resident pupil under
22 paragraph (a)(A) of this subsection.

23 “(d) ‘Resident pupil’ includes a pupil admitted to a school district under
24 ORS 339.115 (7).

25 “(8) ‘Standard school’ means a school meeting the standards set by the
26 rules of the State Board of Education.

27 “(9) ‘Tax’ and ‘taxes’ includes all taxes on property, excluding exempt
28 bonded indebtedness, as those terms are defined in ORS 310.140.

29 **“SECTION 3. (1) The amendments to ORS 327.006 by sections 1 and**
30 **2 of this 2015 Act become operative on July 1, 2020.**

1 “(2) The amendments to ORS 327.006 by sections 1 and 2 of this 2015
2 Act first apply to State School Fund distributions commencing with
3 the 2020-2021 distributions.

4 “SECTION 4. Section 5 of this 2015 Act is added to and made a part
5 of ORS 327.006 to 327.133.

6 “SECTION 5. Notwithstanding ORS 327.006 (1), aggregate days
7 membership shall be calculated based on the total number of days, as
8 determined according to rules of the State Board of Education that
9 may prescribe a minimum number of instructional hours for a half-
10 day program or a full-day program, when school is actually in session
11 during a certain period and when all resident pupils are present, have
12 an excused absence or are absent for a religious observance or prac-
13 tice:

14 “(1) For pupils in kindergarten, for State School Fund distributions
15 made for the 2016-2017 school year.

16 “(2) For pupils in kindergarten and in grades one and two, for State
17 School Fund distributions made for the 2017-2018 school year.

18 “(3) For pupils in kindergarten and in grades one through four, for
19 State School Fund distributions made for the 2018-2019 school year.

20 “(4) For pupils in kindergarten and in grades one through eight, for
21 State School Fund distributions made for the 2019-2020 school year.

22 “SECTION 6. This 2015 Act takes effect on July 1, 2016.”.

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