

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

5 “(1) ‘Aggregate days membership’ means the [*sum*] **total number** of days
6 present [*and absent*], according to the rules of the State Board of Education,
7 of all resident pupils when school is actually in session during a certain
8 period. The aggregate days membership of kindergarten pupils shall be cal-
9 culated on the basis of a half-day program.

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

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

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

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

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

21 “(E) Students who require payment of room and board in lieu of trans-
22 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 2.** ORS 327.006, as amended by section 7, chapter 704, Oregon
30 Laws 2011, and section 5, chapter 735, Oregon Laws 2013, is amended to read:

1 “327.006. As used in ORS 327.006 to 327.133, 327.348 and 327.731:

2 “(1) ‘Aggregate days membership’ means the [*sum*] **total number** of days
3 present [*and absent*], according to the rules of the State Board of Education,
4 of all resident pupils when school is actually in session during a certain
5 period. The aggregate days membership of kindergarten pupils shall be cal-
6 culated on the basis of a half-day program for half-day kindergarten and on
7 the basis of a full-day program for full-day kindergarten.

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

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

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

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

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

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

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

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

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

28 “(3) ‘Average daily membership’ or ‘ADM’ means the aggregate days
29 membership of a school during a certain period divided by the number of
30 days the school was actually in session during the same period. However, if

1 a district school board adopts a class schedule that operates throughout the
2 year for all or any schools in the district, average daily membership shall
3 be computed by the Department of Education so that the resulting average
4 daily membership will not be higher or lower than if the board had not
5 adopted such schedule.

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

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

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

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

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

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

30 “(b) A pupil is not considered to be a resident pupil under paragraph

1 (a)(A) of this subsection if the pupil is attending school in another school
2 district pursuant to a contract under ORS 339.125 and in the prior year was
3 considered to be a resident pupil in another school district under paragraph
4 (a)(B) of this subsection. The pupil shall continue to be considered a resident
5 of another school district under paragraph (a)(B) of this subsection.

6 “(c) A pupil is not considered to be a resident pupil under paragraph
7 (a)(B) of this subsection if the pupil is attending school in a school district
8 pursuant to ORS 339.133 (5) and in the prior year was considered to be a
9 resident pupil under paragraph (a)(A) of this subsection because the pupil
10 was attending school in another school district pursuant to a contract under
11 ORS 339.125. The pupil shall continue to be considered a resident pupil under
12 paragraph (a)(A) of this subsection.

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

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

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

19 **“SECTION 3. (1) The amendments to ORS 327.006 by sections 1 and
20 2 of this 2015 Act become operative on July 1, 2020.**

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

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

26 **“SECTION 5. Notwithstanding ORS 327.006 (1), aggregate days
27 membership shall be calculated based on the total number of days
28 present, according to the rules of the State Board of Education, of all
29 resident pupils when school is actually in session during a certain pe-
30 riod:**

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

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

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

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

9 **“SECTION 6. This 2015 Act takes effect on July 1, 2016.’.**

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