

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2150**

1 On page 1 of the printed A-engrossed bill, line 3, after “ORS” delete the  
2 rest of the line and insert “327.008, 327.013, 329.488 and 338.155; and declaring  
3 an emergency.”.

4 Delete lines 5 through 25 and delete pages 2 through 5 and insert:

5 **“SECTION 1. ORS 327.008, as amended by section 6, chapter 81, Oregon  
6 Laws 2014, is amended to read:**

7 “327.008. (1) There is established a State School Fund in the General  
8 Fund. The fund shall consist of moneys appropriated by the Legislative As-  
9 sembly and moneys transferred from the Education Stability Fund. The State  
10 School Fund is continuously appropriated to the Department of Education  
11 for the purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125,  
12 327.137, 327.348, 336.575, 336.580, 336.635, 342.173, 343.243, 343.533 and 343.961  
13 and sections 1 to 3, chapter 735, Oregon Laws 2013, and section 2, chapter  
14 81, Oregon Laws 2014.

15 “(2) There shall be apportioned from the State School Fund to each school  
16 district a State School Fund grant, consisting of the positive amount equal  
17 to a general purpose grant and a facility grant and a transportation grant  
18 and a high cost disabilities grant minus local revenue, computed as provided  
19 in ORS 327.011 and 327.013.

20 **“(3) For the first school year after a public charter school ceases  
21 to operate because of dissolution or closure or because of termination  
22 or nonrenewal of a charter, there shall be apportioned from the State**

1 **School Fund to each school district that had sponsored a public char-**  
2 **ter school that ceased to operate an amount equal to the school**  
3 **district’s general purpose grant per extended ADMw multiplied by five**  
4 **percent of the ADM of the public charter school for the previous**  
5 **school year.**

6 “[3] (4) There shall be apportioned from the State School Fund to each  
7 education service district a State School Fund grant as calculated under ORS  
8 327.019.

9 “[4] (5) All figures used in the determination of the distribution of the  
10 State School Fund shall be estimates for the same year as the distribution  
11 occurs, unless otherwise specified.

12 “[5] (6) Numbers of students in average daily membership used in the  
13 distribution formula shall be the numbers as of June of the year of distrib-  
14 ution.

15 “[6] (7) A school district may not use the portion of the State School  
16 Fund grant that is attributable to the facility grant for capital construction  
17 costs.

18 “[7] (8) The total amount of the State School Fund that is distributed  
19 as facility grants may not exceed \$20 million in any biennium. If the total  
20 amount to be distributed as facility grants exceeds this limitation, the De-  
21 partment of Education shall prorate the amount of funds available for facil-  
22 ity grants among those school districts that qualified for a facility grant.

23 “[8] (9) Each fiscal year, the Department of Education shall transfer to  
24 the Pediatric Nursing Facility Account established in section 5, chapter 81,  
25 Oregon Laws 2014, the amount necessary to pay the costs of educational  
26 services provided to students admitted to pediatric nursing facilities as pro-  
27 vided in section 2, chapter 81, Oregon Laws 2014.

28 “[9] (10) Each fiscal year, the Department of Education shall transfer  
29 the amount of \$18 million from the State School Fund to the High Cost  
30 Disabilities Account established in ORS 327.348.

1        “[~~(10)(a)~~] **(11)(a)** Each biennium, the Department of Education shall  
2 transfer \$33 million from the State School Fund to the Network of Quality  
3 Teaching and Learning Fund established under ORS 342.953.

4        “(b) For the purpose of making the transfer under this subsection:

5        “(A) The total amount available for all distributions from the State  
6 School Fund shall be reduced by \$5 million;

7        “(B) The amount distributed to school districts from the State School  
8 Fund under this section and ORS 327.013 shall be reduced by \$14 million; and

9        “(C) The amount distributed to education service districts from the State  
10 School Fund under this section and ORS 327.019 shall be reduced by \$14  
11 million.

12        “(c) For each biennium, the amounts identified in paragraph (b)(B) and  
13 (C) of this subsection shall be adjusted by the same percentage by which the  
14 amount appropriated to the State School Fund for that biennium is increased  
15 or decreased compared to the preceding biennium, as determined by the De-  
16 partment of Education after consultation with the Legislative Fiscal Officer.

17        “[~~(11)~~] **(12)** Each fiscal year, the Department of Education may expend up  
18 to \$550,000 from the State School Fund for the contract described in ORS  
19 329.488. The amount distributed to education service districts from the State  
20 School Fund under this section and ORS 327.019 shall be reduced by the  
21 amount expended by the department under this subsection.

22        “[~~(12)~~] **(13)** Each biennium, the Department of Education may expend up  
23 to \$350,000 from the State School Fund to provide administration of and  
24 support for the development of talented and gifted education under ORS  
25 343.404.

26        “[~~(13)~~] **(14)** Each biennium, the Department of Education may expend up  
27 to \$150,000 from the State School Fund for the administration of a program  
28 to increase the number of speech-language pathologists and speech-language  
29 pathology assistants under ORS 348.394 to 348.406.

30        “[~~(14)~~] **(15)** Each fiscal year, the Department of Education shall transfer

1 the amount of \$2.5 million from the State School Fund to the Small School  
2 District Supplement Fund established in section 3, chapter 735, Oregon Laws  
3 2013.

4 **“SECTION 2.** ORS 327.008, as amended by section 7, chapter 735, Oregon  
5 Laws 2013, and section 7, chapter 81, Oregon Laws 2014, is amended to read:

6 “327.008. (1) There is established a State School Fund in the General  
7 Fund. The fund shall consist of moneys appropriated by the Legislative As-  
8 sembly and moneys transferred from the Education Stability Fund. The State  
9 School Fund is continuously appropriated to the Department of Education  
10 for the purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125,  
11 327.137, 327.348, 336.575, 336.580, 336.635, 342.173, 343.243, 343.533 and 343.961  
12 and section 2, chapter 81, Oregon Laws 2014.

13 “(2) There shall be apportioned from the State School Fund to each school  
14 district a State School Fund grant, consisting of the positive amount equal  
15 to a general purpose grant and a facility grant and a transportation grant  
16 and a high cost disabilities grant minus local revenue, computed as provided  
17 in ORS 327.011 and 327.013.

18 **“(3) For the first school year after a public charter school ceases**  
19 **to operate because of dissolution or closure or because of termination**  
20 **or nonrenewal of a charter, there shall be apportioned from the State**  
21 **School Fund to each school district that had sponsored a public char-**  
22 **ter school that ceased to operate an amount equal to the school**  
23 **district’s general purpose grant per extended ADMw multiplied by five**  
24 **percent of the ADM of the public charter school for the previous**  
25 **school year.**

26 “[3] (4) There shall be apportioned from the State School Fund to each  
27 education service district a State School Fund grant as calculated under ORS  
28 327.019.

29 “[4] (5) All figures used in the determination of the distribution of the  
30 State School Fund shall be estimates for the same year as the distribution

1 occurs, unless otherwise specified.

2 “[5] (6) Numbers of students in average daily membership used in the  
3 distribution formula shall be the numbers as of June of the year of distrib-  
4 ution.

5 “[6] (7) A school district may not use the portion of the State School  
6 Fund grant that is attributable to the facility grant for capital construction  
7 costs.

8 “[7] (8) The total amount of the State School Fund that is distributed  
9 as facility grants may not exceed \$20 million in any biennium. If the total  
10 amount to be distributed as facility grants exceeds this limitation, the De-  
11 partment of Education shall prorate the amount of funds available for facil-  
12 ity grants among those school districts that qualified for a facility grant.

13 “[8] (9) Each fiscal year, the Department of Education shall transfer to  
14 the Pediatric Nursing Facility Account established in section 5, chapter 81,  
15 Oregon Laws 2014, the amount necessary to pay the costs of educational  
16 services provided to students admitted to pediatric nursing facilities as pro-  
17 vided in section 2, chapter 81, Oregon Laws 2014.

18 “[9] (10) Each fiscal year, the Department of Education shall transfer  
19 the amount of \$18 million from the State School Fund to the High Cost  
20 Disabilities Account established in ORS 327.348.

21 “[10](a) (11)(a) Each biennium, the Department of Education shall  
22 transfer \$33 million from the State School Fund to the Network of Quality  
23 Teaching and Learning Fund established under ORS 342.953.

24 “(b) For the purpose of making the transfer under this subsection:

25 “(A) The total amount available for all distributions from the State  
26 School Fund shall be reduced by \$5 million;

27 “(B) The amount distributed to school districts from the State School  
28 Fund under this section and ORS 327.013 shall be reduced by \$14 million; and

29 “(C) The amount distributed to education service districts from the State  
30 School Fund under this section and ORS 327.019 shall be reduced by \$14

1 million.

2 “(c) For each biennium, the amounts identified in paragraph (b)(B) and  
3 (C) of this subsection shall be adjusted by the same percentage by which the  
4 amount appropriated to the State School Fund for that biennium is increased  
5 or decreased compared to the preceding biennium, as determined by the De-  
6 partment of Education after consultation with the Legislative Fiscal Officer.

7 “[~~(11)~~] (12) Each fiscal year, the Department of Education may expend up  
8 to \$550,000 from the State School Fund for the contract described in ORS  
9 329.488. The amount distributed to education service districts from the State  
10 School Fund under this section and ORS 327.019 shall be reduced by the  
11 amount expended by the department under this subsection.

12 “[~~(12)~~] (13) Each biennium, the Department of Education may expend up  
13 to \$350,000 from the State School Fund to provide administration of and  
14 support for the development of talented and gifted education under ORS  
15 343.404.

16 “[~~(13)~~] (14) Each biennium, the Department of Education may expend up  
17 to \$150,000 from the State School Fund for the administration of a program  
18 to increase the number of speech-language pathologists and speech-language  
19 pathology assistants under ORS 348.394 to 348.406.

20 **“SECTION 3. (1) In addition to amounts distributed to a school**  
21 **district in relation to a public charter school under ORS 327.008 (3) and**  
22 **for the 2015-2016 school year only, an additional amount shall be set**  
23 **aside and made available for distribution to a school district that had**  
24 **been the sponsor of a public charter school that operated during the**  
25 **2014-2015 school year and that ceased to operate following the 2014-2015**  
26 **school year because of dissolution or closure or because of termination**  
27 **or nonrenewal of a charter.**

28 **“(2) The additional amount described in subsection (1) of this sec-**  
29 **tion shall be equal to the school district’s general purpose grant per**  
30 **extended ADMw multiplied by three percent of the ADM of the public**

1 **charter school for the previous school year.**

2 **“(3) The Department of Education shall set aside the additional**  
3 **amount described in subsection (1) of this section for distribution to**  
4 **the school district under subsection (1) of this section. The amount**  
5 **shall be distributed to the school district upon a showing by the school**  
6 **district of expenses incurred related to the public charter school that**  
7 **ceased to operate. The department shall prescribe any requirements**  
8 **related to a distribution under this section.**

9 **“(4)(a) For the 2015-2016 school year, the school district described**  
10 **in subsection (1) of this section shall file with the department quar-**  
11 **terly reports that describe expenses incurred by the school district**  
12 **related to a public charter school that ceased to operate.**

13 **“(b) For the 2016-2017, 2017-2018 and 2018-2019 school years, the**  
14 **school district described in subsection (1) of this section shall file with**  
15 **the department annual reports that describe expenses incurred by the**  
16 **school district related to a public charter school that ceased to oper-**  
17 **ate.**

18 **“(c) The department shall prescribe any requirements for reports**  
19 **filed under this subsection.**

20 **“SECTION 4. (1) Section 3 of this 2015 Act is repealed on July 1,**  
21 **2019.**

22 **“(2) Any amounts not distributed under section 3 of this 2015 Act**  
23 **by July 1, 2019, shall be transferred to the General Fund.**

24 **“SECTION 5. ORS 338.155 is amended to read:**

25 **“338.155. (1)(a) Students of a public charter school shall be considered to**  
26 **be residents of the school district in which the public charter school is lo-**  
27 **cated for purposes of distribution of the State School Fund.**

28 **“[(b)(A) For the purpose of determining the amounts to be distributed from**  
29 **the State School Fund to a school district in which a public charter school is**  
30 **located, the district extended ADMw described in ORS 327.013 shall be de-**

1 *terminated by:]*

2 *“[(i) Separately calculating the extended ADMw for students at the public*  
3 *charter school and the extended ADMw for students at nonchartered public*  
4 *schools in the school district; and]*

5 *“[(ii) Adding the extended ADMw for students at the public charter school*  
6 *and the extended ADMw for students at nonchartered public schools in the*  
7 *school district.]*

8 *“[(B) Except as provided in subparagraph (A) of this paragraph:]*

9 *“[(i) All other calculations made under ORS 327.013 shall be made as*  
10 *though the students enrolled at a public charter school were students enrolled*  
11 *at the public schools in the school district in which the public charter school*  
12 *is located; and]*

13 *“[(ii) All references to the district extended ADMw shall be based on the*  
14 *calculation made under subparagraph (A)(ii) of this paragraph.]*

15 *“[(C)]* **(b)** All amounts to be distributed from the State School Fund [to]  
16 **for** public charter schools shall first be distributed to the school district in  
17 which the public charter school is located.

18 **“(c) For the purpose of determining the amounts to be distributed**  
19 **to a school district from the State School Fund for a public charter**  
20 **school, the district extended ADMw described in ORS 327.013 shall be**  
21 **calculated:**

22 **“(A) Except as provided by subparagraph (B) of this paragraph, as**  
23 **though the students enrolled at a public charter school are students**  
24 **enrolled at the public schools of the school district in which the public**  
25 **charter school is located.**

26 **“(B) By not including any portion of the ADM of the public charter**  
27 **school for the previous school year if the public charter school ceased**  
28 **to operate because of dissolution or closure or because of termination**  
29 **or nonrenewal of a charter.**

30 **“(2) A school district shall contractually establish, with any public char-**



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

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

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

11 “(3) A school district shall contractually establish, with any public char-  
12 ter school that is sponsored by the State Board of Education or an institu-  
13 tion of higher education and that is within the boundaries of the school  
14 district, payment for provision of educational services to the public charter  
15 school's students. The payment shall equal an amount per weighted average  
16 daily membership (ADMw) of the public charter school that is at least equal  
17 to:

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

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

24 “(4) The estimated amount of each school district's General Purpose  
25 Grant per ADMw shall be determined each year by the Department of Edu-  
26 cation and made available to all school districts.

27 “(5) The school district in which the public charter school is located shall  
28 transfer an amount per weighted average daily membership (ADMw) of the  
29 public charter school that is equal to 50 percent of the amount of the school  
30 district's General Purpose Grant per ADMw as calculated under ORS 327.013

1 that is not paid to the public charter school through a contract created  
2 pursuant to subsection (2) or (3) of this section to:

3 “(a) For a public charter school sponsored by a school district, any school  
4 district in which the parent or guardian of, or person in parental relation-  
5 ship to, a student of a public charter school resides pursuant to ORS 339.133  
6 and 339.134;

7 “(b) For a public charter school sponsored by the State Board of Educa-  
8 tion, the Department of Education; or

9 “(c) For a public charter school sponsored by an institution of higher  
10 education, the institution of higher education.

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

13 “(7) A school district and a public charter school may negotiate to es-  
14 tablish a payment for the provision of educational services to the public  
15 charter school’s students that is more than the minimum amounts specified  
16 in subsection (2) or (3) of this section.

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

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

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

29 **“SECTION 6. The amendments to ORS 327.008 and 338.155 by**  
30 **sections 1, 2 and 5 of this 2015 Act apply to State School Fund dis-**

1 **tributions commencing with the 2015-2016 school year distributions.**

2 **“SECTION 7.** ORS 327.013 is amended to read:

3 “327.013. The State School Fund distributions for school districts include  
4 the following grants:

5 “(1) General Purpose Grant = Funding Percentage × Target Grant ×  
6 District extended ADMw. For the purpose of the calculation made under this  
7 subsection:

8 “(a) The funding percentage shall be calculated by the Superintendent of  
9 Public Instruction to distribute as nearly as practicable the total sum of  
10 money available for distribution.

11 “(b) Target Grant = Statewide Target per ADMw Grant + Teacher Ex-  
12 perience Factor. For the purpose of the calculation made under this para-  
13 graph:

14 “(A) Statewide Target per ADMw Grant = \$4,500.

15 “(B) Teacher Experience Factor = \$25 × {District average teacher expe-  
16 rience – statewide average teacher experience}. As used in this subpara-  
17 graph, ‘average teacher experience’ means the average, in years, of teaching  
18 experience of licensed teachers as reported to the Department of Education.

19 “(c) District extended ADMw = ADMw or ADMw of the prior year,  
20 whichever is greater. The calculation of the district extended ADMw must  
21 be made as provided by ORS 338.155 [(1)(b)] if a public charter school is lo-  
22 cated in the school district. For the purpose of this paragraph:

23 “(A) Weighted average daily membership or ADMw = average daily  
24 membership + an additional amount computed as follows:

25 “(i) 1.0 for each student in average daily membership eligible for special  
26 education as a child with a disability under ORS 343.035, which may not  
27 exceed 11 percent of the district’s ADM without review and approval by the  
28 Department of Education. Children with disabilities eligible for special ed-  
29 ucation in adult local correctional facilities, as defined in ORS 169.005, or  
30 adult regional correctional facilities, as defined in ORS 169.620, may not be

1 included in the calculation made under this sub-subparagraph.

2 “(ii) 0.5 for each student in average daily membership eligible for and  
3 enrolled in an English as a second language program under ORS 336.079.

4 “(iii) 0.2 for each student in average daily membership enrolled in a union  
5 high school district or in an area of a unified school district where the dis-  
6 trict is only responsible for educating students in grades 9 through 12 in that  
7 area.

8 “(iv) -0.1 for each student in average daily membership enrolled in an  
9 elementary district operating kindergarten through grade six or kindergarten  
10 through grade eight or in an area of a unified school district where the dis-  
11 trict is only responsible for educating students in kindergarten through  
12 grade eight.

13 “(v) 0.25 times the sum of the following:

14 “(I) The number of students who are in average daily membership and  
15 who are also in poverty families, as determined by the Department of Edu-  
16 cation based on rules adopted by the State Board of Education that incor-  
17 porate poverty data published by the United States Census Bureau, student  
18 data provided by school districts and other data identified by the board;

19 “(II) The number of children in foster homes in the district as determined  
20 by the report of the Department of Human Services to the United States  
21 Department of Education, ‘Annual Statistical Report on Children in Foster  
22 Homes and Children in Families Receiving AFDC Payments in Excess of the  
23 Poverty Income Level,’ or its successor, for October 31 of the year prior to  
24 the year of distribution; and

25 “(III) The number of children in the district in state-recognized facilities  
26 for neglected and delinquent children, based on information from the De-  
27 partment of Human Services for October 31 of the year prior to the year of  
28 distribution.

29 “(vi) The amount determined under ORS 327.077 for each remote small  
30 elementary school and for each small high school in the district.

1 “(B) All numbers of children used for the computation in this paragraph  
2 must reflect any district consolidations that have occurred since the numbers  
3 were compiled.

4 “(C) The total additional weight that shall be assigned to any student in  
5 average daily membership in a district, exclusive of students described in  
6 subparagraph (A)(v) and (vi) of this paragraph, may not exceed 2.0.

7 “(2) High cost disabilities grant = the total amount received by a school  
8 district under ORS 327.348 for providing special education and related ser-  
9 vices to resident pupils with disabilities.

10 “(3)(a) Transportation grant equals:

11 “(A) 70 percent of approved transportation costs for those school districts  
12 ranked below the 80th percentile under paragraph (b) of this subsection.

13 “(B) 80 percent of approved transportation costs for those school districts  
14 ranked in or above the 80th percentile but below the 90th percentile under  
15 paragraph (b) of this subsection.

16 “(C) 90 percent of approved transportation costs for those school districts  
17 ranked in or above the 90th percentile under paragraph (b) of this subsection.

18 “(b) Each fiscal year, the Department of Education shall rank school  
19 districts based on the approved transportation costs per ADM of each school  
20 district, ranking the school district with the highest approved transportation  
21 costs per ADM at the top of the order.

22 “(4)(a) Facility Grant = 8 percent of total construction costs of new  
23 school buildings.

24 “(b) A school district shall receive a Facility Grant in the distribution  
25 year that a new school building is first used.

26 “(c) As used in this subsection:

27 “(A) ‘New school building’ includes new school buildings, structures  
28 added onto existing school buildings and premanufactured structures added  
29 to a school district if those buildings or structures are to be used for in-  
30 structing students.

1 “(B) ‘Construction costs’ does not include costs for land acquisition.

2 **“SECTION 8.** ORS 329.488, as amended by section 10, chapter 81, Oregon  
3 Laws 2014, is amended to read:

4 “329.488. (1) The Department of Education shall contract with a nonprofit  
5 entity to administer a nationally normed assessment, in collaboration with  
6 the department, to all students in grade 10 who are enrolled in a public  
7 school. The purpose of the assessment is to predict the success of students  
8 on, and provide practice for students taking, college entrance exams.

9 “(2) The department shall base the selection of the contractor under sub-  
10 section (1) of this section on all of the following criteria:

11 “(a) The contractor must be able to provide to the department statewide  
12 data containing the results of the assessment;

13 “(b) The contractor shall provide an assessment that:

14 “(A) Identifies students with high potential to excel in advanced place-  
15 ment (AP) or other honors courses based on a research-based correlation of  
16 scores on the grade 10 assessment to advanced placement examinations;

17 “(B) Examines students in mathematics, reading and writing; and

18 “(C) Provides results that can be used by Oregon’s higher education in-  
19 stitutions to recruit students to attend college;

20 “(c) The contractor must be able to supply schools with an item-by-item  
21 analysis of student performance on the assessment; and

22 “(d) The contractor must be able to make available to each student taking  
23 the assessment a free career assessment and online exploration of colleges  
24 and career opportunities.

25 “(3)(a) In lieu of using the contractor selected by the department under  
26 subsection (1) of this section, a school district may apply to the department  
27 for a waiver to allow the district to enter into a contract with a different  
28 nonprofit entity for the purpose of administering a nationally normed as-  
29 sessment to all students in grade 10 who are enrolled in the public schools  
30 operated by the district. The department shall grant the waiver if:

1       “(A) The district had entered into a contract with the entity for the  
2 2007-2008 school year to administer a grade 10 assessment;

3       “(B) The entity, in coordination with the district, administered a grade  
4 10 assessment during the 2007-2008 school year;

5       “(C) For the most recent school year in which the entity administered a  
6 grade 10 assessment, the entity met the criteria set forth in subsection (2)  
7 of this section as in effect for the school year in which the entity adminis-  
8 tered the assessment; and

9       “(D) The entity plans to meet the criteria set forth in subsection (2) of  
10 this section as in effect for the school year for which the school district  
11 seeks a waiver.

12       “(b) A waiver granted by the department under this subsection:

13       “(A) Is valid for one school year; and

14       “(B) May be renewed each school year.

15       “(c) The department shall reimburse a school district for the cost of as-  
16 sssments allowed under this subsection from funds available to the depart-  
17 ment under ORS 327.008 [(11)] (12).

18       “(4) Notwithstanding subsections (1) and (3) of this section:

19       “(a) The department may, under rules adopted by the State Board of Ed-  
20 ucation, waive the assessment for specific groups of students; and

21       “(b) Upon request from a student who is enrolled in a public school op-  
22 erated by a school district or the parent or guardian of the student, the  
23 school district shall waive the assessment for the student.

24       **“SECTION 9. This 2015 Act being necessary for the immediate**  
25 **preservation of the public peace, health and safety, an emergency is**  
26 **declared to exist, and this 2015 Act takes effect July 1, 2015.”.**

27