

SENATE AMENDMENTS TO SENATE BILL 624

By COMMITTEE ON EDUCATION

April 2

1 On page 1 of the printed bill, line 2, after the semicolon insert “creating new provisions;
2 amending ORS 338.155 and 338.165;”.

3 Delete lines 4 through 30 and delete page 2 and insert:

4 “**SECTION 1.** ORS 338.155 is amended to read:

5 “338.155. (1)(a) Students of a public charter school shall be considered to be residents of the
6 school district in which the public charter school is located for purposes of distribution of the State
7 School Fund.

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

10 “(c) For the purpose of determining the amounts to be distributed to a school district from the
11 State School Fund for a public charter school, the district extended [*ADMw*] **weighted average**
12 **daily membership (ADMw)** described in ORS 327.013 shall be calculated:

13 “(A) Except as provided by subparagraph (B) of this paragraph, as though the students enrolled
14 at a public charter school are students enrolled at the public schools of the school district in which
15 the public charter school is located.

16 “(B) By not including any portion of the ADM of the public charter school for the previous
17 school year if the public charter school ceased to operate because of dissolution or closure or be-
18 cause of termination or nonrenewal of a charter.

19 “(2) A school district shall contractually establish, with any public charter school that is spon-
20 sored by the board of the school district, payment for provision of educational services to the public
21 charter school’s students. The payment shall equal an amount per [*weighted average daily member-*
22 *ship (ADMw)*] **ADMw** of the public charter school that is at least equal to:

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

26 “(b) Ninety-five percent of the amount of the school district’s General Purpose Grant per **ex-**
27 **tended ADMw** as calculated under ORS 327.013 for students who are enrolled in grades 9 through
28 12.

29 “(3) A school district shall contractually establish, with any public charter school that is spon-
30 sored by the State Board of Education and that is within the boundaries of the school district,
31 payment for provision of educational services to the public charter school’s students. The payment
32 shall equal an amount per [*weighted average daily membership (ADMw)*] **ADMw** of the public charter
33 school that is at least equal to:

34 “(a) Ninety percent of the amount of the school district’s General Purpose Grant per **extended**
35 **ADMw** as calculated under ORS 327.013 for students who are enrolled in kindergarten through

1 grade eight; and

2 “(b) Ninety-five percent of the amount of the school district’s General Purpose Grant per **ex-**
3 **tended** ADMw as calculated under ORS 327.013 for students who are enrolled in grades 9 through
4 12.

5 “(4) The estimated amount of each school district’s General Purpose Grant per **extended** ADMw
6 shall be determined each year by the Department of Education and made available to all school
7 districts.

8 “(5) The school district in which the public charter school is located shall transfer an amount
9 per [*weighted average daily membership (ADMw)*] **ADMw** of the public charter school that is equal
10 to 50 percent of the amount of the school district’s General Purpose Grant per **extended** ADMw as
11 calculated under ORS 327.013 that is not paid to the public charter school through a contract cre-
12 ated pursuant to subsection (3) of this section to the Department of Education.

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

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

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

21 “(9)(a) A public charter school may apply for any grant that is available to school districts or
22 nonchartered public schools from the Department of Education. The department shall consider the
23 application of the public 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 districts based solely on
26 the [*weighted average daily membership (ADMw)*] **ADMw** of the school district directly to the public
27 charter school. This paragraph does not apply to any grant from the State School Fund.

28 “**SECTION 2.** ORS 338.165 is amended to read:

29 “338.165. (1)(a) The school district in which a public charter school is located shall identify, lo-
30 cate and evaluate students enrolled in the public charter school to determine which students may
31 be in need of special education and related services.

32 “(b) The school district in which a public charter school is located:

33 “(A) Shall receive funding from the State School Fund as provided by this section for students
34 who are eligible for special education and related services and who are enrolled in the public
35 charter school; and

36 “(B) Is eligible to receive high cost disabilities grants as provided by ORS 327.348 for students
37 who are enrolled in the public charter school.

38 “(c) Students who are eligible for special education and related services shall be considered
39 students of the school district in which the public charter school is located for purposes of data
40 collection and reporting.

41 “(2) If a student is enrolled in a public charter school and is eligible for special education and
42 related services, an additional amount shall be added to the ADM of the public charter school as
43 described in ORS 327.013 (1)(c)(A)(i). The payment per ADMw in the public charter school that is
44 attributable to the student who is eligible for special education and related services shall equal an
45 amount that is at least equal to:

1 “(a) 40 percent of the amount of the General Purpose Grant per **extended** ADMw for the school
2 district in which the public charter school is located, as calculated under ORS 327.013, for students
3 who are enrolled in kindergarten through grade eight; and

4 “(b) 47.5 percent of the amount of the General Purpose Grant per **extended** ADMw for the
5 school district in which the public charter school is located, as calculated under ORS 327.013, for
6 students who are enrolled in grades 9 through 12.

7 “(3) If the State Board of Education is the sponsor of a public charter school, the school district
8 in which the public charter school is located, for each ADMw that is attributable to a student en-
9 rolled in a public charter school who is eligible for special education and related services, shall
10 transfer five percent of the amount of the school district’s General Purpose Grant per **extended**
11 ADMw as calculated under ORS 327.013 to the State Board of Education.

12 “(4) Notwithstanding subsection (2) of this section, a school district and a public charter school
13 may negotiate on a case-by-case basis for an alternative distribution of funds other than the dis-
14 tribution prescribed by subsection (2) of this section.

15 “(5) Payments under this section must be made within 10 days after a school district receives
16 payment from the State School Fund pursuant to ORS 327.095.

17 “**SECTION 3. The amendments to ORS 338.155 and 338.165 by sections 1 and 2 of this 2021**
18 **Act apply to State School Fund distributions commencing with 2021-2022 distributions.**

19 “**SECTION 4. This 2021 Act being necessary for the immediate preservation of the public**
20 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
21 **July 1, 2021.”**

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