

A-Engrossed
House Bill 3493

Ordered by the House April 27
Including House Amendments dated April 27

Sponsored by Representative LININGER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Provides that Superintendent of Public Instruction and State Board of Education may not make or authorize certain calculations related to aggregate days membership and weighted average daily membership *[except as specified by statute]*. **Provides exceptions.**

Declares emergency, effective July 1, 2015.

A BILL FOR AN ACT

1
2 Relating to calculations for the State School Fund; creating new provisions; amending ORS 327.125;
3 and declaring an emergency.

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

5 **SECTION 1.** ORS 327.125 is amended to read:

6 327.125. (1) The Superintendent of Public Instruction shall administer the provisions of ORS
7 327.006 to 327.133, 327.348 and 327.731 and sections 1 to 3, chapter 735, Oregon Laws 2013.

8 (2) The State Board of Education shall adopt all necessary rules not inconsistent with ORS
9 327.006 to 327.133, 327.348 and 327.731 and sections 1 to 3, chapter 735, Oregon Laws 2013, to carry
10 into effect the provisions of those statutes.

11 (3) **Nothing in this section allows the superintendent or board to make or authorize a**
12 **calculation of:**

13 (a) **Aggregate days membership on the basis of a fraction of a program, except as follows:**

14 (A) **On the basis of one-half of a program;**

15 (B) **To account for a student who is:**

16 (i) **Enrolled in an alternative education program under ORS 336.635;**

17 (ii) **Receiving tutorial instruction; or**

18 (iii) **Not required to attend public schools under ORS 339.030 but who attends a public**
19 **school part-time; or**

20 (C) **As otherwise specified by statute; or**

21 (b) **Weighted average daily membership, including additions or subtractions of amounts**
22 **other than the amounts specified in ORS 327.013 (1)(c) or other statute.**

23 **SECTION 2.** ORS 327.125, as amended by section 11, chapter 735, Oregon Laws 2013, is
24 amended to read:

25 327.125. (1) The Superintendent of Public Instruction shall administer the provisions of ORS
26 327.006 to 327.133, 327.348 and 327.731.

27 (2) The State Board of Education shall adopt all necessary rules not inconsistent with ORS

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 327.006 to 327.133, 327.348 and 327.731 to carry into effect the provisions of those statutes.

2 **(3) Nothing in this section allows the superintendent or board to make or authorize a**
3 **calculation of:**

4 **(a) Aggregate days membership on the basis of a fraction of a program, except as follows:**

5 **(A) On the basis of one-half of a program;**

6 **(B) To account for a student who is:**

7 **(i) Enrolled in an alternative education program under ORS 336.635;**

8 **(ii) Receiving tutorial instruction; or**

9 **(iii) Not required to attend public schools under ORS 339.030 but who attends a public**
10 **school part-time; or**

11 **(C) As otherwise specified by statute; or**

12 **(b) Weighted average daily membership, including additions or subtractions of amounts**
13 **other than the amounts specified in ORS 327.013 (1)(c) or other statute.**

14 **SECTION 3. The amendments to ORS 327.125 by sections 1 and 2 of this 2015 Act apply**
15 **to State School Fund distributions commencing with the 2015-2016 distributions.**

16 **SECTION 4. This 2015 Act being necessary for the immediate preservation of the public**
17 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
18 **July 1, 2015.**