

Tuition Laws – Options for Statutory Change
 School Funding Commission
 May 3, 2016 — Prepared by Laura Sankey

	CURRENT LAW	POSSIBLE AMENDMENT*	POTENTIAL RAMIFICATIONS
OUT-OF-DISTRICT ENROLLMENT DECISION	<ul style="list-style-type: none"> ▫ There are a number of circumstances identified in law where a district of choice is mandated to accept and enroll a student from outside of the district, such as the difference between the distance or geographic conditions between the district of residence school and the district of choice school, or the student’s sibling attends high school in the district of choice. ▫ In all other cases, the district of choice has the discretion to enroll or deny a student from outside of the district. 	<ul style="list-style-type: none"> ▫ Strike the language differentiating between mandatory and discretionary enrollment and replace with language requiring the district of choice to enroll a student from outside the district, except in cases where a school’s accreditation status would be adversely affected because of insufficient room and overcrowding. 	<ul style="list-style-type: none"> ▫ Increases the potential flexibility and options for students and their parents. ▫ Decreases the local control of both the district of choice and the district of residence to reject a student’s application. ▫ Doesn’t address scenarios where a student may be looking for other school options because of disciplinary issues.
AMOUNT CHARGED FOR OUT-OF-DISTRICT TUITION	<ul style="list-style-type: none"> ▫ A district of choice may charge no more than 20% of the maximum per-ANB amount for tuition (\$1,369.40 for a HS student and \$1,069.60 for an elementary or K-12 student in FY2016). ▫ The tuition may be charged to the parents, the district of residence, or the state (OPI or DPHHS), depending on the circumstances of the enrollment. ▫ The district of choice may waive tuition, but it must be waived for all entities in the same class of payers. ▫ A district of choice budgets anticipated tuition revenue into the Over-BASE portion of the General Fund budget. 	<ul style="list-style-type: none"> ▫ The district of choice is required to set the tuition amount at a rate equal to its per-ANB general fund net levy requirement for the prior fiscal year. ▫ The district of residence is the entity responsible for paying tuition charges except for the circumstances in which the state pays tuition. ▫ Strike the ability of the district of choice to waive tuition for a class of payers. 	<ul style="list-style-type: none"> ▫ Moves the liability for tuition payment away from the taxpayers in the district of choice or the parents of the student and moves it to the taxpayers in the district of residence. ▫ May increase the amount of tuition being charged. ▫ Will increase the statewide total of tuition being paid by removing the waiver option.

	CURRENT LAW	POSSIBLE AMENDMENT*	POTENTIAL RAMIFICATIONS
WHO PAYS FOR TRANSPORTATION COSTS	<ul style="list-style-type: none"> ▫ A district may provide transportation to an eligible transportee; if one eligible transportee is provided transportation, the district must provide it to all eligible transportees. ▫ The amount charged for transportation may not exceed the lesser of the average transportation cost in the district of residence or \$0.35/mile. ▫ Transportation costs are charged to the district of residence or the parent, based on whether the student is enrolled under mandatory or discretionary enrollment provisions. 	<ul style="list-style-type: none"> ▫ If the district of choice provides transportation, and the student is an eligible transportee, the district of choice may charge transportation costs to the district of residence. ▫ Require the district of residence to reimburse transportation costs to a parent or guardian who enrolls a student in a district of choice and transports the student. ▫ The reimbursement amount is the lesser of a) the average transportation cost per student in the district of residence, or b) \$0.35/mile between the student's actual residence and the school the student would attend if enrolled in the district of residence. 	<ul style="list-style-type: none"> ▫ Decreases the potential amount for reimbursement and bases it on the distance to the school in the district of residence rather than the total distance traveled. ▫ Makes the district of residence responsible for paying transportation costs.

* The language and concepts for the possible amendments come from work on a previous, incomplete bill draft that was never introduced that I worked on a couple of sessions ago.