

# House Bill 2039

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Education)

## 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 **as introduced**.

Specifies that statutes and rules that apply to school district boards, school districts or public schools do not apply to small schools. Provides exceptions.

## A BILL FOR AN ACT

1  
2 Relating to small schools.

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

4 **SECTION 1. (1) As used in this section, "small school" means:**

5 (a) **A school that qualifies as a remote small elementary school under ORS 327.077.**

6 (b) **A school that qualifies as a small high school under ORS 327.077.**

7 (2) **Statutes and rules that apply to school district boards, school districts or other public**  
8 **schools do not apply to small schools. However, the following laws do apply to small schools:**

9 (a) **Federal law;**

10 (b) **ORS 192.410 to 192.505 (public records law);**

11 (c) **ORS 192.610 to 192.690 (public meetings law);**

12 (d) **ORS 297.405 to 297.555 and 297.990 (Municipal Audit Law);**

13 (e) **ORS 181.534, 181.539, 326.603, 326.607 and 342.232 (criminal records checks);**

14 (f) **ORS 337.150 (textbooks);**

15 (g) **ORS 339.141, 339.147 and 339.155 (tuition and fees);**

16 (h) **ORS 659.850 and 659.855 (discrimination);**

17 (i) **ORS 30.260 to 30.300 (tort claims);**

18 (j) **Health and safety statutes and rules;**

19 (k) **The statewide assessment system developed by the Department of Education for**  
20 **mathematics, science and English under ORS 329.485 (1);**

21 (l) **ORS 329.045 (academic content standards and instruction);**

22 (m) **Any statute or rule that establishes requirements for instructional time provided by**  
23 **a school during each day or during a year;**

24 (n) **ORS 339.250 (12) (prohibition on infliction of corporal punishment); and**

25 (o) **ORS 339.370, 339.372 and 339.375 (reporting of child abuse).**

26 (3) **Notwithstanding subsection (2) of this section, a school district board may specify**  
27 **that statutes and rules that apply to school district boards, school districts or other public**  
28 **schools may apply to a small school within the school district.**

29 **SECTION 2. Section 1 of this 2007 Act first applies to the 2008-2009 school year.**  
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**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.