

A-Engrossed
House Bill 3178

Ordered by the House May 2
Including House Amendments dated May 2

Sponsored by Representatives DALLUM, ROBLAN; Representatives BUCKLEY, KOMP, MINNIS, WHISNANT,
Senator WALKER

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.

Directs public bodies to make available to public lists of vacant and unused buildings and portions of buildings that may be suitable for operation of public charter school. Directs that lists be provided to developing or operating public charter schools within 30 days of written request.

A BILL FOR AN ACT

1
2 Relating to public charter schools; amending ORS 338.045.

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

4 **SECTION 1.** ORS 338.045 is amended to read:

5 338.045. (1) An applicant seeking to establish a public charter school shall submit a written
6 proposal to a school district board.

7 (2) The proposal shall include, but need not be limited to:

8 (a) The identification of the applicant;

9 (b) The name of the proposed public charter school;

10 (c) A description of the philosophy and mission of the public charter school;

11 (d) A description of the curriculum of the public charter school;

12 (e) A description of the expected results of the curriculum and the verified methods of measuring
13 and reporting objective results that will show the growth of knowledge of students attending the
14 public charter school and allow comparisons with public schools;

15 (f) The governance structure of the public charter school;

16 (g) The projected enrollment to be maintained and the ages or grades to be served;

17 (h) The target population of students the public charter school will be designed to serve;

18 (i) A description of any distinctive learning or teaching techniques to be used in the public
19 charter school;

20 (j) The legal address, facilities and physical location of the public charter school, if known;

21 (k) A description of admission policies and application procedures;

22 (L) The statutes and rules that shall apply to the public charter school;

23 (m) The proposed budget and financial plan for the public charter school and evidence that the
24 proposed budget and financial plan for the public charter school are financially sound;

25 (n) The standards for behavior and the procedures for the discipline, suspension or expulsion
26 of students;

27 (o) The proposed school calendar for the public charter school, including the length of the

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 school day and school year;

2 (p) A description of the proposed staff members and required qualifications of teachers at the
3 public charter school;

4 (q) The date upon which the public charter school would begin operating;

5 (r) The arrangements for any necessary special education and related services provided pursuant
6 to ORS 338.165 for children with disabilities who may attend the public charter school;

7 (s) Information on the manner in which community groups may be involved in the planning and
8 development process of the public charter school;

9 (t) The term of the charter;

10 (u) The plan for performance bonding or insuring the public charter school, including buildings
11 and liabilities;

12 (v) A proposed plan for the placement of public charter school teachers, other school employees
13 and students of the public charter school upon termination or nonrenewal of a charter;

14 (w) The manner in which the program review and fiscal audit will be conducted; and

15 (x) In the case of an existing public school being converted to charter status:

16 (A) The alternative arrangements for students who choose not to attend the public charter
17 school and for teachers and other school employees who choose not to participate in the public
18 charter school; and

19 (B) The relationship that will exist between the public charter school and its employees, in-
20 cluding evidence that the terms and conditions of employment have been addressed with affected
21 employees and their recognized representative, if any.

22 (3) In addition to the requirements of subsection (2) of this section, the school district board
23 may require any additional information the board considers relevant to the formation or operation
24 of a public charter school.

25 (4) At the request of the applicant, the school district board may provide technical assistance
26 in developing the proposal for operation of the public charter school.

27 *[(5) To the extent such information is reasonably available, education service districts shall make
28 available to the public lists of vacant and unused public and private buildings or portions of buildings
29 that may be suitable for the operation of a public charter school. School districts shall provide to the
30 public and to their education service districts lists of unused or underutilized buildings that are owned
31 by the school districts. Nothing in this subsection requires the owner of a building on the list to sell
32 or lease to a public charter school a building or any portion of a building.]*

33 **(5) School districts, education service districts and other public bodies, as defined in ORS
34 174.109, shall make available to the public lists of vacant and unused public buildings and
35 portions of buildings that may be suitable for the operation of a public charter school. The
36 lists shall be provided to developing or operating public charter schools within 30 days of a
37 written request. School districts, education service districts and other public bodies shall
38 enter into good faith negotiations with a public charter school or a public charter school
39 governing body with an approved charter proposal about the public charter school's or the
40 public charter school governing body's proposal for the lease, use or purchase of the space.
41 Nothing in this subsection requires the owner of a building on the list to sell or lease the
42 building or any portion of the building to a public charter school or a public charter school
43 governing body.**

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