

**B-Engrossed**  
**House Bill 3178**

Ordered by the Senate May 22  
Including House Amendments dated May 2 and Senate Amendments dated  
May 22

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;

**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 (o) The proposed school calendar for the public charter school, including the length of the  
2 school day and school year;

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

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

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

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

10 (t) The term of the charter;

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

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

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

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

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

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

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

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

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

34 **(5) School districts, education service districts and other public bodies, as defined in ORS  
35 174.109, shall make available to the public lists of vacant and unused public buildings and  
36 portions of buildings that may be suitable for the operation of a public charter school. The  
37 lists shall be provided to developing or operating public charter schools within 30 days of a  
38 written request. Nothing in this subsection requires the owner of a building on the list to  
39 sell or lease the building or any portion of the building to a public charter school or a public  
40 charter school governing body.**