

Enrolled
Senate Bill 462

Sponsored by Senator KRUSE

CHAPTER

AN ACT

Relating to South Umpqua School District No. 19; and declaring an emergency.

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

SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS 330.092 to 330.101.

SECTION 2. (1) On or before October 31, 2007, the Superintendent of Public Instruction shall issue a fact-finding report on the division of the South Umpqua School District No. 19 into two districts. The two districts shall be the South Umpqua School District No. 19 and a district designated as the Canyonville School District. Each district shall offer educational programs in kindergarten through grade 12.

(2) The superintendent shall designate a fact finder to gather information and make recommendations about the division of the South Umpqua School District No. 19. The South Umpqua School District No. 19 Board and the Canyonville School Committee shall jointly submit a list of fact finder candidates to the superintendent. The list shall have no more than six names. The superintendent shall select the fact finder from the list.

(3) The fact finder shall consult with the South Umpqua School District No. 19 Board and the Canyonville School Committee. The fact finder shall:

(a) Consider whether the question of dividing the South Umpqua School District No. 19 should be submitted to the electors of the school district;

(b) Consider converting the Canyonville School to a public charter school; and

(c) Consider other alternatives for the operation of the Canyonville School.

(4) In considering the division of the South Umpqua School District No. 19, the fact finder shall review:

(a) The impact of the division on the South Umpqua School District No. 19;

(b) The plan for the division of the assets and liabilities of the South Umpqua School District No. 19;

(c) The school facilities of the proposed Canyonville School District;

(d) The expected income and expenditures of the proposed Canyonville School District;

(e) The business management plan for the proposed Canyonville School District;

(f) The education program and the ability of the proposed Canyonville School District to meet state and federal education standards; and

(g) Any other relevant issues relating to the division of the South Umpqua School District No. 19.

(5) Based on the findings and recommendations of the fact finder, the superintendent shall issue a fact-finding report that shall include:

(a) An order for the district boundary board of the South Umpqua School District No. 19 to submit the question of dividing the South Umpqua School District No. 19 to the electors of the school district. The order of the superintendent shall specify the new boundaries of the South Umpqua School District No. 19 and shall specify the distribution of the assets and liabilities of the former district;

(b) A recommendation to convert the Canyonville School to a public charter school; or

(c) A recommendation for another alternative for the operation of the Canyonville School.

(6) If the superintendent orders the district boundary board to send the question of dividing the South Umpqua School District No. 19 to the electors of the school district, the district boundary board, acting as the district elections authority on behalf of the South Umpqua School District No. 19, shall submit the question of dividing the South Umpqua School District No. 19 to the electors of the school district prior to April 1, 2008.

(7) If a majority of votes cast approve the division of the South Umpqua School District No. 19, the district boundary board shall proceed to divide the South Umpqua School District No. 19 based on the order of the superintendent. The district boundary board shall appoint by order five electors of the Canyonville School District as the initial board of directors of the district. Three of the members shall be appointed to serve until June 30 following the election of their successors at the next district election. Two of the members shall be appointed to serve until June 30 following the election of their successors at the next succeeding district election.

(8) A remonstrance petition or election under ORS 330.101 is not allowed on the division of the South Umpqua School District No. 19.

(9) The employees of the former school district who have been employed at a school that is within the new Canyonville School District may elect to transfer to the Canyonville School District upon the creation of the school district. A school district employee of the former school district may not be deprived of seniority or accumulated sick leave solely because the duties of the employee have been assumed or acquired by the new school district.

(10)(a) Notwithstanding ORS 330.103 (1), if prior to July 1, 2008, the district boundary board files with the county assessor and the Department of Revenue the legal description of the division of the South Umpqua School District No. 19 pursuant to ORS 308.225, the division of the school district shall become effective on July 1, 2009.

(b) Notwithstanding paragraph (a) of this subsection, for purposes of levying taxes, the division of the South Umpqua School District No. 19 shall become effective on May 31, 2008, and the South Umpqua School District No. 19 shall continue to levy taxes for both school districts for the 2008-2009 fiscal year.

(11) The South Umpqua School District No. 19 and the Canyonville School Committee shall each pay to the Department of Education 50 percent of the costs of the superintendent and the department of administering this section.

SECTION 3. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect on its passage.

Passed by Senate May 11, 2007

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Secretary of Senate

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President of Senate

Passed by House June 5, 2007

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Speaker of House

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

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Governor

Filed in Office of Secretary of State:

.....M,....., 2007

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Secretary of State