

House Bill 3577

Sponsored by Representative J SMITH

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**.

Directs district school board to provide notice of school closure to boards of adjacent school districts and to give priority of use and permission of use of school building to adjacent school district.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to school district property; creating new provisions; amending ORS 332.158; and declaring
3 an emergency.

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

5 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS chapter 332.**

6 **SECTION 2. If a district school board decides to close a school in the school district, the
7 board shall:**

8 (1) **Inform the boards of adjacent school districts of the closure;**

9 (2) **Give priority of the use of the school building to an adjacent school district; and**

10 (3) **Provide written permission required by ORS 332.158, unless the permission would
11 create an undue hardship on the school district.**

12 **SECTION 3. ORS 332.158 is amended to read:**

13 332.158. (1) A district school board may lease, purchase, construct, reconstruct, improve, repair,
14 equip and furnish a school in another school district and may expend bond proceeds and other funds
15 available to the board for such purposes if the board has the written permission of the district
16 school board of the school district in which the school will be located. The written permission re-
17 quired by this subsection [*shall be*] **must be:**

18 (a) **Obtained prior to the first day on which students will attend classes in the school[.]; and**

19 (b) **Provided if a school is closed, unless provision of the permission would cause an un-
20 due hardship for the school district.**

21 (2) If a district school board opens a school in another school district and does not obtain the
22 written permission required by subsection (1) of this section, the board of the school district in
23 which the school has been opened may file a complaint with the Superintendent of Public Instruc-
24 tion. Upon receipt of a complaint, the state superintendent shall schedule a contested case hearing
25 pursuant to ORS 183.413 to 183.470. If it is determined that the written permission required by
26 subsection (1) of this section was not obtained, the state superintendent shall withhold the State
27 School Fund grant otherwise allocated to the district that opened the school in another district until
28 the written permission is obtained or until some other date as determined by the state superinten-
29 dent.

30 **SECTION 4. This 2011 Act being necessary for the immediate preservation of the public**

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 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
2 **on its passage.**

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