

# House Bill 2317

Sponsored by Representative BUCKLEY (Pre-session filed.)

## 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 boundary board to approve boundary change to divide Medford School District No. 549C into two districts. Specifies conditions for boundary changes.  
Sunsets on June 30, 2014.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to school districts; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 330.092 to**  
5 **330.101.**

6 **SECTION 2. (1) Notwithstanding any other provision of law, the Medford School District**  
7 **No. 549C may divide into two districts by changing the boundaries of the school district**  
8 **pursuant to the provisions of ORS 330.092 to 330.101.**

9 (2) The two districts resulting from a boundary change approved under this section shall  
10 be the Medford School District No. 549C and a district designated as the Ruch School Dis-  
11 trict. The Medford School District No. 549C shall offer educational programs in kindergarten  
12 through grade 12 and the Ruch School District shall offer educational programs in any  
13 combination of grades from kindergarten through grade 12.

14 (3) The district boundary board for the Medford School District No. 549C shall approve a  
15 petition to divide the district into two districts by changing the boundaries of the Medford  
16 School District No. 549C if:

17 (a) The petition meets the requirements of this section and ORS 330.095; and

18 (b) The petition contains the signatures of at least five percent of the electors of the  
19 district, or 500 electors of the district, whichever is less.

20 (4) The petition submitted to the district boundary board under this section shall contain  
21 a proposal for the distribution of assets and liabilities to the proposed Ruch School District  
22 from the former school district. Assets and liabilities shall be distributed as provided by  
23 subsection (5) of this section.

24 (5)(a) After the district boundary board receives the petition submitted under this sec-  
25 tion:

26 (A) The district boundary board shall appoint three chief sponsors of the petition or their  
27 designees from the residents of the attendance area of the proposed Ruch School District;  
28 and

29 (B) The district school board of the Medford School District No. 549C shall appoint three  
30 members of the district school board to negotiate and determine the distribution of assets

**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 and liabilities of the Medford School District No. 549C under the petition.

2 (b) The assets and liabilities of the Medford School District No. 549C that exist on June  
 3 30, 2013, shall be divided based on the expected average daily membership of the two new  
 4 school districts. In addition, any real or personal property of the former school district that  
 5 is located within the proposed boundaries of the Ruch School District shall be transferred  
 6 to the Ruch School District.

7 (c) If the persons appointed under this subsection are unable to agree unanimously on  
 8 the distribution of assets and liabilities within 30 days after the appointment of the last  
 9 person, the determination of the distribution of assets and liabilities shall be made by the  
 10 Superintendent of Public Instruction or a designee of the superintendent.

11 (6) After the determination of the distribution of assets and liabilities as provided by  
 12 subsection (5) of this section has been issued, the district boundary board shall issue an or-  
 13 der that changes the boundaries to divide the former school district and specifies the new  
 14 boundaries of the Medford School District No. 549C and the Ruch School District.

15 (7) The district boundary board shall appoint by order five electors of the Ruch School  
 16 District as the initial board of directors of the district. Three of the electors shall be ap-  
 17 pointed to serve until June 30 following the election of their successors at the next district  
 18 election. Two of the electors shall be appointed to serve until June 30 following the election  
 19 of their successors at the next succeeding district election.

20 (8) A remonstrance petition or election may not be allowed on any petition for a bound-  
 21 ary change submitted to the district boundary board under this section.

22 (9) The employees of the former school district who have been employed at Ruch Ele-  
 23 mentary School may elect to transfer to the new Ruch School District upon the creation of  
 24 the district. A school district employee of the former school district may not be deprived of  
 25 seniority or accumulated sick leave solely because the duties of the employee have been as-  
 26 sumed or acquired by a new school district.

27 (10)(a) Notwithstanding ORS 330.103 (1), if prior to July 1, 2013, the district boundary  
 28 board files with the county assessor and the Department of Revenue the legal description  
 29 of the boundary changes of the Medford School District No. 549C pursuant to ORS 308.225,  
 30 the boundary changes shall become effective on July 1, 2013.

31 (b) Notwithstanding paragraph (a) of this subsection, for purposes of levying taxes, the  
 32 boundary changes of the Medford School District No. 549C shall become effective on May 31,  
 33 2014, and the district school board of the Medford School District No. 549C shall continue  
 34 to levy taxes for both school districts until that date.

35 **SECTION 3.** Section 2 of this 2013 Act is repealed on June 30, 2014.

36 **SECTION 4.** This 2013 Act being necessary for the immediate preservation of the public  
 37 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect  
 38 on its passage.