

House Bill 3359

Sponsored by Representative MCLANE

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 division of Crook County School District into two districts. Specifies conditions for division of districts.

Sunsets on July 1, 2015.

A BILL FOR AN ACT

1
2 Relating to school districts.

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 chapter 330.**

5 **SECTION 2. (1) Upon receipt of a petition meeting the requirements of subsections (2)**
6 **and (3) of this section, the district boundary board for Crook County School District shall**
7 **approve a petition to divide Crook County School District into two districts. The two districts**
8 **shall be Crook County School District and a district designated as Brothers School District.**
9 **Each school district shall offer educational programs in kindergarten through grade 12.**

10 (2) A petition for a proposed change allowed under this section must contain the signa-
11 tures of at least five percent of the electors of the school district or 500 electors of the
12 school district, whichever is less.

13 (3) A petition submitted under this subsection must:

14 (a) Be directed to the district boundary board of the county or counties having jurisdic-
15 tion over the school district;

16 (b) Contain the names and numbers of the school districts that will result from the di-
17 vision; and

18 (c) Contain a concise statement of the distribution of all real and personal property of
19 the former district that is located in the territory of the proposed Brothers School District.

20 (4)(a) After the district boundary board receives the petition and determines that it
21 meets the requirements of subsections (2) and (3) of this section:

22 (A) The district boundary board shall appoint three chief sponsors of the petition or their
23 designees from the residents of the attendance area of Brothers School District; and

24 (B) The school district board of Crook County School District shall appoint three mem-
25 bers of the school district board.

26 (b) The persons appointed under this subsection shall negotiate and decide the distrib-
27 ution of assets and liability of Crook County School District.

28 (c) If the persons appointed under this subsection are unable to agree unanimously upon
29 the distribution of assets and liabilities within 30 days of the appointment of the last person,
30 the Superintendent of Public Instruction shall decide the distribution of assets and liabilities.

31 (5) After the decision on the distribution of assets and liabilities has been issued, 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 **district boundary board shall issue an order that:**

2 **(a) Distributes the assets and liabilities as provided in the decision; and**

3 **(b) Specifies the new boundaries of Crook County School District and Brothers School**
4 **District, which shall become effective as provided by ORS 330.103.**

5 **(6) Notwithstanding ORS 330.101, the board may not allow a remonstrance petition or**
6 **election in relation to a petition submitted as provided by this section.**

7 **(7) The district boundary board shall appoint by order five electors of Brothers School**
8 **District as the initial school district board for the school district. Three of the members shall**
9 **be appointed to serve until June 30 following the election of their successors at the next**
10 **district election. Two of the members shall be appointed to serve until June 30 following the**
11 **election of their successors at the next succeeding district election.**

12 **(8) Employees of Crook County School District may elect to transfer to Brothers School**
13 **District upon the creation of Brothers School District. A former school district employee of**
14 **Crook County School District may not be deprived of seniority or accumulated sick leave**
15 **solely because the duties of the employees have been assumed or acquired by Brothers**
16 **School District.**

17 **(9)(a) Notwithstanding ORS 330.103 (1), if, prior to July 1, 2014, the district boundary**
18 **board files with the county assessor and the Department of Revenue the legal description**
19 **of the division of Crook County School District pursuant to ORS 308.225, the division of the**
20 **school district shall become effective on July 1, 2014.**

21 **(b) Notwithstanding paragraph (a) of this subsection, for purposes of levying taxes, the**
22 **division of Crook County School District shall become effective on May 31, 2015, and Crook**
23 **County School District shall continue to levy taxes for both school districts until that date.**

24 **SECTION 3. Section 2 of this 2013 Act is repealed on July 1, 2015.**
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