

D R A F T

SUMMARY

Requires public charter school to obtain written permission from district school board of other school district if public charter school uses real property in other school district for school or for facility to provide instruction.

A BILL FOR AN ACT

1
2 Relating to use of real property by public charter schools; amending ORS
3 332.158.

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

5 **SECTION 1.** ORS 332.158 is amended to read:

6 332.158. (1) A district school board **or public charter school** may lease,
7 purchase, construct, reconstruct, improve, repair, equip and furnish a
8 school, **or any other facility where students receive instruction**, in an-
9 other school district and may expend bond proceeds [*and*] **or** other funds
10 available to the board **or public charter school** for such purposes if the
11 board **or public charter school** has the written permission of the district
12 school board of the school district in which the school **or facility** will be
13 located. The written permission required by this subsection [*shall*] **must** be
14 obtained prior to the first day on which students will attend classes in the
15 school **or receive instruction at the facility**.

16 (2) If a district school board **or public charter school** opens **or operates**
17 a school **or facility** in another school district and does not obtain the writ-
18 ten permission required by subsection (1) of this section, the board of the
19 school district in which the school **or facility** has been opened **or operated**
20 may file a complaint with the Superintendent of Public Instruction. Upon

1 receipt of a complaint, the [state] superintendent shall schedule a contested
2 case hearing pursuant to ORS 183.413 to 183.470.

3 **(3)** *[If it is determined]* **Upon a determination** that the written permis-
4 sion required by subsection (1) of this section was not obtained, the [state]
5 superintendent shall withhold *[the]* State School Fund *[grant]* **moneys** oth-
6 erwise allocated to the **school** district *[that opened the school in another*
7 *district]* **or due to the public charter school under ORS 338.155. The**
8 **superintendent shall withhold moneys** until the written permission is
9 obtained or until some other date *[as]* determined by the [state] superinten-
10 dent.

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