

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Education

REVENUE: No revenue impact

FISCAL: May have fiscal impact, statement not yet issued

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Gretchen Engbring, Administrator

Meeting Dates: 4/7

WHAT THE MEASURE DOES: Allows school district and public charter school to be considered single legal entity for purpose of public charter school law if public charter school is only school in school district and other conditions are met. Declares emergency, effective July 1, 2015.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

BACKGROUND: There are over 120 charter schools in the state of Oregon for the 2014 to 2015 school year. Of these, 17 are located in districts where they are the only school in the district. However, under ORS chapter 338, a charter school is considered a separate legal entity operating under an agreement with a sponsor such as a school district board, State Board of Education, or an institution of higher education.

Senate Bill 588 modifies ORS 338.035, allowing a public charter school and school district to be considered a single legal entity if the public charter school is the only school in the school district and: the school does not have to be established as a nonprofit organization under the laws of Oregon; the school does not have to apply to qualify as an exempt organization under section 501(c)(3) of the Internal Revenue Code; if all of the members of the school district board are voting members of the public charter school governing body; if the school district and the public charter school share employees; and if the school district and the public charter school share assets and liabilities.