

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Education

MEASURE: SB 588
CARRIER: Rep. Barreto

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 05/08/15

Action: Do Pass.

Meeting Dates: 04/29, 05/08

Vote:

Yeas: 9 - Barreto, Doherty, Frederick, Hack, McLain, Piluso, Reardon, Sprenger, Wilson

Prepared By: Richard Donovan, Committee Administrator

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:

- “Charter districts” in Oregon where public charter is only school in district
- Redundant and duplicative auditing and reporting requirements for charter districts
- Measure as “common sense” bill applying to narrowly defined set of school districts

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

There are over 120 charter schools operating in the state of Oregon for the 2014 - 2015 school year. Of these, 17 are located in districts where they are the only school. 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 district and: 1) the school does not have to be established as a nonprofit organization under the laws of Oregon; 2) the school does not have to apply to qualify as an exempt organization under section 501(c)(3) of the Internal Revenue Code; 3) all of the members of the school district board are voting members of the public charter school governing body; 4) the school district and the public charter school share employees; and 5) the school district and the public charter school share assets and liabilities.