

A-Engrossed
House Bill 3044

Ordered by the House April 8
Including House Amendments dated April 8

Sponsored by COMMITTEE ON EDUCATION

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.

[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.]

Allows public charter school to use real property in other school district if school provides written notice of use to sponsor and to district.

A BILL FOR AN ACT

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

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

SECTION 1. ORS 332.158 is amended to read:

332.158. (1) A district school board may lease, purchase, construct, reconstruct, improve, repair, equip *[and]* **or** furnish a school in another school district and may expend bond proceeds *[and]* **or** other funds available to the board for such purposes if the board has the written permission of the district school board of the school district in which the school will be located. The written permission required by this subsection *[shall]* **must** be obtained prior to the first day on which students will attend classes in the school.

(2) A public charter school may lease, purchase, construct, reconstruct, improve, repair, equip or furnish a school, or any other facility where students receive instruction, in another school district and may expend funds available to the public charter school for such purposes if the public charter school provides written notice to the sponsor of the public charter school and to the district school board of the school district in which the school or facility will be located. The written notice required by this subsection must be provided prior to the first day on which students will attend classes in the school or receive instruction at the facility.

[(2)] **(3) If a district school board or public charter school opens or operates a school or facility in another school district and does not obtain the written permission required by subsection (1) of this section or provide the written notice required by subsection (2) of this section, the board of the school district in which the school or facility has been opened or operated may file a complaint with the Superintendent of Public Instruction. Upon receipt of a complaint, the [state] superintendent shall schedule a contested case hearing pursuant to ORS 183.413 to 183.470.**

(4) [If it is determined] Upon a determination that the written permission required by subsection (1) of this section was not obtained or the written notice required by subsection (2) of

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 **this section was not provided**, the [state] superintendent shall withhold [the] State School Fund
2 [grant] moneys otherwise allocated to the school district [that opened the school in another
3 district] **or due to the public charter school under ORS 338.155. The superintendent shall**
4 **withhold moneys** until the written permission is obtained **or the written notice is provided**, or
5 until some other date [as] determined by the [state] superintendent.

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