

Enrolled
House Bill 3044

Sponsored by COMMITTEE ON EDUCATION

CHAPTER

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

Passed by House April 14, 2015

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 4, 2015

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State