

HOUSE AMENDMENTS TO HOUSE BILL 3044

By COMMITTEE ON EDUCATION

April 8

1 Delete lines 4 through 24 of the printed bill and insert:

2 “**SECTION 1.** ORS 332.158 is amended to read:

3 “332.158. (1) A district school board may lease, purchase, construct, reconstruct, improve, repair,
4 equip [*and*] **or** furnish a school in another school district and may expend bond proceeds [*and*] **or**
5 other funds available to the board for such purposes if the board has the written permission of the
6 district school board of the school district in which the school will be located. The written permis-
7 sion required by this subsection [*shall*] **must** be obtained prior to the first day on which students
8 will attend classes in the school.

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

17 “[*(2)*] **(3) If a district school board or public charter school opens or operates a school or**
18 **facility in another school district and does not obtain the written permission required by subsection**
19 **(1) of this section or provide the written notice required by subsection (2) of this section,** the
20 board of the school district in which the school **or facility** has been opened **or operated** may file
21 a complaint with the Superintendent of Public Instruction. Upon receipt of a complaint, the [*state*]
22 superintendent shall schedule a contested case hearing pursuant to ORS 183.413 to 183.470.

23 “**(4) [*If it is determined*] Upon a determination** that the written permission required by sub-
24 section (1) of this section was not obtained **or the written notice required by subsection (2) of**
25 **this section was not provided,** the [*state*] superintendent shall withhold [*the*] State School Fund
26 [*grant*] **moneys** otherwise allocated to the **school** district [*that opened the school in another*
27 *district*] **or due to the public charter school under ORS 338.155. The superintendent shall**
28 **withhold moneys** until the written permission is obtained **or the written notice is provided,** or
29 until some other date [*as*] determined by the [*state*] superintendent.”.

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