

# House Bill 3044

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 **as introduced**.

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.

## A BILL FOR AN ACT

1  
2 Relating to use of real property by public charter schools; amending ORS 332.158.

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

4 **SECTION 1.** ORS 332.158 is amended to read:

5 332.158. (1) A district school board **or public charter school** may lease, purchase, construct,  
6 reconstruct, improve, repair, equip and furnish a school, **or any other facility where students**  
7 **receive instruction**, in another school district and may expend bond proceeds [*and*] **or** other funds  
8 available to the board **or public charter school** for such purposes if the board **or public charter**  
9 **school** has the written permission of the district school board of the school district in which the  
10 school **or facility** will be located. The written permission required by this subsection [*shall*] **must**  
11 be obtained prior to the first day on which students will attend classes in the school **or receive**  
12 **instruction at the facility**.

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

19 (3) [*If it is determined*] **Upon a determination** that the written permission required by sub-  
20 section (1) of this section was not obtained, the [*state*] superintendent shall withhold [*the*] State  
21 School Fund [*grant*] **moneys** otherwise allocated to the **school** district [*that opened the school in*  
22 *another district*] **or due to the public charter school under ORS 338.155. The superintendent**  
23 **shall withhold moneys** until the written permission is obtained or until some other date [*as*] de-  
24 termined by the [*state*] superintendent.

25  

---

  
**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.