

House Bill 3413

Sponsored by Representative DOHERTY

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 in which school or facility will be located before using real property for school or facility.

A BILL FOR AN ACT

1
2 Relating to the 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 may lease, purchase, construct, reconstruct, improve, repair,
6 equip or furnish a school in another school district and may expend bond proceeds or other funds
7 available to the board for such purposes if the board has the written permission of the district
8 school board of the school district in which the school will be located. The written permission re-
9 quired by this subsection must be obtained prior to the first day on which students will attend
10 classes in the school.

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

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

25 (4) Upon a determination that the written permission required by subsection (1) **or** (2) of this
26 section was not obtained [*or the written notice required by subsection (2) of this section was not pro-*
27 *vided*], the superintendent shall withhold State School Fund moneys otherwise allocated to the
28 school district or due to the public charter school under ORS 338.155. The superintendent shall
29 withhold moneys until the written permission is obtained [*or the written notice is provided*], or until
30 some other date determined by the superintendent.
31

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.