

A-Engrossed
Senate Bill 462

Ordered by the Senate May 9
Including Senate Amendments dated May 9

Sponsored by Senator KRUSE

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.

[Directs district boundary board to accept petition to divide South Umpqua School District No. 19 into two districts. Specifies conditions of division.]

Requires Superintendent of Public Instruction to issue fact-finding report on division of South Umpqua School District No. 19 into two districts. Provides for selection and duties of fact finder.

Requires report to order district boundary board to submit question of dividing district to school district electors, to recommend conversion of Canyonville School to public charter school or to consider alternative for operation of Canyonville School.

Requires district boundary board to proceed with division if majority of votes cast in election approve.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to South Umpqua School District No. 19; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS 330.092 to**
5 **330.101.**

6 **SECTION 2. (1) On or before October 31, 2007, the Superintendent of Public Instruction**
7 **shall issue a fact-finding report on the division of the South Umpqua School District No. 19**
8 **into two districts. The two districts shall be the South Umpqua School District No. 19 and a**
9 **district designated as the Canyonville School District. Each district shall offer educational**
10 **programs in kindergarten through grade 12.**

11 **(2) The superintendent shall designate a fact finder to gather information and make**
12 **recommendations about the division of the South Umpqua School District No. 19. The South**
13 **Umpqua School District No. 19 Board and the Canyonville School Committee shall jointly**
14 **submit a list of fact finder candidates to the superintendent. The list shall have no more than**
15 **six names. The superintendent shall select the fact finder from the list.**

16 **(3) The fact finder shall consult with the South Umpqua School District No. 19 Board and**
17 **the Canyonville School Committee. The fact finder shall:**

18 **(a) Consider whether the question of dividing the South Umpqua School District No. 19**
19 **should be submitted to the electors of the school district;**

20 **(b) Consider converting the Canyonville School to a public charter school; and**

21 **(c) Consider other alternatives for the operation of the Canyonville School.**

22 **(4) In considering the division of the South Umpqua School District No. 19, the fact finder**
23 **shall review:**

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 (a) The impact of the division on the South Umpqua School District No. 19;

2 (b) The plan for the division of the assets and liabilities of the South Umpqua School
3 District No. 19;

4 (c) The school facilities of the proposed Canyonville School District;

5 (d) The expected income and expenditures of the proposed Canyonville School District;

6 (e) The business management plan for the proposed Canyonville School District;

7 (f) The education program and the ability of the proposed Canyonville School District to
8 meet state and federal education standards; and

9 (g) Any other relevant issues relating to the division of the South Umpqua School Dis-
10 trict No. 19.

11 (5) Based on the findings and recommendations of the fact finder, the superintendent
12 shall issue a fact-finding report that shall include:

13 (a) An order for the district boundary board of the South Umpqua School District No.
14 19 to submit the question of dividing the South Umpqua School District No. 19 to the electors
15 of the school district. The order of the superintendent shall specify the new boundaries of
16 the South Umpqua School District No. 19 and shall specify the distribution of the assets and
17 liabilities of the former district;

18 (b) A recommendation to convert the Canyonville School to a public charter school; or

19 (c) A recommendation for another alternative for the operation of the Canyonville
20 School.

21 (6) If the superintendent orders the district boundary board to send the question of di-
22 viding the South Umpqua School District No. 19 to the electors of the school district, the
23 district boundary board, acting as the district elections authority on behalf of the South
24 Umpqua School District No. 19, shall submit the question of dividing the South Umpqua
25 School District No. 19 to the electors of the school district prior to April 1, 2008.

26 (7) If a majority of votes cast approve the division of the South Umpqua School District
27 No. 19, the district boundary board shall proceed to divide the South Umpqua School District
28 No. 19 based on the order of the superintendent. The district boundary board shall appoint
29 by order five electors of the Canyonville School District as the initial board of directors of
30 the district. Three of the members shall be appointed to serve until June 30 following the
31 election of their successors at the next district election. Two of the members shall be ap-
32 pointed to serve until June 30 following the election of their successors at the next suc-
33 ceeding district election.

34 (8) A remonstrance petition or election under ORS 330.101 is not allowed on the division
35 of the South Umpqua School District No. 19.

36 (9) The employees of the former school district who have been employed at a school that
37 is within the new Canyonville School District may elect to transfer to the Canyonville School
38 District upon the creation of the school district. A school district employee of the former
39 school district may not be deprived of seniority or accumulated sick leave solely because the
40 duties of the employee have been assumed or acquired by the new school district.

41 (10)(a) Notwithstanding ORS 330.103 (1), if prior to July 1, 2008, the district boundary
42 board files with the county assessor and the Department of Revenue the legal description
43 of the division of the South Umpqua School District No. 19 pursuant to ORS 308.225, the di-
44 vision of the school district shall become effective on July 1, 2009.

45 (b) Notwithstanding paragraph (a) of this subsection, for purposes of levying taxes, the

1 **division of the South Umpqua School District No. 19 shall become effective on May 31, 2008,**
2 **and the South Umpqua School District No. 19 shall continue to levy taxes for both school**
3 **districts for the 2008-2009 fiscal year.**

4 (11) **The South Umpqua School District No. 19 and the Canyonville School Committee**
5 **shall each pay to the Department of Education 50 percent of the costs of the superintendent**
6 **and the department of administering this section.**

7 **SECTION 3. This 2007 Act being necessary for the immediate preservation of the public**
8 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
9 **on its passage.**

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