Chapter 330

1968 REPLACEMENT PART

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GENERAL

330.005 Division of state into school districts; definitions. (1) For public school purposes, this state is divided into subdivisions known as school districts.

(2) For purposes of the school laws of this state, unless the context requires otherwise, "school district" includes:

(a) "Administrative school district," a common school district formed in accordance with ORS 330.505 to 330.780.

(b) "Area education district," a school district formed to provide post-high school education under ORS chapter 341.

(c) "Common school district," a school district other than a union high school district formed primarily to provide education in all or part of grades 1 through 12 to pupils residing within the district.

(d) "Joint school district," a common or union high school district with territory in more than one county.

(e) "Union high school district," a school district, other than a common school district, formed in accordance with ORS 335.210 to 335.485 (1963 Replacement Part) or a county high school district formed in accordance with ORS 335.705 to 335.850.

(3) "Governing body of the county" means the county court, the board of county commissioners or the unit of government designated by the county charter to exercise the power or duty prescribed in the section in which the term occurs.

[1965 c.100 §71]

330.010 [Repealed by 1965 c.100 §456]

330.020 [Amended by 1963 c.282 §1; repealed by 1965 c.100 §456]

330.030 [Repealed by 1965 c.100 §456]

330.040 [Amended by 1955 c.386 §1; 1957 c.310 §7; repealed by 1963 c.282 §16]

330.050 [Amended by 1961 c.522 §6; 1963 c.282 §14; 1965 c.100 §78; renumbered 330.123]

330.060 [Amended by 1963 c.282 §2; repealed by 1965 c.100 §456]

BOUNDARY CHANGE PROCEDURE

330.080 Composition, purpose and organization of district boundary board. (1) The intermediate education district board shall constitute the district boundary board for laying off the county in convenient school districts. In any county in which there is no intermediate education district board, the governing body of the county shall constitute the district boundary board. The district boundary board shall have jurisdiction over all school districts in the county and over all joint districts, the administrative office of which is in the county.

(2) The district boundary board shall make alterations and changes in the school districts in the manner specified by law. The board shall maintain a record showing the boundaries and numbers of the districts in the county.

[Formerly 329.710; 1965 c.100 §72]

330.085 [Formerly 329.720; repealed by 1965 c.100 §456]

330.090 Boundary changes and mergers of school districts. (1) Whenever any school district fails to maintain and operate a school for more than two successive years without approval of the State Board of Education, or when the district has a school census of less than six children, the district boundary board shall provide that such district shall become a part of an adjoining district.

(2) In the manner provided in ORS 330.090 to 330.107, the district boundary board on its own motion or on petition of three persons residing or owning or occupying real property within territory embraced within a proposed merger or boundary change may merge smaller districts into larger districts or alter the boundaries of common or union high school districts, if it finds that the proposed change:

(a) Will have no substantial adverse effect upon the ability of the districts affected to provide the educational program required by law.

(b) Will result in improvement of the educational facilities available to the children in the area affected by the proposed change or will result in substantial operating economies in the districts affected.

(c) Is not made solely for tax advantages to the property owners in the district or area affected by the proposed change.

(d) Is not likely to adversely affect any contemplated reorganization under ORS 330.505 to 330.780.

(e) Will not result in territory of a district becoming noncontiguous.

(3) No change shall be made which results in a district having less than 20 children of school age.

[1963 c.282 §13(1), (8); 1965 c.100 §73; 1967 c.298 §1]

330.095 Petition; procedure when two or more counties involved. (1) The petition for proposed change in school districts shall:

(a) Be directed to the district boundary board of the county or counties having jurisdiction over the affected school districts;

(b) Contain the names and numbers of districts affected by the change;

(c) Contain a concise statement of the type of change requested and, if only a portion of the school district is involved, contain a legal description thereof; and

(d) Contain the signatures and resident addresses of the petitioners and the names of the school districts in which they reside.

(2) If a merger is requested, the petition shall also contain proposals for:

(a) Distribution of debt, if any; and

(b) Retirement of unexpired serial levies, if any, or continuance of such levies against all of the taxable property in the enlarged district.

(3) When any proposed change affects school districts under the jurisdiction of different district boundary boards, the proposed change shall first be acted upon by the district boundary board of the county in which lies the larger of the districts, but must be concurred in by the district boundary board of the other county or counties.
[1963 c.282 §13(2); 1965 c.100 §74; 1967 c.328 §1]

330.100 [1963 c.282 §13(3), (4), (5), (6), (10); repealed by 1965 c.100 §75 (330.101 enacted in lieu of 330.100)]

330.101 Notice; hearing; remonstrance; election. (1) Before the proposed change is made, the district boundary board shall give notice in the manner provided in ORS 331.010 of the proposed change and the proposals and the session of the board at which they will be considered. If no remonstrance is submitted requiring an election as provided in subsection (2) of this section and if the board makes the findings set forth in subsection (2) of ORS 330.090, the board shall declare that the change and proposals shall become effective as provided in ORS 330.103.

(2) If a remonstrance signed by at least five percent or at least 500, whichever is less, of the qualified voters in a school district or area affected by the proposed change is filed with the district boundary board within 20 days after the date set to consider the proposed change and the proposals and if the board makes the findings set forth in subsection (2) of ORS 330.090, the board shall submit the question of the proposed change and the proposals to the qualified voters of each affected district or area from which a remonstrance was filed as nearly as possible in the manner prescribed for annual school elections with the district boundary board acting in the place of the local school districts. Separate elections shall be held in sequence, commencing with the least populous district or area and progressing in order of population to the most populous district or area. If the majority of votes in each election favor the change and the proposals, an election shall be held in the next most populous district or area. The boundary board shall give notice of each election in the manner provided in ORS 331.010.

(3) If the majority of votes cast in any affected district or area oppose the change and the proposals, the change and the proposals shall be defeated, and the same or a substantially similar change combined with substantially similar proposals shall not be considered until 12 months have elapsed from the date of the election at which the change and the proposals were defeated. If the vote is favorable in all remonstrating districts or areas, the district boundary board shall declare the change and proposals effective as provided in ORS 330.103 without further elections.

(4) In an election to add districts to a union high school district, if the district boundary board determines that the proposition carried in the union high school district by a majority of votes cast, and also carried in one or more of the common school districts by a majority of the votes cast in each district, it shall declare the proposition carried as to those common school districts only in which the proposition prevailed, and shall immediately proceed to change the boundaries of the union high school district to include those districts desiring to be added thereto.

(5) Notwithstanding the provisions of subsections (1), (2) and (3) of this section, if a petition signed by 100 percent of the owners of record or the contract purchasers of real property and 100 percent of the qualified voters of an area requesting that the area be annexed to another school district to which it is contiguous is presented to the district boundary board, the board, if it makes the findings set forth in subsection (2) of ORS 330.090, shall order the change to be

made effective on the following May 31, providing a remonstrance signed by the school boards of any affected district or by the original petitioners is not presented to the State Board of Education within 30 days of the date of the order. If such a remonstrance is presented to the State Board of Education, the board shall set a time for a hearing, give notice of the same, and hear the case in the area affected. If the board deems it advisable, the board may appoint a hearings officer to hold the hearing. After considering the testimony, the board shall confirm or reject the action of the boundary board and such determination shall be final.

(6) Unless a petition for a writ of review to review the action taken is filed with the circuit court within the time permitted by law, it shall be conclusively presumed that the change was validly made.

[1965 c.100 §76 (330.101 enacted in lieu of 330.100); 1965 c.244 §1; 1965 c.621 §5; 1967 c.313 §1; 1967 (s.s.) c.8 §4]

330.103 Effective date of change. Except as provided in ORS 330.106, when the boundaries of a district are changed as provided in ORS 330.080 to 330.107, if the declaration of the boundary board under subsection (1) of ORS 330.101 or the last election under subsection (2) of ORS 330.101:

(1) Occurs between July 1 and March 31, inclusive, the change shall take effect May 31 following the declaration or election.

(2) Occurs between April 1 and June 30, inclusive, the change shall take effect May 31 of the following year.

[1967 (s.s.) c.8 §2]

330.105 [1963 c.282 §13(7), (9), §15; repealed by 1965 c.100 §456]

330.106 Action by board pending effective date of change. During the period following the declaration or last election under ORS 330.101 and prior to the date when the boundary change or merger takes effect, the district school board of the most populous district, as defined in ORS 330.113, or the district school board of a district to which territory has been annexed may take such action as is essential in order that the district may carry out its required functions when the boundary change takes effect, including the preparation and adoption of a budget for the district and the reference of questions relating to the budget to the qualified voters of the district. Expenditures of the board under this section shall be charged to each affected school district in the manner provided in ORS 330.123.

[1967 (s.s.) c.8 §3]

330.107 Time for boundary board action; procedure if board fails to act. (1) The district boundary board shall complete all action on a petition for boundary change required under ORS 330.101 within 100 days of the date of receipt of the petition. However, upon request of the district boundary board and a showing of special circumstances which require additional time, the State Board of Education may grant a reasonable extension of time for completion of the required action.

(2) If the petition of three qualified voters is submitted to the state board alleging that the district boundary board has failed to carry out the duties required under subsection (1) of this section within the times prescribed therein, and the state board finds that the district boundary board has so failed, the state board shall act in place of the district boundary board and shall carry out the provisions of ORS 330.090 to 330.107.

[1965 c.621 §2]

330.110 [Amended by 1957 c.310 §8; repealed by 1963 c.282 §16]

330.113 Effect of change. (1) As used in this section, "most populous district" means the school district which had the largest number of children of school age at the school census next preceding the inclusion of such district in a merger.

(2) When two or more school districts are merged as provided by law, the affected districts shall be considered merged into the most populous district and:

(a) The enlarged school district shall retain the same number which was previously assigned to the most populous district included in the merger.

(b) The school districts included in the merger shall become identified with the most populous district.

(c) The employes of the component districts shall be considered to be employes of the most populous district, which shall succeed the other districts in such merger as a party to their respective contracts of employment.

(3) The board of directors of the most populous district shall constitute the board of directors of the enlarged district and the terms of all other directors of component districts shall expire on the effective date of the merger.

(4) All real and personal property belonging to the districts within the new district shall become the property of the merged district.

(5) When a petition for a merger of school districts contains proposals for distribution of debt or continuance of unexpired serial levies as provided in ORS 330.095 and the district boundary board in the manner provided in ORS 330.101 declares such merger and proposals effective, the district school board of the enlarged district is authorized to levy taxes in conformity with such proposals.

(6) A school district affected by a change made by the district boundary board does not thereby become an administrative school district. When territory is withdrawn from an administrative school district, the part remaining shall continue to constitute an administrative school district. When territory is added to an administrative school district or an administrative or other school district is included in an administrative school district, the enlarged district shall continue to be an administrative school district. When an administrative school district is merged in a school district which is not an administrative school district the administrative school district shall cease to exist.
[Formerly 330.300]

330.115 [Formerly 327.740; repealed by 1965 c.100 §456]

330.120 [Repealed by 1963 c.282 §16]

330.123 Division of assets and liabilities upon changes in boundaries. (1) When changes in school district boundaries are made by the detachment of territory or annexation of less than an entire school district to another, the district school boards of the districts affected by each change shall immediately after the change make an equitable division of the then existing assets and liabilities between the districts affected by such change and provide the manner of consummating the division.

(2) In case of failure to agree within 20 days from the time of such change, the matter shall be decided by a board of arbitrators. The board of arbitrators shall consist of one member appointed by each of the boards of the school districts affected and an additional member appointed by the other appointees.

(3) In the event any such district school board fails to appoint an arbitrator within 30 days, the Superintendent of Public Instruction shall appoint such arbitrator. In the event the arbitrators selected fail to appoint the additional arbitrator within 30 days after the appointment of the arbitrator last appointed, the Superintendent of Public Instruction shall notify the judge of the circuit court senior in service of the county in which the administrative office of the most populous school district is located. Within 10 days after receiving such notice, the judge shall appoint the additional arbitrator.

(4) Each member of the board of arbitrators shall be entitled to the sum of $20 per day for each day's service, and necessary traveling expenses, while sitting in his official capacity. Expenses thus incurred shall be equally apportioned among the districts concerned.

(5) The decision of the arbitrators is final and may be reviewed by a writ of review.

(6) Assets include all school property and moneys belonging to the district at the time of the division. Liabilities include all debts for which the respective districts in their corporate capacities are liable at the time of division. In determining the assets, school property shall be estimated at its fair value. The assets and liabilities shall be divided between the districts in proportion to the last assessed value of the real and personal property. The district retaining the real property shall pay the other districts concerned such sums as are determined in accordance with the provisions of this section. All funds to be apportioned during the current school year, after such division, shall be made in proportion to the number of persons in each district between the ages of 4 and 20 years who are actual residents of such parts of the districts divided, as shown by the latest census required by ORS 332.705 of such districts.
[Formerly 330.050]

330.125 [Formerly 329.750; repealed by 1965 c.100 §456]

330.130 [Repealed by 1963 c.282 §16]

330.135 Assigning numbers to districts. Except as otherwise provided in ORS 330.113, no district boundary board shall assign to any school district a number which has been previously assigned to another school district which became nonexistent on or after January 1, 1953.
[Formerly 329.755; amended by 1965 c.100 §79]

330.140 [Repealed by 1963 c.282 §16]

330.145 [Formerly 329.760; repealed by 1965 c.100 §456]

330.150 [Repealed by 1963 c.282 §16]

330.155 [Repealed by 1965 c.100 §456]

330.170 [Repealed by 1965 c.100 §456]

330.190 [Amended by 1955 c.386 §2; repealed by 1963 c.282 §16]

330.200 [Repealed by 1955 c.386 §8]

330.210 [Repealed by 1965 c.100 §456]

330.220 [Repealed by 1965 c.100 §456]

330.230 [Amended by 1957 c.626 §6; 1961 c.148 §1; subsection (2) of 1963 Replacement Part enacted as 1961 c.148 §3; subsection (3) of 1963 Replacement Part enacted as 1961 c.148 §4; 1963 c.544 §25; repealed by 1965 c.100 §456]

330.240 [Amended by 1957(s.s.) c.12 §1; repealed by 1965 c.100 §456]

330.250 [Repealed by 1965 c.100 §456]

330.260 [Repealed by 1965 c.100 §456]

330.270 [Repealed by 1965 c.100 §456]

330.280 [Repealed by 1965 c.100 §456]

330.290 [Repealed by 1965 c.100 §456]

330.300 [1957 c.89 §1; amended by 1965 c.100 §77; 1965 c.275 §3; renumbered 330.113]

330.310 Change in boundaries of county school district. (1) Subject to ORS 333.050, the boundaries of a county school district organized under ORS chapter 333 may be changed to include all or part of a school district in another county by action of the district boundary board or in the manner provided in ORS 330.505 to 330.780.

(2) Subject to ORS 333.050, the boundaries of a county school district organized under ORS chapter 333 may be changed to withdraw part of the county school district from the county school district and to add such part to a school district or districts in the same or another county by action of the district boundary board or in the manner provided in ORS 330.505 to 330.780.

(3) A school district affected by a change in boundaries made under this section does not thereby become an administrative school district.

(4) Before any territory is removed from a county school district under subsection (2) of this section, the district boundary board shall submit the question to the qualified voters of the districts involved and to the qualified voters of the area to be changed. If a majority of the votes cast in each of the districts involved and in the area to be changed are in favor of the change, the change shall become effective.

[Formerly 333.124]

ADMINISTRATIVE SCHOOL DISTRICTS

330.505 Definitions for ORS 330.505 to 330.780. As used in ORS 330.505 to 330.780, unless the context requires otherwise:

(1) "Committee" means the intermediate education district board. In any county where there is no intermediate education district, "committee" means the governing body of the county.

(2) "County superintendent" means county district superintendent of schools or superintendent appointed by the intermediate education district board.

(3) "Reorganization of school districts" means the formation of administrative school districts in the manner provided under ORS 330.505 to 330.780.

[1957 c.619 §1; 1963 c.282 §3; 1963 c.544 §26; 1965 c.100 §80]

330.510 [1957 c.619 §2; 1961 c.625 §4; repealed by 1963 c.282 §16]

330.515 [1957 c.619 §4; repealed by 1963 c.282 §16]

330.520 [1957 c.619 §5; repealed by 1963 c.282 §16 and 1963 c.544 §52]

330.523 [1957 c.619 §8; repealed by 1965 c.100 §456]

330.526 [1957 c.619 §27; repealed by 1965 c.100 §456]

330.528 [1957 c.619 §26; repealed by 1965 c.100 §456]

330.530 Plan to reorganize districts into administrative districts. (1) In accordance with ORS 330.530 to 330.570, the committee may prepare reorganization plans for the formation of administrative school districts within the county. A plan for the reorganization of school districts involving territory lying in two or more counties shall be prepared by the joint action of the committees of the respective counties.

(2) A reorganization plan shall provide for the incorporation of territory of the county into one or more administrative school districts. A plan which provides for the formation of more than one administrative school district may be submitted to the qualified voters of the proposed districts as a single plan. The reorganization plan shall set out:

(a) The boundaries of existing school districts and the boundaries of the district or districts proposed under the plan.

(b) Where necessary, recommendations respecting the location of schools, utilization of existing buildings and the construction of new buildings.

(c) For any proposed administrative school district that will have a population of less than 100,000, according to the latest federal census, a provision for local school committees for any attendance unit, as defined in ORS 330.780, if the county committee determines that local school committees are desirable.

(d) The transportation requirements under the plan.

(e) An equitable adjustment of all the property, assets, debts and liabilities of each existing school district which is affected by the plan, determined under ORS 330.540 and the manner of consummating such adjustment.

(f) For any proposed administrative school district that will have when it comes into existence a population of not more than 40,000:

(A) Provisions for division of the district into zones if the county committee determines that zones are desirable. If the committee establishes zones, the committee shall not establish more than nine zones nor less than five zones. One or more of the zones may include the entire administrative school district.

(B) The length of the terms of the first members of the board of the proposed district, which terms shall be so established that the term of at least one member expires each year and the terms of not more than two members expire in any one year.

(g) Provisions for electing directors by zones or by the administrative school district or districts at large.

(h) A summary of the reasons for each proposed reorganization of school districts.

(i) Such other reports, records and materials as the State Board of Education may require.

(j) Notwithstanding the provisions of ORS 334.020, a designation of the intermediate education district in which the proposed administrative school district or districts are to be included if the proposed administrative school district or districts are joint districts.
[1957 c.619 §7; 1959 c.423 §1; 1961 c.317 §1; 1963 c.282 §4; 1965 c.100 §81; 1965 c.261 §1]

Note: As indicated in the source note to ORS 330.530, that section was amended by two 1965 Acts, i.e., chapters 100 and 261, Oregon Laws 1965. Chapter 100, which was signed by the Governor on March 25, 1965, added the words "according to the latest federal census" to paragraph (f) of subsection (2), and deleted "county" in subparagraph (A) of paragraph (f) of subsection (2). Chapter 261, which was signed by the Governor on April 22, 1965, did not include the words added to paragraph (f) by the earlier Act, and amended subparagraph (A) without including the change made by chapter 100. The amendments made by chapter 100 have not been compiled in ORS 330.530.

330.533 [1959 c.423 §3; 1961 c.285 §1; 1965 c.100 §96; renumbered 330.665]

330.535 Plan to be supported by studies and surveys. The reorganization plan shall be supported by studies and surveys conducted by the committee, with technical assistance available from the Department of Education. The reports of the results of these studies and surveys shall include the following matters:

(1) The adequacy of the educational program in the various districts in the county.

(2) The number of pupils attending school in the various districts in the county and the population of each district, existing and proposed.

(3) The assessed taxable valuation of existing districts per district and per pupil and the differences in such valuations under possible reorganization plans.

(4) The location, condition and future use of existing buildings and equipment.

(5) Natural community areas.

(6) Location and condition of roads, highways and natural barriers within districts.

(7) Transportation of pupils.

(8) Geographic and economic conditions within the county.

(9) Such other matters as afford greater equalization of educational opportunities for the inhabitants of the county, more efficient and economical administration of public schools and a more equitable distribution of public school revenues.
[1957 c.619 §9; 1965 c.100 §82]

330.540 Determination of equitable adjustment of property, assets, debts and liabilities of all school districts affected by plan. Subject to the provisions of ORS 328.555, the committee shall determine the value and amount of all school property and all bonded and other indebtedness of all school districts affected by the comprehensive reorganization plan and shall determine an equitable adjustment of all property, assets, debts and liabilities of each such school district.
[1957 c.619 §10]

330.545 [1957 c.619 §11; repealed by 1965 c.100 §456]

330.547 Time for committee action; procedure if committee fails to act. (1) A committee shall complete all action on a plan involving a joint school district required under ORS 330.530 within 30 days after the plan was submitted to it.

(2) If the committee refuses to concur in the plan, it shall appoint a disinterested person to represent it on the arbitration board required under ORS 330.552. Within 10 days' notice of the other committee's refusal to concur, the committee that originated the plan shall also appoint a disinterested person to represent it. Within 30 days after appointment the two representatives so appointed shall meet and appoint a third person. If any appointment required by this subsection is not made within the time specified, the State Board of Education upon notification shall make the appointment.
[1965 c.621 §4]

330.550 Hearings on reorganization plan. (1) When the committee has prepared a reorganization plan, including maps and charts, the committee shall fix the dates and places for hearings on the reorganization plan. The county superintendent shall give notice of the hearings by publication as provided in ORS 330.635.

(2) At the hearing the committee shall explain the reorganization plan, with the advantages and any disadvantages resulting therefrom. The committee shall show the cost of the current and the proposed programs of education as nearly as may be estimated. A statement of the adjustment proposed in the reorganization plan for property, assets, debts and other liabilities shall be made at the hearing. At the hearing, any resident of the county or any affected district in an adjacent county may be heard with reference to the changes proposed by the reorganization plan.
[1957 c.619 §12; 1963 c.282 §5]

330.552 Arbitration board in case of disagreement over disposition of territory in joint district. If the county committees of two counties cannot agree over the disposition of the territory of a joint district in preparing their reorganization plans, an arbitration board shall be established. The arbitration board shall consist of one member appointed by each committee and a third member appointed by the two other appointees. If the two appointees do not appoint a third member within 30 days after their appointment, the Superintendent of Public Instruction shall appoint the third member of the arbitration board. The decision of the arbitration board is final and shall be incorporated into the reorganization plans of the counties involved.
[1959 c.423 §4; 1965 c.100 §83]

330.555 Revision of reorganization plan; hearing; adoption of final plan; submission to State Board of Education. After the public hearing held as required by ORS 330.550, the committee shall consider any suggestions made at the hearing and shall make such revisions or modifications in the reorganization plan as it considers necessary and shall fix the dates and places for hearings on the revised or modified plan, give notice of the hearings by publication as provided in ORS 330.635 and hold such hearings and thereafter shall adopt its final reorganization plan. Within 10 days after adoption of the final plan, the committee shall submit at least two copies of its final reorganization plan to the State Board of Education. The committee shall cause notice of its action adopting a final plan of reorganization to be published in at least two issues of a newspaper designated by it and having circulation in the school districts or areas affected by the proposed change. The first publication shall be not more than eight days after the date of the committee's action, and the last publication shall be not less than nine days nor more than 15 days after the date of its action.
[1957 c.619 §13; 1963 c.282 §6]

330.557 Petition to revise or modify plan; hearing on petition; review of denial of petition. (1) Any person residing or owning or occupying real property within the area affected by any final plan of reorganization adopted by the committee for the organization of an administrative school district may petition the State Board of Education to have the plan revised or modified in particulars set forth in such petition. Such petition shall be filed with the secretary of the State Board of Education and a copy thereof shall be delivered to the secretary of the committee in person or by certified mail within 30 days after adoption of such plan by the committee. The petitioner shall have the right to be heard at the hearing provided by ORS 330.560 and to be represented by counsel and to offer evidence and argument in support of such petition. The committee likewise shall

be entitled to be heard at such hearing and to be represented by counsel and to offer evidence and argument in opposition to such petition.

(2) Any petitioner may petition the circuit court for writ of review in the manner provided by ORS 34.010 to 34.100 to review the decision or determination of the State Board of Education denying or overruling the petition of such petitioner to revise or modify the final plan of reorganization in the particulars set forth in the petition, provided that such petition for writ of review shall be filed with the circuit court within 30 days after the State Board of Education approves the final plan of reorganization.
[1963 c.282 §12]

330.560 Hearing plan by State Board of Education or its representative. The State Board of Education shall receive and examine the plans for the reorganization of school districts submitted to it by the committees. If within 30 days after adoption of a final reorganization plan by the committee the State Board of Education receives any petition or petitions for revisions or modifications of such plan, it shall set such petition or petitions for hearing before the State Board of Education or an authorized representative of the board. The secretary to the State Board of Education shall give notice of the hearing by publication as provided in ORS 330.635.
[1957 c.619 §14; 1963 c.282 §7]

330.565 Approval of plan by State Board of Education. Within 60 days after the hearing held as required by ORS 330.560 or, if no hearing is required, within 60 days after adoption of the final reorganization plan by the committee, the State Board of Education shall approve the plan if the board finds that the plan provides for a satisfactory school districting system. If the plan is approved the State Board of Education shall notify the committee or committees concerned and each petitioner referred to in ORS 330.560 within 10 days of such approval. One copy of the final reorganization plan, marked "Approved by State Board of Education," shall be returned to the committee, together with maps, reports, records and all other pertinent material submitted to the State Board of Education by the committee. The second copy of the final reorganization plan shall be filed in the files of the State Board of Education as a permanent record.
[1957 c.619 §15; 1963 c.282 §8]

330.570 Revision by committee of plan found unsatisfactory or inequitable by board. If the State Board of Education finds that a final reorganization plan submitted by a committee is unsatisfactory, or that the adjustment of property, assets, debts and liabilities is inequitable, the State Board of Education shall so notify the committee within 60 days after the hearing held as required by ORS 330.560 or, if no hearing is required, within 60 days after adoption of the final reorganization plan by the committee, stating the reasons for nonapproval. A revised plan shall be prepared by the committee within 90 days from the date of notification of nonapproval. Upon request of the committee, the State Board of Education shall assist the committee in revising the plan so as to make it satisfactory. The revised plan shall be subject to the same procedures as are provided by ORS 330.550, 330.555 and 330.560 with respect to the original plan.
[1957 c.619 §16; 1963 c.282 §9]

330.575 Preparation of plan by State Board of Education if committee fails to prepare plan or provide information. The State Board of Education shall make surveys and prepare reorganization plans for the reorganization of school districts in any county in which the committee fails or refuses to submit plans, records, reports and other data to the State Board of Education as required by ORS 330.530 to 330.540, 330.547, 330.550 to 330.555 and 330.560 to 330.570 or 330.610. A reorganization plan prepared by the State Board of Education under this section shall be subject to approval or rejection by the qualified voters in the same manner as a reorganization plan approved by the board under ORS 330.565.
[1957 c.619 §17; 1965 c.100 §84]

330.580 [1957 c.619 §18; 1961 c.414 §7; repealed by 1963 c.282 §16]

330.585 Special election in proposed administrative school districts. (1) Within 30 days after the date the committee receives an approved plan from the State Board of Education, the county superintendent shall call a special election of the qualified voters residing within the territory of each administrative school district proposed to be formed under the approved plan. In an approved district where no change in boundary is involved no election is required. If the approved plan proposes the formation of more than one administrative school district, the

election in each district affected by the plan shall be held on the same day. The election shall be held within 60 days from the date the committee receives the approved plan at the place or places within each proposed administrative school district which are determined by the county superintendent to be convenient for the qualified voters. The county superintendent shall appoint the judges and clerks of such election who shall be qualified voters of the territory of the proposed administrative school district. Except as otherwise provided in ORS 330.585 to 330.595 and 330.610, the election shall be held according to the laws governing special school elections.

(2) The cost of conducting the election shall be charged to each common school district embraced in a proposed administrative school district or districts, if the plan provides for more than one administrative district, in the same proportion as its assessed valuation is to the total assessed valuation of the proposed administrative school district, and shall be paid from any current operating funds belonging to the respective districts. Where a common school district is to be divided and its territory assigned to two or more administrative school districts, the cost to the common school district of the election shall be in proportion to its assessed valuation included in the proposed administrative school district.

[1957 c.619 §19; 1965 c.100 §85; 1965 c.261 §2]

Note: As indicated in the source note to ORS 330.585, that section was amended by two 1965 Acts, i.e., chapters 100 and 261, Oregon Laws 1965. Chapter 100, which was signed by the Governor on March 25, 1965, deleted the words "330.595 and" from subsection (1). Chapter 261, which was signed by the Governor on April 22, 1965, did not delete the words deleted from subsection (1) by the earlier Act. The amendments made by chapter 100 have not been compiled in ORS 330.585.

330.587 Counting votes when unification of union high school district involved. If the reorganization plan submitted in accordance with ORS 330.585 involves the unification of a single union high school district with the elementary districts, all or part of which are included in the union high school district, the votes shall be counted under the method specified in ORS 335.500.

[1961 c.435 §2]

330.590 Notice of election. The county superintendent shall give notice of the special election by publication as provided in ORS 330.635. The notice shall:

(1) State clearly that the election is called for the purpose of affording the qualified voters the opportunity to approve or reject a proposal for the formation of one or more new administrative school districts.

(2) Designate the time and place or places at which the election will be held and specify the place or places to which the qualified voters in each existing school district shall go to vote.

(3) Contain a description of the boundaries of the proposed administrative school district or districts, if the plan provides for more than one administrative school district.

(4) Contain a statement of the terms of adjustment of property, assets, debts and liabilities applicable to the proposed administrative school district or districts and existing school districts which contain territory to be included within the proposed administrative school district or districts.

(5) Contain a statement of the place where a summary of the studies and surveys upon which the reorganization plan is based is on file and may be examined.

[1957 c.619 §20; 1965 c.100 §86; 1965 c.261 §3]

330.595 Ballot form. The ballot used at the special election shall be in substantially the following form:

VOTE YES OR NO	Mark "X" or "✓" in the square for the answer voted for.
ADMINISTRATIVE SCHOOL DISTRICT. Shall that portion of ——— County (Counties), State of Oregon, described as (insert description) be formed as an administrative school district (or districts) and the following terms of adjustment of property, assets, debts and liabilities applicable to the administrative school district (or districts) and existing school districts which contain territory to be included within the administrative school district (or districts) be approved? The following are the terms of adjustment of property, assets, debts and liabilities applicable to the administrative school district (or districts) and existing school districts which contain territory to be included within the administrative school district (or districts): (insert terms of adjustment).	YES ☐ NO ☐

[1957 c.619 §21; 1965 c.100 §87; 1965 c.261 §4]

330.598 Definitions for ORS 330.598 to 330.609. As used in ORS 330.598 to 330.609:

(1) "Common school district" includes any part of a common school district lying within the boundaries of a proposed administrative school district.

(2) "Rejecting school district" means a common school district within which a majority of the votes cast were against the formation of an administrative school district or against a plan providing for the formation of more than one administrative school district.

[1961 c.414 §1; 1965 c.100 §88; 1965 c.261 §5]

330.600 [1957 c.619 §22; 1959 c.423 §5; repealed by 1961 c.414 §9]

330.601 Procedure where majority in each district favors formation. (1) The votes cast in each common school district shall be counted separately and if a majority of the votes cast by the qualified voters residing in each common school district within the boundaries of a proposed administrative school district is in favor of the formation of the district, the new administrative school district shall be organized in the manner provided in ORS 330.650 to 330.780.

(2) If the plan provided for the formation of more than one administrative school district and if a majority of the votes cast by the qualified voters residing in each common school district within the boundaries of the proposed districts is in favor of the formation of the new districts, the new administrative school districts shall be organized in the manner provided in ORS 330.650 to 330.780.

[1961 c.414 §2; 1965 c.100 §89; 1965 c.261 §6]

330.603 Procedure where majority in each district opposes formation. (1) If a majority of the votes cast within any one or more of the common school districts participating in the election under ORS 330.585 is against the formation of the administrative school district, or against the plan providing for the formation of more than one administrative school district, the organization of the new administrative school district or districts shall be delayed for a period of 30 days.

(2) During the 30-day period a petition for inclusion in the new administrative school district or districts may be filed by the qualified voters of any rejecting school district with the county superintendent. If such a petition is filed with the county superintendent within the 30-day period and is signed by a number of qualified voters equal to 50 percent or more of the qualified voters who voted in the rejecting school district in the election on the formation of the administrative school district or districts, another election shall be held in such rejecting school district in the manner provided in ORS 330.585 to 330.595 within 60 days after the date of the election on the formation of the administrative school district or districts.

(3) If no such petition is filed within the 30-day period, the rejecting district shall be omitted from further consideration in the formation of an administrative school district or districts and the committee shall proceed as provided in ORS 330.605. A rejecting district which does not file a petition shall not be required to vote again on the question of its inclusion in the same administrative school district within a period of one year from the date of the election at which the rejecting district voted against such inclusion.

(4) If such petitions are filed by the qualified voters of more than one rejecting school district, a separate election shall be held within each such rejecting school district. If a majority of the votes cast at the election provided for in this subsection by the qualified voters in each of the rejecting school districts approves inclusion in the administrative school district, the organization of the administrative school district shall proceed in the manner provided in ORS 330.650 to 330.780. If a majority of the votes cast at the election provided for in this subsection by the qualified voters in any of the rejecting school districts again rejects inclusion in the administrative school district, the rejecting district shall be omitted from further consideration in the formation of an administrative school district and the committee shall proceed as provided in ORS 330.605.
[1961 c.414 §3; 1965 c.100 §90; 1965 c.261 §7]

330.605 Proposal for new district excluding rejecting district. (1) If the committee believes that the proposal for the formation of a new administrative school district or districts is still feasible without the inclusion of the rejecting districts, the committee shall review the plan for the adjustment of assets and liabilities, deleting the rejecting districts, and shall submit the revised plan to the State Board of Education for approval as provided in ORS 330.607. If the plan is approved by the board, the committee shall, after giving notice as provided in ORS 330.635, hold a hearing on the revised plan.

(2) If a remonstrance, signed by at least 50 qualified voters or a number of qualified voters in the accepting districts equal to 10 percent of the qualified voters who voted in the election on the proposed administrative school district in the accepting district, whichever is the lesser, is filed with the committee within 10 days following the hearing, a special election shall be held as provided in ORS 330.585 to 330.595.

(3) If no remonstrance is filed or if a remonstrance is filed but the result of the election is approval of the revised plan as provided in ORS 330.601, the new administrative district or districts shall be formed effective as provided in ORS 330.609.
[1961 c.414 §4; 1965 c.100 §91; 1965 c.261 §8]

330.607 Approval of revised plan by state board. (1) Within 30 days after the revised plan is received by it, the State Board of Education shall approve the plan if it finds that the plan:

(a) Provides for a satisfactory school districting system.

(b) Adjusts property, assets, debts and liabilities in an equitable manner.

(2) If the revised plan is not submitted to the board or if the board does not approve the revised plan, the committee shall proceed with the preparation of a new comprehensive reorganization plan in the manner provided in ORS 330.610.
[1961 c.414 §5]

330.609 When new district comes into existence. Except as provided in ORS 330.720, when a district is organized in the manner provided in ORS 330.650 to 330.780:

(1) If the last election on the formation of the district is held between July 1 and March 31, inclusive, the new administrative school district shall come into existence effective May 31 following the election.

(2) If the last election on the formation of the district is held between April 1 and June 30, inclusive, the new administrative school district shall come into existence effective May 31 of the following year.
[1961 c.414 §6; 1965 c.100 §91a; 1967 (s.s.) c.8 §5]

330.610 Procedure where majority in proposed district opposes formation. If a proposal for the formation of a new administrative school district is rejected by the qualified voters as provided for in ORS 330.585:

(1) The committee may direct the county superintendent to resubmit the same plan at a special election called and conducted in the same manner and subject to ORS 330.598 to 330.609, to be held not earlier than one year from the date of the election at which the plan was rejected, except that there shall be no more than two special elections held on the same plan of reorganization without the approval of the State Board of Education; or

(2) The committee may devise a new plan of reorganization which the committee believes will be more acceptable to the qualified voters of the territory affected and submit the new plan to the State Board of Education for approval in the same manner as the original plan was submitted. If the new reorganization plan is approved by the State Board of Education, a special election shall be held as provided in ORS 330.585 to 330.595, subject to ORS 330.598 to 330.609.

If the new plan is approved by the qualified voters at the election, the new administrative school district shall be organized in the manner provided in ORS 330.650 to 330.780. Except as provided in ORS 330.720, the new administrative school district or districts shall come into existence as provided in ORS 330.609.
[1957 c.619 §23; 1961 c.414 §8; 1965 c.100 §92; 1965 c.261 §9]

330.620 [1957 c.619 §24; repealed by 1963 c.282 §16]

330.625 [1957 c.619 §25; repealed by 1965 c.100 §456]

330.630 [1957 c.619 §2; 1961 c.625 §2; subsections (4) and (5) of 1961 Replacement Part enacted as 1961 c.625 §3; subsections (6) and (7) of 1961 Replacement Part formerly part of 327.069; repealed by 1963 c.282 §16]

330.632 [1959 c.423 §15; repealed by 1963 c.282 §16]

330.635 Notices. Whenever notice by publication of any hearing or election is expressly required by the provisions of ORS 330.505 to 330.780, it shall be given as provided in ORS 331.010.
[1957 c.619 §41; 1965 c.100 §93]

330.640 Canvassing election returns and proclaiming results. In all elections under ORS 330.505 to 330.780, the returns of the election shall be canvassed and the results proclaimed by the committee, or by committees jointly where the election involves more than one county.
[1957 c.619 §41a; 1965 c.100 §94]

330.645 [1957 c.619 §42; repealed by 1963 c.282 §16]

330.650 [1957 c.619 §29; repealed by 1965 c.100 §456]

330.660 Identification of administrative school district; function of school board for split district; liability of annexed district. (1) As used in this section, "most populous district" means the school district:

(a) Which maintained an elementary school;

(b) More than one-half of which is included in the administrative school district; and

(c) Which had a larger number of children of school age at the school census next preceding the inclusion of such district in the administrative school district than any other school district of the type described in paragraphs (a) and (b) of this subsection which is included in the administrative school district.

(2) When an administrative school district is formed:

(a) The administrative school district shall retain the same number which was previously assigned to the most populous district.

(b) Subject to the provisions of ORS 328.555, the school districts, or parts thereof, included in the administrative school district shall be deemed to be annexed to the most populous district (or the part of the most populous district included in the administrative school district) and to become identified with it; and the employes of the school districts included in the administrative school district (or if only part of a district is included in the administrative school district, the employes who were employed in schools included within the administrative school district) shall be deemed to be employes of the most populous district, which shall succeed the other districts in such administrative school district as a party to their respective contracts of employment.

(3) Notwithstanding any other law, when an administrative school district comes into existence all territory included in the administrative school district is withdrawn from any other type of school district, except the intermediate education district or the area education district, of which it may have been a part and becomes a part of the administrative school district. If part only of an existing school district is included in an administrative school district and the other part of such existing school district is not included in some other administrative school district, the school board of such existing school district shall continue to serve as the school board for the part of such existing school district that is not included in an administrative school district until the expiration of the terms of such school board members and any vacancies on such school board shall be filled in the manner provided by law for such school district.

(4) This section does not alter the effect of any law relating to the liability of an administrative school district or of any school district or part thereof included in an administrative school district.
[1957 c.619 §30; 1959 c.423 §6; 1961 c.602 §17; 1965 c.100 §95]

330.665 Local school committees. (1) Each local school committee provided for in the reorganization plan under ORS 330.530 shall consist of three members elected by the qualified voters of the school attendance unit defined in ORS 330.780. At the first annual school election following the formation of the administrative school district, there shall be elected three members of each local school committee. The person elected to each committee who receives the highest number of votes shall serve for a term of three years, the person who receives the next highest number of votes shall serve for a term of two years and the remaining person elected to the local school committee shall serve for a term of one year. Upon the expiration of the term of a member, his successor shall be elected to serve for a term of three years. Any vacancy shall be filled by the remaining members of the committee by appointment. The appointee shall serve until the next annual school election, when his successor shall be elected to fill the unexpired term in the manner prescribed in this subsection. Members of the local school committee shall be nominated and elected in the same manner so far as applicable as school board members are nominated and elected under the laws applicable to the administrative school district.

(2) Notwithstanding ORS 332.172, the local school committee, under rules of the administrative school district board, shall determine the use of the school property for civic purposes not inconsistent with its primary use. The local school committee shall also visit the school at frequent intervals, report to and advise the administrative school district board concerning the progress and needs of the school and the wishes of the people concerning the school and recommend improvements in the school property.

(3) By unanimous vote the local school committee may, not later than March 1 of each year, recommend rejection for the ensuing year of any teacher assigned to the school by the administrative school district board. The recommendation shall be delivered to the clerk of the district in writing and shall specify the reason for the recommendation. The board shall review the recommendation submitted by the local school committee and make final determination.

(4) The district school board of an administrative school district may submit the question of establishing additional local school committees or abolishing existing local school committees to the qualified voters at any annual school election, and must submit either question upon petition of at least 50 qualified voters or a number of qualified voters equal to at least 10 percent of the votes cast at the last annual school election in the district, whichever is the lesser.

[Formerly 330.533; amended by 1967 c.315 §1]

330.670 Application of ORS 330.680 to 330.720. ORS 330.680 to 330.720 do not apply to an administrative school district having a population of over 40,000 on the date the administrative school district comes into existence.

[1957 c.619 §36; 1959 c.423 §7]

330.680 Zones in district with not over 40,000 population. Immediately after the formation of an administrative school district, if the reorganization plan provided for the division of the district into zones, the committee shall divide the district into from five to nine zones, one zone for each member of the board as provided in the reorganization plan for the administrative school district. The zones shall be as nearly equal in school census population as is feasible, except that in urban areas two or more zones may have a common boundary. Thereafter, the district school board may adjust the boundaries of the zones not more often than once each year.

[1957 c.619 §31; 1959 c.423 §8; 1965 c.100 §97]

330.690 School board in district with not over 40,000 population. (1) The district school board of an administrative school district shall consist of a number of members equal to the number of zones in the administrative school district or, if the district is not zoned, the board shall consist of seven members.

(2) If the district is divided into zones:

(a) At the expiration of each member's term of office a successor shall be elected from the same zone for a period of five years.

(b) Only one director shall be elected from any one of the zones.

(c) Each director shall be a resident of the zone from which he is elected.

(d) The directors shall be elected as provided in the plan under ORS 330.530.

(3) If the district is not zoned, the directors shall be elected at large in the district

(4) Any vacancy on the board shall be filled by the remaining members of the board by appointment. The appointee shall serve until the next annual election, when his successor shall be elected as prescribed in this section. The successor shall serve for a full term or for the remainder of the unexpired term, if any.

(5) Except as otherwise provided in ORS 330.505 to 330.780, board members shall be nominated and elected in the same manner as district school board members are nominated and elected in other school districts under the general laws applicable to school districts of all sizes.

[1957 c.619 §32; 1959 c.423 §9; 1965 c.100 §98]

330.700 Election of first board in district with not over 40,000 population. (1) Immediately following the first division of the district into zones under ORS 330.680 or, if the district is not to be zoned, immediately following the formation of the administrative school district, the intermediate education district board shall call a special election in the district at which time there shall be elected the members of the first administrative school board. Except as otherwise provided in subsection (2) of this section, the election shall be held in the manner provided in ORS chapter 331.

(2) The intermediate education district board shall divide the district into school election precincts and designate a schoolhouse or some other place in each precinct as a polling place. The intermediate education district board shall appoint one election board for each school election precinct and the provisions of subsection (2) of ORS 331.320 apply to such election board. Notice of the election shall be given as prescribed by ORS 331.010. The name of any qualified voter may be placed on the ballot as a candidate for the office of school director upon filing with the intermediate education district board, at least seven days prior to the date of the election, a certificate of nomination signed by at least 10 qualified voters. However, unless an acceptance of nomination by the nominee is filed with the intermediate education district board at least five days prior to the date of such election, such nomination is void. Subsection (2) of ORS 331.330 applies to the election of the first board members.

(3) In the first election of board members, the candidate in each zone, or, if the district is not zoned, the candidates receiving the highest number of votes shall be elected. Notwithstanding ORS 330.690, the members of the board first elected shall serve for terms determined as provided in the reorganization plan for the administrative school district.

[1957 c.619 §33; 1959 c.423 §10; 1965 c.100 §99]

330.710 When first board assumes powers and duties. Except as provided in ORS 330.720, the school board elected pursuant to ORS 330.700 shall not assume its powers and duties until the date when the administrative school district comes into existence.

[1957 c.619 §34]

330.720 Powers of first board before district comes into existence. During the period following their election and prior to the date the administrative school district comes into existence, the district school board for the administrative school district may take such action as is essential in order that the administrative school district may carry out its required functions when it comes into existence, including the preparation and adoption of a budget for the administrative school district and the reference of questions relating to the budget to the qualified voters of the district. Expenditures of the board under this section shall be charged to each common school district in the manner provided in subsection (2) of ORS 330.585.

[1957 c.619 §35; 1965 c.100 §100]

330.730 School board of district having more than 40,000 population. (1) The school board of an administrative school district having a population of more than 40,000 according to the latest federal census, shall consist of seven members. No person is eligible for election as a member of such school district who at the time of election is not a qualified voter and a resident within such district for one year immediately preceding his election.

(2) In administrative school districts having a population of more than 40,000 and less than 300,000, according to the latest federal census, the two additional members of the board required by subsection (1) of this section shall be elected from the district at large at the first regular school election following the formation of the administrative school district. Of the members elected pursuant to this subsection, the person receiving the highest vote shall serve for a term of

three years and the other person elected shall serve for a term of one year.

[1957 c.619 §37(1), (3); 1965 c.100 §101; 1967 c.605 §2]

330.740 Terms, nomination and election of board members in district having a population between 40,000 and 300,000. In an administrative school district having a population of more than 40,000 and less than 300,000, according to the latest federal census, at the expiration of each member's term of office a successor shall be elected at large from the district for a term of five years. Any vacancy on the board shall be filled by the remaining members of the board by appointment. The appointee shall serve until the next annual election, when his successor shall be elected. Except as otherwise provided in ORS 330.505 to 330.780, board members in such districts shall be nominated and elected in the same manner as school board members are nominated and elected in other school districts under the general laws applicable to school districts of all sizes.

[1957 c.619 §37a; 1965 c.100 §102; 1967 c.605 §3]

330.750 Elections in district with over 300,000 population. The provisions of ORS 331.110 to 331.180 are applicable to administrative school districts having a population of more than 300,000.

[1957 c.619 §37(2); 1967 c.605 §4]

330.760 Termination of term of members of preexisting board; board of administrative school district in district having a population of more than 40,000. (1) subject to subsections (2) and (3) of this section, notwithstanding any other provisions of law, the term of office of existing school board members of a preexisting school district shall terminate on the date when all the territory in such preexisting district is included in one or more administrative school districts which come into existence.

(2) In an administrative school district having a population of more than 40,000 when the district comes into existence, the board of the most populous district, as defined in ORS 330.660, shall continue in office until the expiration of the term for which the members were elected and with the two members, if any, elected under subsection (2) of ORS 330.730, shall be the board of the administrative school district.

(3) (a) Notwithstanding the provisions of ORS 330.690, in an administrative school district formed without an election entirely from a school district which maintains, over its entire area, both elementary and secondary education in grades 1 through 12 under the administration of a single school board, the members of the board of such district may be the members of the board of the administrative school district until the expiration of their respective terms of office if the reorganization plan so provides.

(b) The district school board of the administrative school district may submit the question of increasing the number of board members to seven or nine members to the qualified voters at any annual school election and must submit such question upon petition of at least 50 qualified voters or a number of qualified voters equal to at least 10 percent of the votes cast at the last annual school election in the district, whichever is the lesser.

(c) If the question of the increase in the size of the board is approved, at the next annual school election the additional members of the board shall be elected for staggered terms established by the district school board of the administrative school district so that no more than two members' terms shall expire in any one year.

[1957 c.619 §38; 1959 c.423 §11; 1961 c.229 §1; 1965 c.100 §103]

330.770 [1957 c.619 §40; 1959 c.423 §12; repealed by 1965 c.100 §456]

330.775 Administrative school district that includes all territory within county. When an administrative school district comes into existence and includes all of the territory within a county, exclusive of joint territory that reports in another county but including joint territory that reports within the county:

(1) The district superintendent of the administrative school district shall act as the county school superintendent of the county.

(2) The intermediate education district in the county is abolished.

[1959 c.423 §14]

330.780 Attendance units; transportation. (1) The school board for the administrative school district shall divide the district into such attendance units as may be proper and shall promulgate rules with respect to the particular school which each child shall attend. For the purposes of this section, an "attendance unit" is the geographical area which is served by a single school, consisting of part, or all, of a local administrative unit; and a "local administrative unit" is a geographical area which for

purposes of operating schools or contracting for school services, is under the supervision or control of a single school board.

(2) Whenever any reorganization plan provides for the transportation of pupils from one part of a new administrative school district to a central point, and such plan is approved by the qualified voters of the administrative school district, it is mandatory upon the school board of the administrative school district to provide adequate and practical transportation or a reasonable allowance for board and room in lieu thereof.
[1957 c.619 §39; 1965 c.100 §104]

330.790 Attendance at high schools outside administrative school district; payment of tuition. (1) Notwithstanding the provisions of ORS 330.780, where a resident pupil of an administrative school district had been attending a standard junior high or high school outside of the administrative school district prior to its organization, the parent or guardian of such pupil shall have the option of continuing the pupil's education until graduation at such standard junior high or high school outside the administrative school district upon written notice being given to the board of directors thereof prior to May 1 preceding the school year for which the tuition is requested.

(2) The administrative district shall pay the tuition of all such pupils resident within the district who are attending the junior high or high schools outside the administrative district, but transporation shall be the responsibility of the parent or guardian. The estimated cost of tuition shall be included in and be a part of the budget of the administrative district. The school district at which such pupils are completing their education shall accept such pupils on a tuition basis. Such tuition shall not exceed the current average per pupil cost of operation in the school attended.

(3) This section shall apply to administrative school districts organized and formed on or after July 1, 1963.
[1963 c.262 §§1, 2, 3]

330.800 Amendment of reorganization plan; effective date of amendment. The district school board of an administrative school district may submit any question relating to the amendment of the reorganization plan under which the district was established, except a boundary change, to the voters at any annual school election, and must submit any such question upon petition of at least 50 qualified voters or a number of qualified voters equal to at least 10 percent of the votes cast at the last annual school election in the district, whichever is the lesser. If the voters approve the amendment submitted under this section, the district school board shall declare the amendment effective at the end of the fiscal year unless a different effective date was part of the question of amendment submitted to the voters.
[1965 c.101 §1]

330.990 [Subsection (2) of 1963 part formerly 329.990; repealed by 1965 c.100 §456]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Robert W. Lundy, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on July 1, 1968.

Robert W. Lundy
Legislative Counsel