

Lane Education Service District Administrative Rule

Code: **BBAB-AR**
Adopted: 7/29/93
Revised/Readopted: 10/23/01
Orig. Code(s): BBAB-AR

Boundary Change Procedures

The Board shall clearly separate its deliberations and actions as the School District Boundary Board from its deliberations and actions as the Education Service District Board with regard to:

1. Calling and announcement of meetings;
2. Agenda;
3. Minutes.

In accordance with Board policy and Oregon Revised Statutes, the Board directs the superintendent to develop and maintain legal descriptions, maps and other documents necessary to show and define the boundaries of all component school districts, based on records of the County Assessor.

As provided in the statutes, the School District Boundary Board may direct a component school district to be merged with an adjoining school district designated by the Board if it finds that continuation of the district is not required because of geographic factors affecting transportation or because of sparsity of population and if:

1. The school district fails to maintain and operate a school for more than two successive years without approval of the State Board of Education;
2. The school district is in a county with more than 35,000 population and has an average daily membership of fewer than 18 children for each of two successive years, as certified by the Superintendent of Public Instruction.

The School District Boundary Board shall merge smaller districts into larger districts or shall change the boundaries of school districts upon:

1. The request of the district school boards of the affected school districts.

The request from the district school boards shall be in the form of a copy of the Board resolution or official minutes of the meeting requesting or approving the proposed change.

If the petition is to merge smaller districts into larger districts, the request shall contain the names and numbers of the affected districts, a concise statement of the type of change requested and proposals for: (a) distribution of debt, if any; and (b) retirement of unexpired serial levies, if any, or continuance of such levies against all taxable property in the enlarged district.

If only a portion of the school district is involved, the request shall include a legal description of the property for which the change is requested.

2. A petition of 5 percent or 500 electors of each affected district, whichever is less.

If a petition of electors from affected districts is involved, the petition shall contain the names and numbers of the affected districts and a concise statement of the type of change requested.

The petition shall 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 taxable property in the enlarged district.

If only a portion of the school district is involved the request shall also include a legal description.

The petition shall also contain signatures and resident addresses of the petitioners and the names of the school district in which they reside.

The School District Boundary Board shall not make any change or merger that results in a school district having fewer than 20 children of school age on the date the change or merger becomes effective.

No boundary change or merger shall be made which results in a school district that consists of noncontiguous areas.

Before the proposed change or merger is considered, the School District Boundary Board shall give notice in the *Register-Guard* (a general circulation newspaper in the county in which the hearing is to be held). In accordance with timelines provided in Oregon Revised Statutes, the notice shall be published no sooner than the 25th day nor later than the 15th day before the hearing and the last publication shall be no sooner than the 14th day or later than the 8th day before the hearing.

If no remonstrance on the change or merger is submitted requiring an election, the School District Boundary Board shall declare that the change or merger shall become effective as provided by law.

If a remonstrance signed by at least 5 percent or at least 500, whichever is less, of the electors of a school district affected by the proposed change or merger is filed with the School District Boundary Board within 20 days after the date of the order, the School District Boundary Board shall submit the question of the proposed change or merger to the electors of each affected school district from which a remonstrance was filed, in accordance with procedures as detailed in the law.

When a merger or boundary change becomes final, the merger will become effective as follows:

1. If between July 1 and March 31, inclusive, the change or merger shall take effect May 31 following the declaration or election;
2. If between April 1 and June 30 the change or merger shall take effect May 31 of the following year.