

**Multnomah Education  
Service District**

Code: **BBAB-AR(2)**  
Adopted: 11/16/10  
Amended:  
Reviewed:

**Boundary Board Request for a Boundary Change from a Petitioner**

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## **Basis for a School District Boundary Change**

According to ORS 330.092, the boundaries of a school district may not be changed except:

1. Pursuant to ORS 330.090 (1) or (3).
2. By a vote of the people pursuant to the lengthening of the course of study under ORS chapter 335.
3. By the mutual consent of the district school boards of the two or more affected districts in the manner prescribed in ORS 330.080 to 330.107.
4. On a request for change or merger proposal submitted to the district boundary board by electors of the affected districts in the manner prescribed in ORS 330.080 to 330.107.

## **Request from a Petitioner**

A petition of five percent or 500 electors of each affected district, whichever is less, for a change or merger submitted to the district boundary board by electors of the affected districts must be done in the manner prescribed in ORS 330.080 to 330.107.

**Determine Signature Requirements.** The petitioners must obtain from the County Clerk in each affected county the number of registered voters in the area affected by the proposed change. The number of registered voters must be filed with the signed petitions.

**Governing Laws of Petition.** ORS Chapter 255 governs a petition for a proposed change or merger under ORS 330.095.

**Prospective Petition.** Before circulating a petition to initiate or refer a district measure, the petitioner shall file a prospective petition with the appropriate county elections officer(s).

**Petition Content Requirements.** Subject to ORS 332.118, the request or petition for proposed change or merger in school districts shall:

1. Be directed to the district boundary board of the county or counties having jurisdiction over the affected school districts.<sup>1</sup>
2. Contain the names and numbers of districts affected by the change.
3. 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.

Any legal description of the property must be prepared in accordance with ORS 308.225 and shall be submitted to the Boundary Board Clerk. The description may be acquired from deed records, the County Assessor, a title company, a surveyor, or engineer and authorized by a registered surveyor or the Oregon Department of Revenue.

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<sup>1</sup>Multnomah Education Service District Boundary Board (“boundary board.” or “district boundary board.”) is the district boundary board with jurisdiction over any affected school districts in Multnomah County.

4. Contain the signatures and residence addresses or mailing addresses of the petitioners and the names of the school districts in which they reside.
5. If a merger is requested or petitioned, the request or petition shall also contain proposals for (1) distribution of any debt, and (2) retirement of any unexpired serial levies, or continuation of any levies against all taxable property in the enlarged district.
6. Any proposed merger may contain a recommendation that the new district retain the same name and number as the most populous school district in the merger or a recommendation for a new name for the district, a request for the formation of school committees as described in ORS 330.425 and a request that the number of members of the district school board be increased to seven members.

**Obtain Current Assessed Value.** The petitioner shall obtain from the County Assessor.'s office the current assessed valuation of all property (land and improvements) to be contained within the proposed area of change or merger. The valuation must be submitted with the signed petition.

**Obtain Section Map(s).** The petitioner shall obtain current section map(s) of the involved area from the County Assessor.'s office. The maps must be clearly marked with the existing school district boundaries, clearly show the area proposed for change, and be submitted with the signed petition.

**Obtain Necessary Signatures.** The required number of signatures is five percent or 500 electors of each affected district, whichever is less.

**Verification of Signatures.** The signatures on the petitions must be verified by the County Clerk of the appropriate county. A letter of verification from the County Clerk(s) must be filed with the signed petition.

**Submit and File Petition.** The petitioner must file the signed petition, the assessed value, the number of electors, the section map(s), and verification statement(s) with the Boundary Board Clerk.

## **Boundary Board Action Upon Receipt of Petition**

**Timelines for Boundary Board Action.** The district boundary board shall complete all action on a request or petition for boundary change or a merger required under ORS 330.101 within 100 days of the date of receipt of the request or petition if the boundary change or merger requested or petitioned lies totally within the jurisdiction of that board. If the boundary change or merger requested or petitioned requires ratification of an adjacent boundary board as in ORS 330.095 (3), an additional 60 days may be utilized for action of the second boundary board. 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.

**Notice of proposed change or merger.** Before the proposed change or merger is ordered, the district boundary board shall give notice in the manner provided in ORS 330.400 of the proposed change or merger and the session of the board at which it will be ordered. If no remonstrance petition on the change or merger is submitted requiring an election as provided in subsection (2) of this section, the board shall issue an order that the change or merger shall become effective as provided in ORS 330.103. The remonstrance petition is subject to ORS 332.118. However, the boundary board shall not issue an order until all affected boundary boards have had opportunity to consider the proposed change or merger.

**Remonstrance Petition (Petition opposing the proposed change or merger).** If a remonstrance petition on a proposed change or merger signed by at least five 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 district boundary board within 20 days after the date of the order to effect the proposed change or merger, and when all district boundary boards have acted on the change or merger as provided in ORS 330.095 (3), the board shall submit the question of the proposed change or merger to the electors of each affected school district from which a remonstrance petition was filed, with the district boundary board acting as the district elections authority on behalf of the school districts. Separate elections shall be held in sequence in the districts from which remonstrance petitions have been filed, commencing with the least populous district and progressing in order of population to the most populous district. If the majority of votes in each election favor the change or merger, an election shall be held in the next most populous district. The cost of an election on a proposed boundary change or merger shall be prorated between or among the district school boards involved in accordance with ORS 255.305.

**Defeating the Proposed Boundary Change or Merger.** If the majority of votes cast in any affected district oppose the change or merger, the change or merger shall be defeated, and the same or a substantially similar change or merger shall not be ordered until 12 months have elapsed from the date of the election at which the change or merger was defeated, unless otherwise required by law. If the vote is favorable in all remonstrating districts, the district boundary board shall declare the change or merger effective as provided in ORS 330.103 and issue an order without further elections.

**Sample Petition for Boundary Change Petition for Boundary Change**  
Exhibit \_\_\_\_\_

To:  
From:  
Date:

1. Concise statement of the type of change requested:

If only a portion of the school district is involved, a legal description thereof is as follows:

2. The above change is being requested for the following reasons:
3. The names and number of the districts affected by the change are as follows:
4. Approximate number of acres involved:
5. Number of families involved:
6. The following distribution of debt is proposed:

7. The following retirement of any unexpired serial levies, or continuation of any levies against all taxable property in the enlarged district is proposed:
  
8. The following documents are attached to the petition as exhibits (check all that apply, the first four documents must be attached):
  - a. Current assessed valuation of all property (land and improvements) to be contained within the proposed area of change or merger, obtained from the County Assessor.'s office.
  - b. Current section map(s) of the involved area from the County Assessor.'s office.
  - c. Letter of signature verification(s) from the County Clerk(s).
  - d. Signed petition, including the number of registered voters.

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\_\_\_\_\_  
 Signature of Person Submitting Petition  
 for Boundary Change

\_\_\_\_\_  
 Date

Contact information for Person Submitting Petition for Boundary Change:

Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Address: \_\_\_\_\_

### Sample School District Boundary Change Petition

To: District Boundary Board

We, the undersigned electors, in accordance with ORS Chapter 330, all qualified voters within the \_\_\_\_\_ School District No. \_\_\_\_\_ and \_\_\_\_\_ School District No. \_\_\_\_\_ petition the District Boundary Board to transfer the property described in Exhibits \_\_\_\_\_ Under the provisions of ORS 330.090(3) to ORS 330.113.

Date: \_\_\_\_\_

	Print Name	Signature	Date Signed	Residence or Mailing Address (Street, City, Zip)	School District
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					

**Circulator's Verification**

Person Circulating Petition: \_\_\_\_\_ (Print Name) \_\_\_\_\_ ( Address) \_\_\_\_\_ Phone \_\_\_\_\_

I hereby certify that I witnessed the signing of the signatures sheet by each individual whose signature appears on this signature sheet and believe each individual is an elector registered in the district (ORS 255.135). I (am) (am not) a paid circulator of this petition.

Signature of Circulator: \_\_\_\_\_ Date: \_\_\_\_\_