Chapter 333

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County Unit System

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ESTABLISHMENT OF COUNTY UNIT

333.005 Establishment or continuance of county school district. A county school district may be established in accordance with the provisions of this chapter, or may be continued in existence under this chapter, if the boundaries of the county school district do not include territory that is also included within another school district. [1959 c.424 s.2; 1991 c.167 s.21]

333.010 [Repealed by 1975 c.770 s.49]

333.015 [Repealed by 1975 c.770 s.49]

333.020 City school districts; laws applicable. (1) Except as otherwise provided by statutes relating to city school districts, city school districts shall be operated and administered in accordance with the laws applying to common school districts having less than 300,000 population.

(2) City school districts having over 100,000 population shall be operated and administered under the laws relating to school districts having over 300,000 population. [Amended by 1967 c.605 s.17; 1975 c.770 s.30]

333.025 [Repealed by 1975 c.770 s.49]

333.030 [Repealed by 1975 c.770 s.49]

333.035 [1965 c.275 s.2; repealed by 1991 c.167 s.28]

333.040 [Repealed by 1975 c.770 s.49]

333.050 Union high school districts in county school districts. Any union high school district that includes a city school district or that includes territory in more than one county shall not be disturbed by establishment of a county school district under ORS 333.060 and 333.071. No county school district tax for high school purposes shall be levied upon property within such union high school district. [Amended by 1963 c.147 s.1; 1983 c.284 s.5a]

333.060 Election to adopt county unit system. This chapter shall not become effective in any county until the same has been regularly submitted to the electors of the proposed county school district at a general or special election and a majority of the votes cast was in favor of making this chapter effective. [Amended by 1975 c.770 s.31]

333.070 [Amended by 1975 c.770 s.32; repealed by 1983 c.350 s.171 (333.071 enacted in lieu of 333.070)]

333.071 Election procedure. (1) This section establishes the procedure for determining whether this chapter shall become effective in a county. The question shall be decided by election. The county court:

(a) Shall order an election when a petition is filed as provided in this section.

(b) May order an election on its own resolution.

(2) The requirements for preparing, circulating and filing a petition under this section shall be as provided for an initiative petition in ORS 250.165 to 250.235, unless ORS 250.155 makes ORS 250.165 to 250.235 inapplicable to the county.

(3) Only the electors residing within the boundaries of the proposed county school district may vote in an election ordered under this section.

(4) An election ordered under this section shall be held on a date specified in ORS 203.085. [1983 c.350 s.172 (enacted in lieu of 333.070)]

333.080 [Amended by 1957 c.622 s.5; repealed by 1971 c.289 s.10]

333.090 Consolidation of city and county school districts. Any city school district may consolidate with a county school district in the following manner:

(1) Whenever the county school board and the city school board pass a resolution favoring consolidation of the city school district with the county school district, or when the county school board and the city school board receive petitions of not fewer than 100 electors of the respective districts requesting that the city school district become a part of the county school district, the boards shall thereafter agree in writing upon an adjustment of assets and liabilities. The district boundary board shall act as a board of arbitration and decide the adjustment where the school boards are unable to agree.

(2) The question of such consolidation shall then be submitted to the electors of each of the school districts at the next regular district election or at a special election mutually agreed upon by the respective school boards. The election shall not be later than six months after receipt of petitions by the respective school boards. No election by petition shall be called in a county under this section within the first six years immediately following adoption of this chapter in the county.

(3) If a majority of electors voting in each district favors consolidation, the consolidation shall become effective as provided in ORS 330.103. [Amended by 1957 c.310 s.14; 1957 c.622 s.6; 1967 s.s. c.8 s.8; 1973 c.796 s.43; 1975 c.770 s.33; 1983 c.350 s.173]

333.100 [Repealed by 1971 c.289 s.10]

333.110 [Amended by 1957 c.622 s.7; repealed by 1971 c.289 s.10]

333.120 [Amended by 1967 s.s. c.8 s.9; repealed by 1975 c.770 s.49]

333.123 [1967 s.s. c.8 s.7; repealed by 1971 c.289 s.10]

333.124 [1959 c.424 s.3; 1963 c.147 s.2; 1965 c.100 s.105; renumbered 330.310]

333.126 Alternative procedure for organizing county school district; adjustment of assets and liabilities. (1) Notwithstanding ORS 333.050, school district boundaries existing prior to the presentation of a petition under subsection (2) of this section or any other provision of law, a county school district to be organized under this chapter after May 16, 1959, as provided in ORS 333.005 may include within its boundaries school districts within the county or adjacent territory in an adjoining county or counties or it may exclude from its boundaries any territory which is part of an existing school district affected by the formation of the county school district and which lies in an adjoining county or counties. The formation of a county school district pursuant to this subsection, which is an alternative to formation procedures under ORS 333.050, 333.071 and 333.090, shall be as provided in subsection (2) of this section.

(2) Notwithstanding ORS 333.050 and 333.071, a county school district, which may include one or more school districts or territory in an adjacent county as provided in subsection (1) of this section, may be organized in the following manner:

(a) Within 60 days after receipt of a petition requesting formation of a county school district as provided in subsection (1) of this section, the county court of the county having the largest population in the proposed county school district shall submit to the electors registered in the proposed county school district at a special election called by the court the question of whether a county school district shall be formed as requested in the petition. The costs of the election shall be charged to each common school district included in the proposed county school district in the same proportion as its assessed valuation is to the total assessed valuation of the proposed county school district. The petition must be signed by not fewer than 100 electors who are registered both in the county having the largest population in the proposed county school district and in the proposed county school district specified in the petition. If the proposed county school district includes or excludes territory in another county or counties as provided under subsection (1) of this section, the petition to form the county school district shall also contain the signatures of not less than 10 percent of the electors registered outside the county whose territory will be excluded from an existing school district or included in the county school district as a result of the petition. If the plan for the proposed county school district excludes territory in an adjoining county or counties, an equitable plan for the distribution of assets and liabilities shall be included in the petition and ballot used in the formation of the county school district pursuant to this section. As an alternative procedure to that provided in ORS 333.350, an equitable plan for the adjustment of assets and liabilities among the common school districts making up the proposed county school district may be included in

the petition and ballot used in the formation of the county school district pursuant to this section.

(b) Immediately after the election pursuant to paragraph (a) of this subsection, the county court having jurisdiction of the petition shall canvass the vote upon the question of forming the county school district. If a majority of the votes cast is in favor of forming the county school district, the county court shall declare that the formation of a county school district has been approved. If the formation of a district has been approved, the county school district shall go into effect 30 days after the election, except that when the election is held in June the district shall go into effect on July 1 following the election. [1959 c.424 ss.4, 5; 1961 c.709 s.1; 1973 c.796 s.44; 1975 c.770 s.34; 1983 c.83 s.64]

OPERATION OF COUNTY UNIT

333.130 General school laws applicable to county unit system districts. Except in so far as they are in conflict with this chapter, all general laws of the state relating to public schools are applicable to all districts created under this chapter.

333.140 [Repealed by 1975 c.770 s.49]

ELECTION OF SCHOOL BOARD

333.145 Zoning for election of board. A county school district shall be divided into five or seven zones for the election of school directors. Each zone shall be as nearly equal in population as each other zone; provided, however, that in any county school district which contains territory within a union high school district which is exempted from the county school district tax for high school purposes by ORS 333.050 not less than three of said zones must lie wholly outside the boundaries of the union high school district. [1971 c.289 s.1; 1997 c.521 s.21]

333.150 [Amended by 1971 c.47 s.2; repealed by 1971 c.289 s.10]

333.155 County school board; number; term; qualification; election; eligibility; effect of rezoning on incumbents. (1) The governing body of a county school district shall be the county school board which consists of five or seven directors.

(2) Except for the school board elected at the special election following the formation of or consolidation involving a county school district the offices of the directors shall be for staggered terms of four years each so that at least one full four-year term of office will be voted upon at each regular election.

(3) Except as provided in subsection (4) of this section, each director shall be elected by the electors of the district at large. A director must be an elector of the district and a resident of the zone for which the director is elected. However, if as a result of the rezoning of the district, except following a consolidation involving the district, there is more than one director residing in any zone, the director whose term has the longest to run shall be the director for the zone in which the director resides and the other director for the remainder of that director's term shall be the director for the vacant zone. If there are two or more directors without zones the director with the longest remaining term shall have first choice of the vacant zone which the director will represent during the remainder of the director's term and the remaining director or directors shall likewise choose their zones in the order of the length of their remaining terms. Such choice shall be made at the first regular school board meeting following such rezoning. If any director does not make a choice at the school board meeting, the school board shall by resolution determine the vacant zone which the director shall represent.

(4) If a majority of the school board so decides, the board may provide that directors shall be elected as well as nominated from zones. At any time after a school board decides that directors shall be elected by zone, the district school board may rescind the decision and provide that the directors shall be nominated by zone and elected at large.

(5) ORS 332.016 and 332.018 apply to county school districts. [1971 c.289 s.5; 1983 c.284 s.6; 1983 c.350 s.174; 1991 c.586 s.2; 1997 c.521 s.22]

333.160 [Repealed by 1971 c.289 s.10]

333.165 Election of directors from zones. If directors are elected from zones, the candidate in each zone who receives the plurality of votes in the zone shall be elected. [1971 c.289 s.6; 1973 c.796 s.45; 1983 c.284 s.7; 1983 c.350 s.331b]

333.170 [Repealed by 1971 c.289 s.10]

333.175 Action to contest validity of board election. The action provided by ORS 30.510 to 30.640 may be maintained against a director by an elector of the district in any of the following cases:

(1) When the director was not an elector of the district or a resident of the zone for which the director was elected at the time of election.

(2) When the director ceases to be an elector of the district, or except in the case of rezoning as provided by ORS 333.155 (3), when the director ceases to be a resident of the zone for which the director was elected.

(3) When the director ceases to discharge the duties of office for three consecutive months unless such failure is excused by resolution of the school board.

(4) When the director is convicted of a felony. [1971 c.289 s.7; 1983 c.350 s.175]

333.180 [Amended by 1971 c.47 s.3; repealed by 1971 c.289 s.10]

333.185 [1971 c.289 ss.8, 9; repealed by 1975 c.770 s.49]

333.190 [Repealed by 1971 c.289 s.10]

333.195 Procedure for zoning or rezoning following formation or consolidation. (1) The district boundary board shall proceed to zone or rezone the county school district in the manner provided in this section immediately following any election in which the formation of or any consolidation involving such district is approved by the electors. Thereafter, upon a petition being filed with the district boundary board signed by not fewer than three members of the county school board or by not fewer than 100 electors of the county school district, which alleges that the district boundary board has not held a public hearing for the rezoning of the school district for a period of at least 10 years prior to the filing of the petition and requests the district boundary board to hold such a hearing, the district boundary board shall, if it finds that the petition complies with the law and that its allegations are true, proceed in the manner provided in this section.

(2) The district boundary board shall by resolution set a time and place for a public hearing for the zoning of the school district and shall cause notice of such time and place to be published in the manner provided by ORS 330.400.

(3) At the time and place set for the hearing, which place shall be the office of the district boundary board or the place within the county school district designated in the resolution, the district boundary board shall hear and receive the oral and written statements and recommendations of the electors and property owners of the county school district and of the school board of the district and if held following a consolidation election the electors, property owners and school board of the consolidated district.

(4) Following the hearing the district boundary board may meet from time to time, without further notice, for the purpose of zoning the district. It shall consider the statements and recommendations received at the public hearing. It may consider any school records, the school census, the federal census and state certificates of population and may request the State Board of Higher Education to conduct an actual count of the population within the school district or any proposed zone pursuant to the provisions of ORS 190.520 (2). It may retain or employ appropriate professional and other special assistance reasonably required to conduct its investigation.

(5) At the conclusion of its investigation and deliberation, the district boundary board shall divide the county school district into five or seven zones for the election of school directors. Each zone shall be as nearly equal in population as each other zone; provided, however, that in any county school district which contains territory within a union high school district which is exempted from the county school district tax for high school purposes by ORS 333.050 not less than three of the zones must lie wholly outside the boundaries of the union high school district.

(6) The district boundary board shall adopt a resolution setting forth by metes and bounds the description of each of the five or seven zones and shall designate each zone by number or name. Upon adopting the resolution, the zones shall henceforth and until the next rezoning be the zones for election of directors of the county school district. [1971 c.289 s.2; 1983 c.284 s.11; 1997 c.521 s.23]

333.197 Special election of board after formation or consolidation. (1) At the same meeting at which the zoning resolution is adopted following the formation of or consolidation involving a county school district, the district boundary board shall also adopt a resolution calling a special election for the election of the school board of the county

school district.

(2) Candidates for director shall be nominated and the district boundary board shall give notice and conduct the special election in the manner provided by law for zoned common school districts with a population of less than 300,000.

(3) At the special election five or seven directors shall be elected by the electors of the district at large for terms of two and four years respectively.

(4) The ballot shall designate each position to be filled by its zone number or name in the same manner as at a county school district election except that it shall not state the number of years in each term. The candidate in each zone who receives the plurality of the votes for such position shall be elected the director for the zone.

(5)(a) If five directors are elected to the county school board, then the two directors who received the most votes shall hold the four-year terms and the remaining directors shall hold the two-year terms.

(b) If seven directors are elected to the county school board, then the three directors who received the most votes shall hold the four-year terms and the remaining directors shall hold the two-year terms. [1971 c.289 s.3; 1995 c.258 s.4; 1997 c.521 s.19]

333.200 [Amended by 1967 c.379 s.1; repealed by 1971 c.289 s.10]

333.205 Effective date of formation or consolidation; terms of directors. (1) The effective date of the formation of or consolidation involving the county school district shall be July 1 following the election of the county school board except that if the election was held between January 1 and July 1 the effective date shall be July 1 of the following year.

(2) The term of each director shall be deemed to run from the effective date of the formation or consolidation but during the period following the election and prior to the effective date, the county school board, so elected, shall have authority to take any action which is essential in order that the school district may carry out its required functions after the effective date, including the preparation and adoption of a budget and the reference of questions relating to the budget to the electors of the district and the employment of personnel. [1971 c.289 s.4; 1993 c.45 s.63; 1999 c.21 s.66]

333.210 [Amended by 1969 c.64 s.1; 1969 c.541 s.3; repealed by 1975 c.770 s.49]

333.215 Application of election laws to election of union high school district board. ORS 332.118 to 332.136 apply to the nomination and election of the district school board of any union high school district that operates in a county organized under ORS chapter 333. [1979 c.47 s.1; 1983 c.284 s.8]

333.220 [Repealed by 1975 c.770 s.49]

333.230 [Repealed by 1975 c.770 s.49]

SUPERINTENDENT;
LOCAL COMMITTEE

333.240 Superintendent's office. (1) The county court or board of county commissioners shall provide the county district superintendent of schools with an office in the county courthouse or other available location and with necessary office furniture, which shall be paid for out of the county general fund.

(2) At the discretion of the county court or board of county commissioners, the county may provide additional office space for the county school district and may charge the district a reasonable sum as rent for such space.

(3) The board of a county school district may rent such office space as may be required when the space made available by the county is considered to be inadequate. [Amended by 1975 c.477 s.4]

333.250 [Repealed by 1975 c.770 s.49]

333.260 [Repealed by 1975 c.770 s.49]

333.270 [Repealed by 1975 c.770 s.49]

333.280 Local school committees; election; vacancies. (1) In each subdistrict of the county school district a local school committee of five members shall be elected by the electors of the subdistrict.

(2) For the purpose of subsection (1) of this section, when the county school board has assigned any child to an attendance unit in a subdistrict other than the one in which the child resides:

(a) Each elector of the district whose child has been so assigned may vote in the election of local school committee members only in the subdistrict to which the child has been assigned.

(b) If the child so assigned is an elector of the district, the child may vote in the election of local school committee members only in the subdistrict to which the child has been assigned.

(3) The members of the school board of the school district in which the school was located prior to the creation of the county school district shall serve as committee members of the subdistrict of the county school district.

(4) The term of a member is four years.

(5) A regular district election shall be held in each subdistrict to elect a member to succeed any member whose term expires June 30 next following the election and to fill any vacancy.

(6) A person shall be nominated as a candidate for member of a committee by filing a petition for nomination or a declaration of candidacy under ORS 255.235. If a candidate is nominated by petition and members are nominated from subdistricts, the petition must be signed by at least 10 electors residing in the subdistrict from which the candidate seeks nomination.

(7) Each office of local school committee member shall be designated by number as Position No. 1, Position No. 2, Position No. 3 and so forth. The school district shall assign a position number to each office on the local school committee and shall certify to the filing officer the name of the committee member in office holding that position. A copy of the certification shall be filed in the office of the filing officer. As used in this section, “filing officer” means the:

(a) County clerk or county official in charge of elections of the county in which the administrative office of the district is located regarding a district located in more than one county; or

(b) County clerk or county official in charge of elections in a district situated wholly within the county.

(8) Any vacancy on the local school committee shall be filled by the remaining members of the committee by appointment. The period of service of an appointee shall expire June 30 next following the next regular district election at which a successor is elected. The successor shall be elected to serve the remainder, if any, of the term for which the appointment was made. If the term for which the appointment was made expires June 30 after the election of the successor, the successor shall be elected to a full term. In either case the successor shall take office July 1 next following the election. [Amended by 1953 c.227 s.2; 1973 c.827 s.29; 1975 c.647 s.29a; 1983 c.350 s.178; 1987 c.7 s.4; 1995 c.607 s.73]

333.290 Function of local school committee. The local school committee, under rules and regulations of the county school board, shall care for the school property and make recommendations for its use for civic purposes not inconsistent with its primary use. The local school committee shall also visit the school at frequent intervals, report to the county district superintendent of schools concerning the progress and needs of the school and the wishes of the people concerning the school and recommend improvements in the school property. [Amended by 1975 c.770 s.35]

333.300 [Repealed by 1967 c.315 s.2]

333.305 Recommendation of local school committee to reject teacher. By unanimous consent the local school committee may, not later than March 1 of each year, recommend rejection for the ensuing year of any teacher assigned to a school within its jurisdiction by the county school board. The recommendation shall be delivered to the superintendent 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. [1967 c.315 s.4; 1975 c.770 s.36]

FINANCIAL AFFAIRS

333.310 Apportionment of school funds. All moneys received from the state for use in any county in which this chapter is in effect and all county school funds of such county shall be apportioned by the county district superintendent of schools among the school districts of the county, on the pro rata basis provided by law for distribution of the particular fund. Apportionment of school funds shall be in conformity with ORS 327.415, 327.420

and 328.015, except that where “county school superintendent” is used in those statutes, it means “county district superintendent of schools” for the purposes of this section. [Amended by 1957 c.626 s.7]

333.320 Creation of district indebtedness. The county school board may create indebtedness for the county school district for school purposes. [Amended by 1975 c.770 s.37]

333.330 Method of paying outstanding warrants of former districts after creation of county school district. (1) The county school board may, by resolution at a regular or special board meeting establish an “indebtedness fund of the _____ county school district,” which fund shall be kept by the county treasurer separate from the county district general fund. All uncollected taxes levied by the several school districts composing the county school district, except taxes levied for the current fiscal school year and remaining uncollected at the time the county school law becomes effective in the county, shall accrue to such indebtedness fund.

(2) Any unpaid warrants indorsed “not paid for want of funds” legally issued by any elementary district, union or nonhigh school district, high school or county high school district becoming a part of any county school district, shall be paid out of moneys accruing to the indebtedness fund from the delinquent taxes constituting the general security for the payment of all such warrants. Such outstanding warrants shall be paid in an order of payment determined by the county school board and shall bear interest until paid at six percent per annum payable each year in cash. Accrued interest on all such warrants shall be paid each June 1 upon order of the county school board by warrants drawn on the county treasurer against the indebtedness fund. On June 1 of any year, the county school board may exchange warrants held by any investor for one or more warrants issued against said fund in convenient denominations, the total of which shall equal the par value of the warrants so exchanged. The county school board may transfer any cash on hand at the close of any fiscal school year to the indebtedness fund. If the amount received from delinquent taxes is insufficient to pay all such claims and accrued interest in full within a reasonable period of years, the county school board shall levy a special indebtedness tax, upon the property included in the county school district at the time this chapter became effective in the county, for the purpose of creating revenue sufficient to pay all such remaining claims. Any balance remaining in the indebtedness fund after all warrants and accrued interest charges against such fund are paid shall be transferred to the county district general fund by order of the county school board. Any delinquent taxes paid thereafter shall accrue directly to the county district general fund.

333.340 Joint districts; division of school property. If this chapter becomes effective in any county having a joint school district with any other county, the district boundary boards of all counties in which such district is located shall divide and apportion the school property of such district. If the boundary boards fail to reach a settlement within 60 days, the county district superintendent of schools and the county school superintendent concerned shall each appoint one member of an arbitration board and the two appointees shall appoint the third member. The arbitration board shall divide and apportion the school property of the joint school district within 30 days.

333.350 Adjustment of subdistrict assets and liabilities. (1) Within 30 days after this chapter becomes effective in any county, the county school board shall employ an appraiser approved by the Department of Revenue to appraise all real and personal property owned by each subdistrict within the county which has united to form the county school district, including the equity of each subdistrict in the property of any union high school district lying wholly within the county school district, and shall estimate the value of all unpaid taxes in each subdistrict and determine the total indebtedness of each such subdistrict. The appraisal shall be made in conformity with the rules and regulations of the Department of Revenue. The appraiser shall, on the completion of the work, file a written report with the county school board, which report shall show the kind and value of all property owned by each subdistrict, the estimated value of all unpaid taxes, and the nature and amount of all indebtedness.

(2) Unless the county school board modifies the report within 30 days, it shall be deemed approved. The county school board shall send a complete copy of the report as approved to each member of the local committee in each subdistrict immediately upon approval thereof.

(3) An appeal may be taken to the district boundary board from any portion of the report, as approved by the county school board, within 30 days of the mailing of such report to the local committeemen by a petition signed by 10 percent, but not less than five of the electors in any subdistrict, which petition shall set forth in full detail wherein such report, or any portion thereof, is inaccurate or unjust. The district boundary board shall fix a date for a hearing upon the petition and shall, after the hearing, decide all questions raised in the petition. In making its decision the district boundary board shall be governed by any rules and regulations of the State Board of Education.

(4) All districts shown by the appraisal to have assets in excess of liabilities shall be allowed a credit equal to the amount of such excess, which credit shall be deducted from the taxes levied by the county school district against the property within such subdistrict and shall be distributed annually over a period of not to exceed 15 years at the discretion of the county school board. If any subdistrict is shown by said appraisal to have liabilities in excess of assets, the county school board shall collect the amount of such excess liabilities by levying a special tax annually upon the property in such subdistrict, and shall collect such excess liabilities within a period of not to exceed 15 years, at the discretion of the county school board.

(5) If any district high school, union high school or county high school district becomes united with a county school district by the provisions of ORS 333.050 to 333.090, assets and liabilities of such districts shall be adjusted in the manner provided in subsections (1) to (4) of this section.

333.360 County district budget procedure. (1) On or before the last day of May of each year, the county school board shall prepare a budget showing the amount of money which in the judgment of the board will be needed in the ensuing school year for the maintenance, operation and support of all schools of the district and for acquiring or improving school sites, after deducting therefrom sums expected to be received from statewide and county-wide taxes or from other state or county funds.

(2) The county school board shall give a reasonable opportunity for electors of the district to criticize the budget at a meeting called for the purpose, as provided by law in first class districts.

(3) When the county school board has finally determined upon the statement of expenses for the items indicated in subsection (1) of this section the school district clerk shall report to the county clerk and county assessor not later than July 15 of each year the amount of tax levied by the county school board for the maintenance, operation and support of the public school system of the district, and for acquiring and improving school sites. [Amended by 1983 c.83 s.65]

333.370 [Repealed by 1975 c.770 s.49]

DISCONTINUANCE OF COUNTY UNIT

333.510 Election to discontinue county unit system. (1) Upon the petition of not less than 20 percent of the electors of a county school district, or by referral to the electors by the county court, or by referral to the electors by the school board, the county court, at a biennial primary election or general election, shall submit to the electors of the county the question whether the county unit system of public schools shall be discontinued in the county and be replaced by the system specified in the ballot measure.

(2) At the same time as it submits the question described in subsection (1) of this section, the county court shall also submit the question of a permanent rate limit for operating taxes for the system proposed.

(3) If a majority of the votes cast is in favor of discontinuing the county unit system and creating a new system, and the election is one in which at least 50 percent of registered electors eligible to vote in the election cast a ballot or the election is a general election in an even-numbered year:

(a) The county court shall declare the question approved;

(b) The system shall be discontinued in the county from and after the second June 30 next following the election; and

(c) The system specified in the ballot measure shall replace the discontinued system on the second July 1 next following the election.

(4) When an election to discontinue the county unit system has been held, no election for the same purpose shall be held within a period of six years from the date of the last election. Whenever any county adopts the county unit system, no election shall be held in the county to discontinue the county unit system for a period of six years from the date of the election at which the county unit system was adopted. [Amended by 1973 c.796 s.46; 1979 c.710 s.1; 1983 c.350 s.179; 1987 c.267 s.74; 1995 c.712 s.105; 1997 c.541 s.372]

333.520 Re-creation of prior school districts; directors of re-created districts; effect of merger. (1) Upon discontinuance of the county unit system, all school districts in the county existing at the time the county unit system became effective, and which were discontinued thereby, hereby are re-created with the same boundaries as immediately prior to the date when the county unit system became effective, or as otherwise specified in the ballot measure.

(2) The ballot measure shall specify the date for the election of new school board members according to law on a

school election date prior to the July 1 when the new district or districts would be created. The existing county unit school district board shall become the education service district board upon discontinuation of the county unit system and shall be subject to ORS chapter 334 and other applicable laws.

(3) Subsections (1) and (2) of this section do not apply if the county unit was created as a result of a merger required by chapter 393, Oregon Laws 1991. [Amended by 1979 c.710 s.2; 1983 c.610 s.6; 1993 c.45 s.64]

333.530 [Repealed by 1963 c.544 s.52]

333.540 Validity of contracts upon discontinuance of county district. All contracts made by the county school board terminating after discontinuance of the county unit system shall be considered contracts of and binding upon the newly created education service district until the expiration thereof as provided in the contract. [Amended by 1979 c.710 s.3]

333.550 Property of re-created district. Whenever a county unit school district ceases to exist, its real property shall pass to the successor education service district. The successor education service district shall have the authority to distribute existing property to the newly created school districts in accordance with the ballot measure. [Amended by 1979 c.710 s.4]

333.560 [Repealed by 1979 c.710 s.5 (333.561 enacted in lieu of 333.560)]

333.561 Reassignment of personnel upon discontinuance of district. Upon discontinuance of a county unit school district, the education service district shall have authority to reassign personnel to the newly created school districts. [1979 c.710 s.6 (enacted in lieu of 333.560)]

333.570 Payment of county school district indebtedness existing at discontinuance; sinking fund; apportionment of certain moneys. (1) All bonded or other indebtedness of the county school district existing at the time of its discontinuance shall be paid from funds derived from taxes levied by the county court on property in the territory which constituted the county school district during its existence. The taxes collected shall be kept in the education service district fund in the county treasury and shall be handled and may be invested and applied as other district funds derived for such purpose.

(2) All sinking funds belonging to a county school district at the time of its discontinuance shall be administered by the county court in the manner provided by law for the handling of school district sinking funds.

(3) All money received for taxes levied prior to discontinuance of the county school district or received from any source for payment of maintenance and operating expenses of the county school district after its discontinuance shall be apportioned among the newly created school districts by the education service district in accordance with the ballot measure. [Amended by 1979 c.710 s.7]

333.580 General school laws reapplicable. Upon discontinuance of the county unit system and except where ORS 333.520 to 333.570 provides otherwise, all general laws relating to the public school system, school districts and powers and duties of county and district officers in relation thereto are applicable in the county as if the county unit system had never been in force.

NEWLY FORMED DISTRICTS

333.610 Minimum grade offering of new districts. All newly organized county unit school districts shall offer as a minimum kindergarten and grades 1 through 12. [1979 c.710 s.9; 1993 c.45 s.65]

333.990 [Repealed by 1975 c.770 s.49]