

House Bill 2451

Sponsored by Representative FLORES; Representatives DALLUM, KRUMMEL

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Abolishes Quality Education Commission.

A BILL FOR AN ACT

1
2 Relating to Quality Education Commission; amending ORS 171.857, 291.228, 327.290 and 327.297; and
3 repealing ORS 327.497, 327.500, 327.502 and 327.506.

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

5 **SECTION 1.** ORS 171.857 is amended to read:

6 171.857. (1) The President of the Senate and the Speaker of the House of Representatives shall
7 jointly appoint a special legislative committee to issue a report pursuant to section 8, Article VIII
8 of the Oregon Constitution.

9 (2) The Legislative Assembly in the report shall:

10 (a) Demonstrate that the amount within the budget appropriated for the state's system of
11 kindergarten through grade 12 public education is the amount of moneys [*as determined by the*
12 *Quality Education Commission established by ORS 327.500*] that is sufficient to meet the quality goals
13 **established under ORS 329.015, 329.025, 329.035, 329.045, 329.465 and 329.475**; or

14 (b) Identify the reasons that the amount appropriated for the state's system of kindergarten
15 through grade 12 public education is not sufficient, the extent of the insufficiency and the impact
16 of the insufficiency on the ability of the state's system of kindergarten through grade 12 public ed-
17 ucation to meet the quality goals [*In identifying the impact of the insufficiency, the Legislative As-*
18 *sembly shall include in the report how the amount appropriated in the budget may affect both the*
19 *current practices and student performance identified by the commission under ORS 327.506 (4)(a) and*
20 *the best practices and student performance identified by the commission under ORS 327.506 (4)(b).*]
21 **established under ORS 329.015, 329.025, 329.035, 329.045, 329.465 and 329.475.**

22 [(3)(a) *Notwithstanding subsection (2) of this section, the Legislative Assembly may make a deter-*
23 *mination that the report of the Quality Education Commission should not be used as the basis for*
24 *carrying out the reporting requirements of section 8, Article VIII of the Oregon Constitution, and*
25 *subsection (2) of this section. If the report is not used, the Legislative Assembly shall identify the rea-*
26 *sons for not using the report to meet the reporting requirements and shall outline an alternative meth-*
27 *odology for making the findings required by section 8, Article VIII of the Oregon Constitution.*]

28 [(b) *The alternative methodology shall be based on:*]

29 [(A) *Research, data and public values; and*]

30 [(B) *The performance of successful schools, professional judgment or a combination of the per-*
31 *formance of successful schools and professional judgment.*]

32 [(c) *The Legislative Assembly shall include in the report that uses the alternative methodology a*

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 *determination of how the amount appropriated may affect the ability of the state's system of*
 2 *kindergarten through grade 12 public education to meet quality goals established by law, including*
 3 *expected student performance against those goals.]*

4 [(4)] (3) The Legislative Assembly shall identify in the report whether the state's system of
 5 post-secondary public education has quality goals established by law. If there are quality goals, the
 6 Legislative Assembly shall include in the report a determination that the amount appropriated in
 7 the budget is sufficient to meet those goals or an identification of the reasons the amount appro-
 8 priated is not sufficient, the extent of the insufficiency and the impact of the insufficiency on the
 9 ability of the state's system of post-secondary public education to meet those quality goals.

10 [(5)] (4) The report shall be issued within 180 days after the regular session of the Legislative
 11 Assembly adjourns sine die.

12 [(6)] (5) The Legislative Assembly shall provide public notice of the report's issuance, including
 13 posting the report on the Internet and providing a print version of the report upon request.

14 **SECTION 2.** ORS 291.228 is amended to read:

15 291.228. (1) The Governor shall publish a report that:

16 (a) Demonstrates that the amount in the Governor's budget recommended for the state's system
 17 of kindergarten through grade 12 public education is the amount of moneys [*as determined by the*
 18 *Quality Education Commission established by ORS 327.500*] that is sufficient to meet the quality goals
 19 **established under ORS 329.015, 329.025, 329.035, 329.045, 329.465 and 329.475;** or

20 (b) Identifies the reasons that the amount recommended for the state's system of kindergarten
 21 through grade 12 public education is not sufficient, the extent of the insufficiency and the impact
 22 of the insufficiency on the ability of the state's system of kindergarten through grade 12 public ed-
 23 ucation to meet the quality goals [*In identifying the impact of the insufficiency, the Governor shall*
 24 *include in the report how the amount recommended in the Governor's budget may affect both the cur-*
 25 *rent practices and student performance identified by the commission under ORS 327.506 (4)(a) and the*
 26 *best practices and student performance identified by the commission under ORS 327.506 (4)(b).]* **es-**
 27 **tablihed under ORS 329.015, 329.025, 329.035, 329.045, 329.465 and 329.475.**

28 (2) The Governor shall determine whether the state's system of post-secondary public education
 29 has quality goals established by law. If there are quality goals, the Governor shall include in the
 30 report a determination that the amount recommended in the Governor's budget is sufficient to meet
 31 those goals or an identification of the reasons the amount recommended is not sufficient, the extent
 32 of the insufficiency and the impact of the insufficiency on the ability of the state's system of post-
 33 secondary public education to meet the quality goals.

34 (3) The report shall be issued at the same time as the Governor's budget report required under
 35 ORS 291.202.

36 (4) The Governor shall provide public notice of the report's issuance, including posting the re-
 37 port on the Internet and providing a print version of the report upon request.

38 **SECTION 3.** ORS 327.290 is amended to read:

39 327.290. The Legislative Assembly finds that:

40 (1) The state has an interest in ensuring that public resources for primary and secondary
 41 schools are used to achieve the outcomes established under the Oregon Educational Act for the 21st
 42 Century in ORS chapter 329.

43 (2) To achieve that purpose, the School Improvement Fund is established so the state may sup-
 44 port activities directly related to increases in student achievement while still allowing school dis-
 45 tricts flexibility in determining the specific activities necessary to support students.

1 *[(3) It is the intent of the state in establishing the School Improvement Fund to link these activities*
 2 *to the recommendations of the Quality Education Commission established under Executive Order 99-16*
 3 *and the recommendations of the Quality Education Commission established under ORS 327.500.]*

4 **SECTION 4.** ORS 327.297 is amended to read:

5 327.297. (1) In addition to those moneys distributed through the State School Fund, the Depart-
 6 ment of Education shall award grants to school districts, the Youth Corrections Education Program
 7 and the Juvenile Detention Education Program for activities that relate to increases in student
 8 achievement, including:

- 9 (a) Class size reduction;
- 10 (b) Increases in instructional time;
- 11 (c) Professional development;
- 12 (d) Remediation and alternative learning;
- 13 (e) Early childhood support;
- 14 (f) Services to at-risk youth;
- 15 (g) Additional instructional materials;
- 16 (h) Curriculum and instructional support;
- 17 (i) Services for English as a second language students; and
- 18 (j) Other activities approved by the State Board of Education that are shown to have a re-
 19 lationship to increasing student achievement.

20 (2) Each school district, the Youth Corrections Education Program and the Juvenile Detention
 21 Education Program may apply to the Department of Education for a grant. The department shall
 22 review and approve applications based on criteria established by the State Board of Education. *[In*
 23 *establishing the criteria, the State Board of Education shall consider the recommendations of the*
 24 *Quality Education Commission established under Executive Order 99-16 and the recommendations of*
 25 *the Quality Education Commission established under ORS 327.500.]* The applications shall include the
 26 activities to be funded and the goals of the school district or program for increases in student per-
 27 formance. The applications shall become part of the local district improvement plan described in
 28 ORS 329.095.

29 (3) The Department of Education *[shall evaluate the annual progress of each recipient of grant*
 30 *funds under this section toward the performance targets established by the Quality Education Com-*
 31 *missions that have been funded by the Legislative Assembly. The evaluation shall become part of the*
 32 *requirements of the department for assessing the effectiveness of the district under ORS 329.085,*
 33 *329.095 and 329.105. The department]* shall ensure school district and program accountability by
 34 providing appropriate assistance, intervening and establishing consequences in order to support
 35 progress toward the performance targets.

36 (4) Each biennium the Department of Education shall report to the Legislative Assembly on the
 37 grant program and the results of the grant program.

38 (5)(a) Notwithstanding ORS 338.155 (9), the Department of Education may not award a grant
 39 under this section directly to a public charter school.

40 (b) A school district that receives a grant under this section may transfer a portion of the grant
 41 to a public charter school based on the charter of the school or any other agreement between the
 42 school district and the public charter school.

43 (c) A public charter school that receives grant funds under this subsection shall use those funds
 44 for the activities specified in subsection (1) of this section.

45 (6)(a) The amount of each grant = the program's or school district's ADMw × (the total

1 amount available for the grants in each distribution year ÷ the total statewide ADMw).

2 (b) As used in this subsection:

3 (A) "ADMw" means:

4 (i) For a school district, the extended weighted average daily membership as calculated under
5 ORS 327.013, 338.155 (1) and 338.165 (2);

6 (ii) For the Youth Corrections Education Program, the average daily membership as defined in
7 ORS 327.006 multiplied by 2.0; and

8 (iii) For the Juvenile Detention Education Program, the average daily membership as defined in
9 ORS 327.006 multiplied by 1.5.

10 (B) "Total statewide ADMw" means the total extended ADMw of all school districts plus the
11 ADMw of the Youth Corrections Education Program plus the ADMw of the Juvenile Detention Ed-
12 ucation Program.

13 (7) Each school district or program shall deposit the grant amounts it receives under this sec-
14 tion in a separate account, and shall apply amounts in that account to pay for activities described
15 in the district's or program's application.

16 (8) The State Board of Education may adopt any rules necessary for the administration of the
17 grant program.

18 **SECTION 5. ORS 327.497, 327.500, 327.502 and 327.506 are repealed.**

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