

House Bill 2452

Sponsored by Representative FLORES; Representatives DALLUM, KRUMMEL, WHISNANT

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**.

Directs Legislative Assembly and Governor to use quality goals reflected in benchmarks adopted by Oregon Progress Board to determine if amount appropriated for public kindergarten through grade 12 education is sufficient.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to quality goals for public education; creating new provisions; amending ORS 171.857 and
3 291.228; and declaring an emergency.

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 **reflected in the benchmarks relating to kindergarten through grade 12 public education**
14 **adopted by the Oregon Progress Board;** or

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

22 (3)(a) Notwithstanding subsection (2) of this section, the Legislative Assembly may make a de-
23 termination that the [*report of the Quality Education Commission*] **benchmarks relating to**
24 **kindergarten through grade 12 public education adopted by the Oregon Progress Board** should
25 not be used as the basis for carrying out the reporting requirements of section 8, Article VIII of the
26 Oregon Constitution, and subsection (2) of this section. If the report is not used, the Legislative
27 Assembly shall identify the reasons for not using the report to meet the reporting requirements and
28 shall outline an alternative methodology for making the findings required by section 8, Article VIII
29 of the Oregon Constitution.

30 (b) The alternative methodology shall be based on:

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 (A) Research, data and public values; and

2 (B) The performance of successful schools, professional judgment or a combination of the per-
3 formance of successful schools and professional judgment.

4 (c) The Legislative Assembly shall include in the report that uses the alternative methodology
5 a determination of how the amount appropriated may affect the ability of the state's system of
6 kindergarten through grade 12 public education to meet quality goals established by law[, *including*
7 *expected student performance against those goals*].

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

14 (5) The report shall be issued within 180 days after the regular session of the Legislative As-
15 sembly adjourns sine die.

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

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

19 291.228. (1) The Governor shall publish a report that:

20 (a) Demonstrates that the amount in the Governor's budget recommended for the state's system
21 of kindergarten through grade 12 public education is the amount of moneys [*as determined by the*
22 *Quality Education Commission established by ORS 327.500*] that is sufficient to meet the quality goals
23 **reflected in the benchmarks relating to kindergarten through grade 12 public education**
24 **adopted by the Oregon Progress Board**; or

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

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

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

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

42 **SECTION 3. The amendments to ORS 171.857 and 291.228 by sections 1 and 2 of this 2007**
43 **Act apply to reports issued on or after the effective date of this 2007 Act.**

44 **SECTION 4. This 2007 Act being necessary for the immediate preservation of the public**
45 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**

1 **on its passage.**

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