

**A-Engrossed**  
**House Bill 2614**

Ordered by the House April 11  
Including House Amendments dated April 11

Sponsored by Representatives ROBLAN, FLORES, Senators JOHNSON, DEVLIN, STARR; Representatives BEYER, BUCKLEY, CAMERON, CLEM, DALLUM, KOMP, MINNIS, MORGAN, WHISNANT, Senators BURDICK, GORDLY, KRUSE, MORSE (at the request of Chalkboard Project)

**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.

*[Establishes Oregon Collaborative for Educational Excellence. Directs collaborative to provide system for professional development of teachers and administrators. Establishes Oregon Collaborative for Educational Excellence Board to govern collaborative. Directs board to appoint executive director and advisory committees.]*

*[Establishes Oregon Collaborative for Educational Excellence Account. Continuously appropriates moneys in account to Department of Education for purposes of collaborative.]*

*[Appropriates moneys from General Fund to Department of Education for collaborative.]*

**Establishes Education Enterprise Coordinating Commission within Department of Education. Specifies membership and duties of commission.**

**Directs commission to establish Oregon Collaborative for Educational Excellence to provide system for development of teachers, administrators and nonlicensed personnel.**

**Establishes Education Enterprise Coordinating Commission Account. Continuously appropriates moneys in account to Department of Education for administration of Act. Directs department to transfer specified amount each fiscal year from State School Fund to account.**

Declares emergency, effective July 1, 2007.

**A BILL FOR AN ACT**

1  
2 Relating to education; creating new provisions; amending ORS 327.008; appropriating money; and  
3 declaring an emergency.

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

5 **SECTION 1. As used in sections 1 to 14 of this 2007 Act:**

6 **(1) "Administrator" has the meaning given that term in ORS 342.120.**

7 **(2) "Nonlicensed personnel" means those employees of a school district or education**  
8 **service district who are not required to have a teaching or administrative license to perform**  
9 **their duties.**

10 **(3) "Teacher" has the meaning given that term in ORS 342.120.**

11 **SECTION 2. (1) There is established the Education Enterprise Coordinating Commission**  
12 **within the Department of Education. The commission shall coordinate a statewide system**  
13 **for:**

14 **(a) Research-based, sustainable, high-quality professional development for all Oregon**  
15 **prekindergarten through grade 12 teachers, administrators and nonlicensed personnel;**

16 **(b) Support and promotion of high-quality educational best practices and the provision**  
17 **of special education and related services;**

18 **(c) Providing central office administrative functions; and**

19 **(d) Aligning technology used by school districts, including providing connectivity for rural**

**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 schools.

2 (2) The programs established by the commission shall be developed in partnership with  
3 the Department of Education and school districts.

4 (3) The commission shall consist of 21 members appointed jointly by the Governor and  
5 the Superintendent of Public Instruction as follows:

6 (a) One member shall represent the Foundations for a Better Oregon and be appointed  
7 from a list submitted by the Foundations for a Better Oregon;

8 (b) One member shall represent the Chalkboard Project and be appointed from a list  
9 submitted by the Chalkboard Project;

10 (c) One member shall represent the business community;

11 (d) One member shall represent prekindergarten through grade 12 education and be a  
12 teacher;

13 (e) One member shall represent prekindergarten through grade 12 education and be a  
14 building administrator;

15 (f) One member shall represent community colleges;

16 (g) One member shall represent the Oregon University System;

17 (h) One member shall represent not-for-profit private Oregon colleges;

18 (i) Two members shall represent the Department of Education;

19 (j) One member shall represent prekindergarten through grade 12 education and be an  
20 educational assistant;

21 (k) One member shall represent the Governor;

22 (L) Two members shall represent education service districts and be education service  
23 district superintendents;

24 (m) Two members shall represent prekindergarten through grade 12 and be school dis-  
25 trict superintendents;

26 (n) One member shall represent the Oregon Education Association and be appointed from  
27 a list submitted by the Oregon Education Association;

28 (o) One member shall represent the Oregon School Boards Association and be appointed  
29 from a list submitted by the Oregon School Boards Association;

30 (p) One member shall represent the Confederation of Oregon School Administrators and  
31 be appointed from a list submitted by the Confederation of Oregon School Administrators;

32 (q) One member shall represent the Oregon School Employees Association and be ap-  
33 pointed from a list submitted by the Oregon School Employees Association; and

34 (r) One member shall represent the American Federation of Teachers Oregon and be  
35 appointed from a list submitted by the American Federation of Teachers Oregon.

36 (4) Notwithstanding subsection (3) of this section, the Governor and the Superintendent  
37 of Public Instruction may jointly appoint an alternative member who represents interests  
38 similar to those of an organization listed in subsection (3)(a), (b) and (n) to (r), if the or-  
39 ganization:

40 (a) Fails to submit a list of candidates for appointment as required by subsection (3) of  
41 this section; or

42 (b) No longer exists.

43 (5) The term of office of each member is three years, but a member serves at the pleas-  
44 ure of the Governor and the Superintendent of Public Instruction. Before expiration of the  
45 term of a member, the Governor and the Superintendent of Public Instruction shall jointly

1 appoint a successor. A member is eligible for reappointment and may serve up to three  
2 terms. If there is a vacancy for any cause, the Governor and the Superintendent of Public  
3 Instruction shall jointly, within 60 days, make an appointment to become immediately effec-  
4 tive for the unexpired term.

5 (6) Members of the commission are not entitled to compensation, but may be reimbursed  
6 for actual and necessary travel and other expenses incurred by them in the performance of  
7 their official duties in the manner and amounts provided for in ORS 292.495. Claims for ex-  
8 penses incurred in performing functions of the commission shall be paid out of funds appro-  
9 priated to the Department of Education for that purpose.

10 (7) The commission shall select one of its members as chairperson and another as vice  
11 chairperson, for such terms and with duties and powers necessary for the performance of  
12 the functions of such offices as the commission determines.

13 (8) A majority of the members of the commission constitutes a quorum for the trans-  
14 action of business.

15 (9) The commission may meet at times and places specified by the call of the chairperson  
16 or of a majority of the members of the commission. The commission shall meet a minimum  
17 of six times each fiscal year.

18 (10) The commission may adopt rules for the administration of sections 1 to 14 of this  
19 2007 Act.

20 **SECTION 3.** (1) Notwithstanding the term of office specified by section 2 of this 2007 Act,  
21 of the members first appointed to the Education Enterprise Coordinating Commission:

22 (a) Seven shall serve for terms ending September 1, 2008.

23 (b) Seven shall serve for terms ending September 1, 2009.

24 (c) Seven shall serve for terms ending September 1, 2010.

25 (2) The Governor and the Superintendent of Public Instruction shall jointly determine  
26 upon appointment of the first members to the commission the length of the terms of the  
27 members based on subsection (1) of this section.

28 (3) The Governor and the Superintendent of Public Instruction shall appoint the first  
29 commission prior to September 15, 2007.

30 **SECTION 4.** (1) The Education Enterprise Coordinating Commission shall appoint an  
31 executive director of the commission to serve at the pleasure of the commission.

32 (2) The designation of the executive director must be by written order, filed with the  
33 Secretary of State.

34 (3) Subject to any applicable provisions of ORS chapter 240, the executive director shall  
35 appoint all subordinate officers and employees of the commission, prescribe their duties and  
36 fix their compensation. In addition, the executive director may contract for staff and ser-  
37 vices for the purpose of administering sections 1 to 14 of this 2007 Act.

38 (4) The executive director shall provide staff support to the commission.

39 **SECTION 5.** (1) The Education Enterprise Coordinating Commission Account is estab-  
40 lished separate and distinct from the General Fund. All moneys received by the Department  
41 of Education for the Education Enterprise Coordinating Commission, other than appropri-  
42 ations from the General Fund, shall be deposited into the account and are continuously ap-  
43 propriated to the department for the administration of sections 1 to 14 of this 2007 Act.

44 (2) The department may accept public and private contributions and grants on behalf of  
45 the commission.

1       **SECTION 6.** (1) The Education Enterprise Coordinating Commission shall establish  
2 collaboratives to administer programs for a statewide system in the subject areas listed in  
3 section 2 (1) of this 2007 Act. The commission may include representatives of educational  
4 stakeholders in the collaboratives.

5       (2) The commission shall appoint a director to administer each collaborative. The director  
6 shall serve at the pleasure of the commission. Each director shall also work with the exec-  
7 utive director of the commission.

8       **SECTION 7.** The Education Enterprise Coordinating Commission shall establish the  
9 Oregon Collaborative for Educational Excellence as a collaborative under section 6 of this  
10 2007 Act. The collaborative shall be a public and private partnership to coordinate a state-  
11 wide system for research-based, sustainable, high-quality professional development, including  
12 analysis of student-level data, for all Oregon prekindergarten through grade 12 teachers,  
13 administrators and nonlicensed personnel.

14       **SECTION 8.** The Education Enterprise Coordinating Commission shall establish the  
15 Oregon Collaborative for Educational Excellence under section 7 of this 2007 Act prior to  
16 October 15, 2007.

17       **SECTION 9.** (1) The Oregon Collaborative for Educational Excellence shall develop a  
18 collaborative program as described in this section and sections 10 and 11 of this 2007 Act.  
19 The purpose of the program is to coordinate professional development by building the skills  
20 and knowledge of Oregon teachers, administrators and nonlicensed personnel to ensure that  
21 every student is achieving high academic standards and is learning.

22       (2) The program shall be data driven and based on research, data and best practices. The  
23 program shall also be based on national standards for professional development that are  
24 linked to increasing student achievement.

25       (3) The collaborative shall develop quality assurance and accountability policies and pro-  
26 cedures that ensure that the professional development curriculum used in the program is  
27 coordinated with state and school district standards for teaching and learning and with  
28 school improvement goals that are linked to increasing student achievement.

29       (4) The collaborative shall design professional development activities to qualify as credit  
30 for professional development units for teaching and administrative licensure renewal and  
31 nonlicensed personnel certification.

32       (5) All school districts and education service districts shall recognize the professional  
33 development programs developed by the collaborative for nonlicensed personnel as meeting  
34 basic state and federal requirements. Additional job-specific training may be required by  
35 districts when nonlicensed personnel change job assignments.

36       **SECTION 10.** (1) The Oregon Collaborative for Educational Excellence shall identify pro-  
37 fessional development curricula for inclusion in the collaborative program and identify and  
38 maintain lists of current providers of the professional development curricula. The  
39 collaborative may contract with public and private entities to provide the professional de-  
40 velopment curricula.

41       (2) The professional development curricula shall include, but not be limited to, instruc-  
42 tion on:

43       (a) Research and best practices for enhancing professional practice to improve student  
44 curricula, instruction and assessment;

45       (b) Data analysis for planning and improving student learning;

- 1 (c) Family and community engagement for increasing student success;
- 2 (d) Leadership for school improvement linked to increasing student achievement; and
- 3 (e) Creating an equitable, culturally responsive, safe and supportive learning environment
- 4 for students.

5 **SECTION 11.** (1) The Oregon Collaborative for Educational Excellence shall establish a  
6 statewide professional development learning network. The network shall include on-site pro-  
7 fessional development and virtual Internet-based professional development for teachers, ad-  
8 ministrators and nonlicensed personnel.

9 (2) Through the network, the collaborative shall support ongoing research and develop-  
10 ment efforts to support and promote high-quality educational best practices.

11 (3) The network shall consist of no more than seven professional development regional  
12 centers. The number of centers shall be determined by the Education Enterprise Coordinat-  
13 ing Commission based on the number of available entities with the capacity needed to have  
14 a center as established by the commission.

15 (4) The centers may be in partnership with institutions of higher education, the Depart-  
16 ment of Education, education service districts, school districts, statewide education organ-  
17 izations and businesses.

18 (5) The collaborative shall select the entities for the professional development centers  
19 through a request for proposal process conducted by the Education Enterprise Coordinating  
20 Commission.

21 **SECTION 12.** (1) The Education Enterprise Coordinating Commission shall ensure that  
22 each fiscal year an audit of the expenditure of funds by the Department of Education for the  
23 commission is conducted.

24 (2) Each fiscal year, the commission shall report to the State Board of Education, Joint  
25 Boards of Education and the Legislative Assembly or the legislative interim committees on  
26 education on performance measures.

27 **SECTION 13.** The Education Enterprise Coordinating Commission, in collaboration with  
28 school districts and other educational partners, shall identify professional development cur-  
29 ricula and providers of professional development. The commission shall notify the Depart-  
30 ment of Education and the Teacher Standards and Practices Commission about providers  
31 that are recognized by the Education Enterprise Coordinating Commission to offer profes-  
32 sional development to teachers, administrators and nonlicensed personnel. Each school year,  
33 the department and the Teacher Standards and Practices Commission shall publish a list of  
34 providers of professional development.

35 **SECTION 14.** The Education Enterprise Coordinating Commission shall support the  
36 statewide implementation of the beginning teacher and administrator mentorship program  
37 under ORS 329.790 to 329.820.

38 **SECTION 15.** ORS 327.008, as amended by section 6a, chapter 803, Oregon Laws 2005, is  
39 amended to read:

40 327.008. (1) There is established a State School Fund in the General Fund. The fund shall consist  
41 of moneys appropriated by the Legislative Assembly and moneys transferred from the Education  
42 Stability Fund. The State School Fund is continuously appropriated to the Department of Education  
43 for the purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125, 327.137, 327.348,  
44 327.355, 327.357, 327.360, 336.575, 336.580, 336.635, 342.173, 343.243, 343.533 and 343.961.

45 (2) There shall be apportioned from the State School Fund to each school district a State School

1 Fund grant, consisting of the positive amount equal to a general purpose grant and a facility grant  
2 and a transportation grant and a high cost disabilities grant minus local revenue, computed as pro-  
3 vided in ORS 327.013.

4 (3) There shall be apportioned from the State School Fund to each education service district a  
5 State School Fund grant as calculated under ORS 327.019.

6 (4) All figures used in the determination of the distribution of the State School Fund shall be  
7 estimates for the same year as the distribution occurs, unless otherwise specified.

8 (5) Numbers of students in average daily membership used in the distribution formula shall be  
9 the numbers as of June of the year of distribution.

10 (6) A school district may not use the portion of the State School Fund grant that is attributable  
11 to the facility grant for capital construction costs.

12 (7) The total amount of the State School Fund that is distributed as facility grants may not ex-  
13 ceed \$25 million in any biennium. If the total amount to be distributed as facility grants exceeds this  
14 limitation, the Department of Education shall prorate the amount of funds available for facility  
15 grants among those school districts that qualified for a facility grant.

16 (8) Each fiscal year, the Department of Education shall transfer the amount of \$12 million from  
17 the State School Fund to the High Cost Disabilities Account established in ORS 327.348.

18 (9) Each fiscal year, the Department of Education shall transfer the amount of \$2.5 million from  
19 the State School Fund to the Small School District Supplement Fund established under ORS 327.360.

20 **(10) Each fiscal year, the Department of Education shall transfer the amount of \$600,000**  
21 **from the State School Fund to the Education Enterprise Coordinating Commission Account**  
22 **established under section 5 of this 2007 Act.**

23 **SECTION 16. This 2007 Act being necessary for the immediate preservation of the public**  
24 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
25 **July 1, 2007.**