

Senate Bill 217

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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 State Board of Education to adopt criteria by rule to be used by voluntary organizations that administer interscholastic activities for placement of schools in interscholastic activity districts and requests by schools to participate in interscholastic activities in other districts. Directs voluntary organizations to submit plan for placement of schools in interscholastic activity districts to Superintendent of Public Instruction for approval.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to interscholastic activities; creating new provisions; amending ORS 339.430; and declaring
3 an emergency.

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

5 **SECTION 1.** ORS 339.430 is amended to read:

6 339.430. (1) **A** voluntary [*organizations that desire*] **organization that desires** to administer
7 interscholastic activities shall apply to the State Board of Education for approval.

8 (2) The board shall review the rules and bylaws of the voluntary organization to determine that
9 the rules and bylaws do not conflict with state law or rules of the board.

10 **(3) The board shall adopt criteria by rule to be used by a voluntary organization for:**

11 **(a) Placing a school in an interscholastic activity district; and**

12 **(b) Granting a request by a school to participate in interscholastic activities in another**
13 **interscholastic activity district.**

14 **(4) The board shall prioritize the criteria adopted under subsection (3) of this section.**

15 **The criteria shall include, but need not be limited to:**

16 **(a) The impact on the academic schedules of students;**

17 **(b) The fiscal impact on school districts; and**

18 **(c) The impact of providing safe transportation for students to participate in interscho-**
19 **lastic activities.**

20 [(3)] **(5) A** voluntary organization must submit to the board for [*review*] **approval** any rules **of**
21 **the voluntary organization**, or changes in rules, that [*specify*] **implement** the criteria [*for the*
22 *placement of a school into an interscholastic activity district*] **adopted by the board under sub-**
23 **section (3) of this section.** A voluntary organization may not establish or change an interscholastic
24 activity district until the board has approved the rules of the voluntary organization.

25 **(6) A voluntary organization must submit to the Superintendent of Public Instruction the**
26 **plan of the voluntary organization for the placement of schools in interscholastic activity**
27 **districts before the plan can become effective. The superintendent may approve the plan or**
28 **order the voluntary organization to modify the plan. If the superintendent orders the mod-**

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 **ification of the plan, the superintendent must follow the criteria adopted by the board under**
 2 **subsection (3) of this section. Any change by the voluntary organization to the placement**
 3 **of a school in an interscholastic activity district must be submitted to the superintendent for**
 4 **approval.**

5 [(4)] (7) If a voluntary organization meets the standards established under ORS 326.051 **and the**
 6 **requirements of this section** and [its] **the rules and bylaws of the voluntary organization** do not
 7 conflict with state law or rules of the board, the board shall approve the organization. An approved
 8 voluntary organization is qualified to administer interscholastic activities.

9 [(5)] (8) The board may suspend or revoke its approval if an approved organization is found to
 10 have violated state law[,] **or the rules of the board** [*or subsection (3) of this section*]. If a voluntary
 11 organization is not approved or its approval is suspended or revoked, it may appeal the denial,
 12 suspension or revocation as a contested case under ORS chapter 183.

13 [(6)] (9) A voluntary organization's decisions concerning interscholastic activities may be ap-
 14 pealed to the board, which may hear the matter or by rule may delegate authority to a hearing of-
 15 ficer to hold a hearing and enter a final order under ORS chapter 183. Such decisions may be
 16 appealed under ORS 183.482.

17 **SECTION 2. (1) Prior to September 1, 2008, a voluntary organization that is approved**
 18 **under ORS 339.430 shall:**

19 (a) **Amend the rules of the voluntary organization to incorporate the criteria adopted by**
 20 **the State Board of Education under ORS 339.430 (3) and (4); and**

21 (b) **Submit the plan for placement of schools in interscholastic activity districts to the**
 22 **Superintendent of Public Instruction as required by ORS 339.430 (6).**

23 (2) **If on or after the effective date of this 2007 Act and prior to September 1, 2008, a**
 24 **voluntary organization amends its rules relating to the placement of schools in interscho-**
 25 **lastic activity districts or changes the placement of a school in an interscholastic activity**
 26 **district, the voluntary organization shall:**

27 (a) **Ensure that the rules comply with the criteria adopted by the board under ORS**
 28 **339.430 (3) and (4); and**

29 (b) **Submit the amended plan for placement of schools in interscholastic activity districts**
 30 **to the superintendent as required by ORS 339.430 (6).**

31 **SECTION 3. This 2007 Act being necessary for the immediate preservation of the public**
 32 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
 33 **on its passage.**