

**A-Engrossed**  
**Senate Bill 384**

Ordered by the Senate February 13  
Including Senate Amendments dated February 13

Sponsored by Senator WALKER (Pre-session filed.)

**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.

*[Limits amount of salary and benefits that school district, education service district or public charter school may pay administrator at end of contract. Defines "administrator" for purposes of Act. Prohibits district or school from granting administrator retirement benefits that are not available to other employees. Provides that district or school may make contributions to retirement plan of administrator in lieu of making contributions to Public Employees Retirement System.]*

**Prohibits school district, education service district or public charter school from entering into contract with administrator that obligates district or school to compensate administrator for work not performed. Defines "administrator."**

**Establishes conditions under which district or school may provide health benefits to administrator who is no longer employed by district or school. Establishes conditions regarding purchase or use of district or school property by administrator after termination of contract.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to school administrators; and declaring an emergency.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Administrator" means a person who is employed as an administrator or is perform-**  
6 **ing administrative duties, regardless of whether the person is required to have a license, and**  
7 **includes but is not limited to superintendents, assistant superintendents and business man-**  
8 **agers.**

9 (b) **"Administrator" does not include a person who is subject to ORS 342.805 to 342.937.**

10 (2) **A school district, education service district or public charter school shall:**

11 (a) **Enter into an employment contract, with each administrator, that has provisions that**  
12 **cover the duration of the contract, conditions for contract termination and extension and**  
13 **conditions for employee resignation; and**

14 (b) **Have the current employment contract for each administrator on file in the central**  
15 **office of the district or school.**

16 (3) **Except as provided in subsection (4) of this section, a school district, education ser-**  
17 **vice district or public charter school may not enter into an employment contract with an**  
18 **administrator that contains provisions that expressly obligate the district or school to com-**  
19 **pensate the administrator for work that is not performed.**

20 (4) **A school district, education service district or public charter school may provide**  
21 **health benefits for an administrator who is no longer employed by the district or school until**  
22 **the administrator:**

**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) Reaches 65 years of age; or

2 (b) Finds new employment that provides health benefits.

3 (5) For a period of one year after the termination of the contract between an adminis-  
4 trator and a school district, education service district or public charter school, the adminis-  
5 trator may not:

6 (a) Purchase property or surplus property owned by the district or school; or

7 (b) Use property owned by the district or school in a manner other than the manner  
8 permitted for the general public in a school district or education service district or at a  
9 public charter school.

10 SECTION 2. Section 1 of this 2007 Act applies to contracts entered into on or after the  
11 effective date of this 2007 Act.

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

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