

SENATE AMENDMENTS TO SENATE BILL 441

By COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT

May 5

1 On page 1 of the printed bill, line 2, after the semicolon insert “creating new provisions;
2 amending ORS 329.095 and 329.105;”.

3 Delete lines 4 through 31 and delete page 2 and insert:

4 “**SECTION 1.** (1) Notwithstanding ORS 326.051, during the 2009-2011 biennium, the State
5 Board of Education may not require school districts to meet any of the requirements that
6 have been suspended under sections 2 to 16 of this 2009 Act.

7 “(2) Notwithstanding ORS 327.103, during the 2009-2011 biennium, the Superintendent of
8 Public Instruction may not withhold any State School Fund moneys from school districts for
9 not complying with any of the requirements that have been suspended under sections 2 to
10 16 of this 2009 Act.

11 “**SECTION 2.** Notwithstanding ORS 327.297, during the 2009-2011 biennium, the Depart-
12 ment of Education is not required to conduct evaluations related to funds received from the
13 School Improvement Fund and school districts are not required to provide any information
14 that would have been used for the evaluations.

15 “**SECTION 3.** Notwithstanding ORS 329.105, during the 2009-2011 biennium, the Super-
16 intendent of Public Instruction is not required to issue school district and school perform-
17 ance reports and school districts are not required to provide any information that would
18 have been required for the reports.

19 “**SECTION 4.** Notwithstanding ORS 329.485 (6), during the 2009-2011 biennium, school
20 districts are not required to make alternative placements available to students who do not
21 meet or exceed the academic content standards within one year.

22 “**SECTION 5.** Notwithstanding ORS 329.498 and 329.499, during the 2009-2011, school dis-
23 tricts are not required to collect data and report on the number of minutes of physical edu-
24 cation that are provided to students, the physical capacity of public schools to provide
25 physical education or the additional facilities required by public schools to provide physical
26 education.

27 “**SECTION 6.** Notwithstanding ORS 336.222, during the 2009-2011 biennium, school dis-
28 tricts are not required to provide alcohol and drug abuse prevention programs.

29 “**SECTION 7.** Notwithstanding ORS 337.050, during the 2009-2011 biennium, school dis-
30 tricts are not required to purchase instructional materials for the time periods prescribed
31 by the State Board of Education.

32 “**SECTION 8.** Notwithstanding ORS 340.085, the Department of Education is not required
33 to report on the Expanded Options Program and school districts are not required to provide
34 any of the information that would have been used for the report.

35 “**SECTION 9.** Notwithstanding ORS 342.610, during the 2009-2011 biennium, school dis-

1 tricts are not required to provide a minimum salary to substitute teachers and may pay
2 substitute teachers for less than one-half day.

3 **“SECTION 10. Notwithstanding ORS 343.407 and 343.409, during the 2009-2011 biennium,**
4 **school districts are not required to identify talented and gifted students or provide educa-**
5 **tional programs and services to talented and gifted students.**

6 **“SECTION 11. During the 2009-2011 biennium, school districts are not required to provide**
7 **a minimum amount of instructional time each day to students or a minimum number of in-**
8 **structional days each school year.**

9 **“SECTION 12. During the 2009-2011 biennium, school districts are not required to provide**
10 **guidance and counseling programs.**

11 **“SECTION 13. During the 2009-2011 biennium, school districts are not required to provide**
12 **media programs.**

13 **“SECTION 14. During the 2009-2011 biennium, school districts are not required to comply**
14 **with any restrictions on the size of classes imposed by the State Board of Education.**

15 **“SECTION 15. During the 2009-2011 biennium, school districts are not required to par-**
16 **ticipate in surveys conducted by the Department of Education to determine the level of**
17 **readiness of children entering kindergarten.**

18 **“SECTION 16. During the 2009-2011 biennium, school districts are not required to provide**
19 **compliance with state standards unless:**

20 **“(1) The school district adopts a new standard, in which case the school district must**
21 **report only on the new standard; or**

22 **“(2) The school district did not comply with all of the standards for the previous report-**
23 **ing period, in which case the school district must report only on the standards for which the**
24 **school district was not in compliance.**

25 **“SECTION 17. ORS 329.105 is amended to read:**

26 **“329.105. (1) The Superintendent of Public Instruction shall collect data and produce annual**
27 **school district and school performance reports containing information on student performance, stu-**
28 **dent behavior and school characteristics. The purpose of the performance reports is to provide in-**
29 **formation to parents and to improve schools through greater parental involvement.**

30 **“(2)(a) In consultation with representatives of parents, teachers, school district boards and**
31 **school administrators, the State Board of Education shall adopt, by rule, criteria for identifying**
32 **outstanding schools, satisfactory schools and schools in need of improvement. Such criteria shall**
33 **take into account student performance, improvement in student performance, the participation rate**
34 **of students on the statewide assessments, student attendance rates and graduation rates. The Su-**
35 **perintendent of Public Instruction, based on the criteria adopted by the State Board of Education,**
36 **shall assign a rating to each school that identifies the school as outstanding, satisfactory or in need**
37 **of improvement.**

38 **“(b) The ratings received by a school shall be included in the school district and school per-**
39 **formance reports.**

40 **“(c) If a school is designated as in need of improvement, the school shall file a school improve-**
41 **ment plan with the Superintendent of Public Instruction and with the school district board.**

42 **“(d) The Department of Education shall work with stakeholders to design and implement an**
43 **accountability system of progressive interventions for and provide technical assistance to schools**
44 **and school districts that do not demonstrate improvement.**

45 **“(3) The Superintendent of Public Instruction shall include in the school performance reports**

1 data for the following areas, for each school, that are available to the Department of Education from
2 the most recent school year:

3 “(a) Enrollment in English as a second language courses under ORS 336.079;

4 “(b) Attendance rates;

5 “(c) School safety, such as expulsions involving weapons in the school;

6 “(d) Disaggregated data on students who met or exceeded the academic content standards es-
7 tablished by the board;

8 “(e) Dropout rates and the number of students who dropped out of school;

9 “(f) Parent and community involvement such as volunteer hours;

10 “(g) The percentage of classes taught by a teacher identified as highly qualified under rules
11 adopted by the United States Department of Education; and

12 “(h) School staff, identified by category.

13 “(4) The Superintendent of Public Instruction shall include in the school district performance
14 reports data for the following areas, for each school district, that are available to the Department
15 of Education from the most recent school year:

16 “(a) Resident students who attend a public school in another school district;

17 “(b) Facilities used for distance learning;

18 “(c) Election results of any bond levy proposed to the electors of the district;

19 “(d) Expenditures;

20 “(e) Level of support from the education service district;

21 “(f) Administrators not assigned to a specific school;

22 “(g) School district staff, identified by category; and

23 “(h) Students who are eligible for special education.

24 “(5) The Superintendent of Public Instruction shall notify the public and the media by January
25 30 of each year that school district and school performance reports are available at schools and
26 school districts and at the Department of Education website and offices. The superintendent shall
27 also include notice that copies of school improvement plans and district continuous improvement
28 plans can be obtained from school and school district offices. Each school district shall *[send a copy*
29 *of]* **notify the parents of children enrolled in a public school in the school district that** the
30 school district and applicable school performance reports **are available on the Department of**
31 **Education website and shall, upon the request of a parent, send** *[to each parent of a child en-*
32 *rolled in a public school in the school district]* **a copy of the reports to the parent.**

33 “**SECTION 18.** ORS 329.095 is amended to read:

34 “329.095. (1) The Department of Education shall require school districts and schools to conduct
35 self-evaluations and update their local district continuous improvement plans on a biennial basis.
36 The self-evaluation process shall involve the public in the setting of local goals. The school districts
37 shall ensure that representatives from the demographic groups of their school population are invited
38 to participate in the development of local district continuous improvement plans to achieve the
39 goals.

40 “(2) As part of setting local goals, school districts shall undertake a communications process
41 that involves parents, students, teachers, school employees and community representatives to ex-
42 plain and discuss the local goals and their relationship to programs under this chapter.

43 “(3) At the request of the school district, department staff shall provide ongoing technical as-
44 sistance in the development and implementation of the local district continuous improvement plan.

45 “(4) The local district continuous improvement plan shall include:

- 1 “(a) A rigorous curriculum aligned with state standards;
- 2 “(b) High-quality instructional programs;
- 3 “(c) Short-term and long-term professional development plans;
- 4 “(d) Programs and policies to achieve a safe educational environment;
- 5 “(e) A plan for family and community engagement;
- 6 “(f) Staff leadership development;
- 7 “(g) High-quality data systems;
- 8 “(h) Improvement planning that is data-driven;
- 9 “(i) Education service plans for students who have or have not exceeded all of the academic
- 10 content standards;
- 11 “(j) A review of demographics, student performance, staff characteristics and student access to,
- 12 and use of, educational opportunities; and
- 13 “(k) District efforts to achieve local efficiencies and efforts to make better use of resources.
- 14 “**(5) A school district must submit a local district continuous improvement plan to the**
- 15 **Department of Education only when the school district sets a new local goal or changes an**
- 16 **existing local goal.**
- 17 “**SECTION 19. This 2009 Act being necessary for the immediate preservation of the public**
- 18 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
- 19 **July 1, 2009.”.**
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