

Minority Report
B-Engrossed
Senate Bill 767

Ordered by the Senate June 8
Including Senate Amendments dated May 1 and Senate Minority Report
Amendments dated June 8

Sponsored by nonconcurring members of the Senate Committee on Rules: Senators FERRIOLI, ATKINSON

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.

[Requires applicant that seeks to establish public charter school to submit plan for school's financial management system to school district board. Requires board to evaluate soundness of applicant's plan and to evaluate school's use of plan upon application for renewal of charter. Allows termination of charter if school fails to maintain sound financial management system for specified period of time.]

[Requires virtual public charter school to meet specified criteria.]

[Directs President of Senate and Speaker of House of Representatives to convene work group to ensure access to online learning through public charter schools. Sunsets work group on convening of next regular biennial legislative session.]

[Imposes moratorium on approval of specified charters. Imposes limits on virtual public charter school enrollment. Sunsets moratorium and limits on July 1, 2011.]

Creates Oregon Online Education Task Force Relating to Public Charter Schools for purpose of studying and identifying provision of online course options and making recommendations for the implementation of those options.

Authorizes Department of Education to accept contributions and assistance from specified sources. Directs moneys to be deposited into Public Charter School Development Fund. Continuously appropriates deposited moneys to department for purposes related to task force.

Sunsets on convening of next regular or special session that begins on or after January 1, 2010.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to public charter schools; appropriating money; and declaring an emergency.

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

SECTION 1. (1) There is created the Oregon Online Education Task Force Relating to Public Charter Schools, consisting of 14 members appointed as follows:

(a) The President of the Senate shall appoint two members from among members of the Senate, one from the majority party and one from the minority party.

(b) The Speaker of the House of Representatives shall appoint two members from among members of the House of Representatives, one from the majority party and one from the minority party.

(c) The President of the Senate and the Speaker of the House of Representatives shall jointly appoint:

(A) One member of the State Board of Education, as recommended by the chairperson of the State Board of Education.

(B) One representative from the Oregon School Employees Association.

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 (C) One representative from the Oregon Education Association.

2 (D) One representative from the Oregon School Boards Association.

3 (E) One superintendent of an education service district, as defined in ORS 334.003.

4 (F) One representative of the Northwest Center for Educational Options.

5 (G) One principal of a virtual public charter school, as defined in section 4 of this 2009
6 Act.

7 (H) One superintendent of a school district, as defined in ORS 329.007, that currently
8 sponsors a virtual public charter school.

9 (I) One superintendent of a school district that does not currently sponsor a virtual
10 public charter school.

11 (J) One parent of a student currently enrolled in an online course provided at a public
12 charter school.

13 (2) The task force shall:

14 (a) Study and identify the means to provide students in this state with online course
15 options that have critical curriculum content and highly qualified instructors that are oth-
16 erwise unavailable.

17 (b) Make recommendations to assist public charter schools in developing the character-
18 istics identified in ORS 329.025.

19 (c) Make recommendations for providing public charter schools, school districts and
20 school district staff members with a public website for posting and sharing professional de-
21 velopment information and school improvement opportunities related to online instruction.

22 (d) Make recommendations for administrative structures to:

23 (A) Ensure adequate funding and reliable resource support for online instruction.

24 (B) Develop and implement policies and procedures to ensure quality course content and
25 instructional processes.

26 (C) Provide oversight of:

27 (i) Student portfolios;

28 (ii) Subject and course certification;

29 (iii) Teacher certification;

30 (iv) Virtual public charter schools; and

31 (v) Transfers of students from or to public charter schools within or outside of a school
32 district.

33 (3) The task force may engage the assistance of additional persons to provide expertise
34 in an advisory capacity to the task force in the performance of its duties and functions.

35 (4) A majority of the members of the task force constitutes a quorum for the transaction
36 of business.

37 (5) Official action by the task force requires the approval of a majority of the members
38 of the task force.

39 (6) The task force shall elect one of its members to serve as chairperson.

40 (7) If there is a vacancy for any cause, the appointing authorities shall make an ap-
41 pointment to become immediately effective.

42 (8) The task force shall meet at times and places specified by the call of the chairperson
43 or of a majority of the members of the task force.

44 (9) The task force may adopt rules necessary for the operation of the task force.

45 (10) The task force shall submit a report, and may include recommendations for legis-

1 lation, to the legislative interim committees on education no later than December 15, 2009.

2 (11) The Department of Education shall provide staff support to the task force.

3 (12) Members of the task force who are not members of the Legislative Assembly are not
4 entitled to compensation or reimbursement for expenses and serve as volunteers on the task
5 force.

6 (13)(a) The Department of Education may accept contributions of moneys and assistance
7 from nonprofit organizations and agree to conditions placed on the moneys not inconsistent
8 with the duties of the task force.

9 (b) Moneys received by the department under this subsection, and such other moneys as
10 may otherwise be made available by law to the task force, shall be deposited into the Public
11 Charter School Development Fund established under ORS 338.175. Interest earned on the
12 moneys deposited in the fund pursuant to this subsection shall be credited to the fund for
13 the benefit of the task force. Moneys deposited in the fund under this subsection are con-
14 tinuously appropriated to the department and shall be used only for the performance of the
15 functions and duties of the task force.

16 SECTION 2. Section 1 of this 2009 Act is repealed on the date the Legislative Assembly
17 next convenes in a regular or special session that begins on or after January 1, 2010.

18 SECTION 3. Section 4 of this 2009 Act is added to and made a part of ORS chapter 338.

19 SECTION 4. (1) As used in this section, “virtual public charter school” means a public
20 charter school that provides at least 50 percent of its comprehensive educational program
21 through online instruction.

22 (2) Notwithstanding any other provision of this chapter, on or after the effective date of
23 this 2009 Act, a school district board or the State Board of Education may not approve a
24 charter for which the school district board or the State Board of Education would become
25 a sponsor of a virtual public charter school.

26 SECTION 5. Section 4 of this 2009 Act is repealed on the earlier of the date of
27 adjournment sine die of the next regular or special session of the Legislative Assembly that
28 begins on or after January 1, 2010.

29 SECTION 6. This 2009 Act being necessary for the immediate preservation of the public
30 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
31 on its passage.

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