

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: Bonamici, George, Morse, Shields, Hass

Nays: 0

Exc.: 0

Prepared By: Linda Lindholm, Administrator

Meeting Dates: 2/15, 3/29

WHAT THE MEASURE DOES: Designates Governor as Superintendent of Public Instruction. Requires Governor to appoint Deputy Superintendent of Public Instruction. Specifies required qualifications of Deputy Superintendent. Allows Governor to become Superintendent of Public Instruction upon the expiration of term of the current Superintendent of Public Instruction or if a vacancy for any cause occurs on or after the effective date of this 2011 Act. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Alignment between Governor and education issues
- Leadership, strategy, authority and reformation
- Transformational change
- Deputy Superintendent qualifications, experience and candidate pool
- Assumption of position timelines and circumstances
- Historical context and policy

EFFECT OF COMMITTEE AMENDMENT: Adds emergency clause.

BACKGROUND: Currently, in thirty-six (36) states and the District of Columbia, the Governor or the Board of Education appoints the State Superintendent of Public Instruction. Fourteen (14) states, including Oregon, elect the Superintendent of Public Instruction. The election of the Superintendent of Public Instruction is not a constitutional requirement. The Oregon Constitution Section 1, Article VIII originally made the Governor the Superintendent and the Legislature later enacted the process to elect the Superintendent. A 1997 Attorney General opinion stated that declaring the Governor the Superintendent and allowing him or her to choose a Deputy would not change the constitution. Legislation would be required to repeal the election statute.

In 1997, 1999 and 2001 bills were introduced to designate the Governor as Superintendent of Public Instruction and allow the Governor to appoint a deputy with at least five years experience in the administration of an elementary or secondary school. The appointment of the deputy would be subject to Senate confirmation. Bills and ballot measures to this effect failed in 1952, 1956 and 1980.

Senate Bill 552-A is in response to the ongoing efforts to improve the funding, the leadership, and efficiencies of Oregon's education system.

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This summary has not been adopted or officially endorsed by action of the committee.