

House Bill 2300

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Education)

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**.

Prescribes required qualifications for Deputy Superintendent of Public Instruction.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to qualifications of personnel at the Department of Education; creating new provisions;
3 amending ORS 240.205 and 326.330; and declaring an emergency.

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

5 **SECTION 1.** ORS 326.330 is amended to read:

6 326.330. (1) The Superintendent of Public Instruction may appoint [*Deputy Superintendents*] a
7 **Deputy Superintendent** of Public Instruction, for whose acts the superintendent shall be responsi-
8 ble. [A] **The deputy may perform any act or duty of the office of Superintendent of Public Instruc-**
9 **tion designated by the superintendent and shall serve as the primary advisor to the**
10 **superintendent.**

11 **(2) Except as provided by subsection (3) of this section, the deputy must:**

12 **(a) Be licensed as an administrator by the Teacher Standards and Practices Commission;**

13 **or**

14 **(b) Hold a doctorate degree in education, with experience in teaching or experience in**
15 **managing educational programs.**

16 **(3) The deputy is not required to meet the qualifications described in subsection (2) of**
17 **this section if the Superintendent of Public Instruction meets the qualifications.**

18 **(4)(a) The superintendent must appoint the deputy within 30 days after taking office.**

19 **(b) The deputy shall serve until the superintendent appoints a different deputy.**

20 [(2)] **(5) Notice of the appointment of [a] the deputy and the duties designated for the deputy**
21 **shall be filed with the Secretary of State.**

22 **SECTION 2. Notwithstanding the timelines prescribed in section 1 of this 2011 Act, the**
23 **Superintendent of Public Instruction must first appoint a Deputy Superintendent of Public**
24 **Instruction within 30 days of the effective date of this 2011 Act.**

25 **SECTION 3. Section 2 of this 2011 Act is repealed on January 2, 2012.**

26 **SECTION 4.** ORS 240.205 is amended to read:

27 240.205. The unclassified service shall comprise:

28 (1) One executive officer and one secretary for each board or commission, the members of which
29 are elected officers or are appointed by the Governor.

30 (2) The director of each department of state government, each full-time salaried head of a state
31 agency required by law to be appointed by the Governor and each full-time salaried member of a

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 board or commission required by law to be appointed by the Governor.

2 (3) The administrator of each division within a department of state government required by law
3 to be appointed by the director of the department with the approval of the Governor.

4 (4) Principal assistants and deputies and one private secretary for each executive or adminis-
5 trative officer specified in ORS 240.200 (1) and in subsections (1) to (3) of this section. "Deputy"
6 means the deputy or deputies to an executive or administrative officer listed in subsections (1) to
7 (3) of this section who is authorized to exercise that officer's authority upon absence of the officer.
8 "Principal assistant" means a manager of a major agency organizational component who reports
9 directly to an executive or administrative officer listed in subsections (1) to (3) of this section or
10 deputy and who is designated as such by that executive or administrative officer with the approval
11 of the Director of the Oregon Department of Administrative Services.

12 (5) Employees in the Governor's office and the principal assistant and private secretary in the
13 Secretary of State's division.

14 (6) The director, principals, instructors and teachers in the school operated under ORS 346.010.

15 (7) Apprentice trainees only during the prescribed length of their course of training.

16 (8) Licensed physicians and dentists employed in their professional capacities and student
17 nurses, interns, and patient or inmate help in state institutions.

18 (9) Lawyers employed in their professional capacities.

19 (10) All members of the Oregon State Police appointed under ORS 181.250 and 181.265.

20 (11) **The Deputy [superintendents] Superintendent of Public Instruction** and associate super-
21 intendents in the Department of Education.

22 (12) Temporary seasonal farm laborers engaged in single phases of agricultural production or
23 harvesting.

24 (13) Any individual employed and paid from federal funds received under the Emergency Job and
25 Unemployment Assistance Act of 1974 (United States Public Law 93-567) or any other federal pro-
26 gram intended primarily to alleviate unemployment. However, persons employed under this sub-
27 section shall be treated as classified employees for purposes of ORS 243.650 to 243.782.

28 (14) Managers, department heads, directors, producers and announcers of the state radio and
29 television network.

30 (15) Employees, including managers, of the foreign trade offices of the Oregon Business Devel-
31 opment Department located outside the country.

32 (16) Any other position designated by law as unclassified.

33 **SECTION 5. This 2011 Act being necessary for the immediate preservation of the public**
34 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
35 **on its passage.**

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