

Enrolled
House Bill 3474

Sponsored by Representative KOMP

CHAPTER

AN ACT

Relating to school personnel; creating new provisions; amending ORS 342.120, 342.121, 342.122 and 342.200; appropriating money; and declaring an emergency.

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

SECTION 1. Sections 2 and 3 of this 2011 Act are added to and made a part of ORS chapter 342.

SECTION 2. (1) There is created the Educator Preparation Improvement Fund, separate and distinct from the General Fund. Interest earned on moneys in the Educator Preparation Improvement Fund shall be credited to the fund.

(2) The Teacher Standards and Practices Commission may accept from any source any grant, donation or gift of money or other valuable thing made to the commission for purposes of the Educator Preparation Improvement Fund.

(3) Moneys credited to the Educator Preparation Improvement Fund are continuously appropriated to the commission for the purposes set forth in subsection (4) of this section. The commission may draw checks or orders upon the State Treasurer in making disbursements from the Educator Preparation Improvement Fund for the purposes set forth in subsection (4) of this section.

(4) The purpose of the Educator Preparation Improvement Fund is to encourage approved teacher education programs and school district partnerships that:

(a) Respond to changes in education of students in preprimary programs and grades 1 through 12;

(b) Encourage collaboration around delivery models that provide effective professional preparation;

(c) Recognize the needs of the education workforce in this state, including but not limited to recruiting underrepresented persons, teachers and administrators to work in high needs areas such as special education, mathematics, science and teaching English to speakers of other languages;

(d) Encourage collaborative initiatives that improve student success and postsecondary access and achievement; and

(e) Respond to the need for national accreditation of approved teacher education programs in this state.

SECTION 3. (1) The Department of Education, in partnership with the Teacher Standards and Practices Commission, shall create a comprehensive leadership development system for administrators licensed under ORS 342.125.

(2) The comprehensive leadership development system must include:

(a) A cost-effective plan that requires the coordination of public and private organizations and resources to:

(A) Improve the success of this state's highest needs students;

(B) Provide research and technical assistance to schools seeking to adopt or enhance evidence-based leadership practices;

(C) Recruit underrepresented persons into the field of public school leadership; and

(D) Strengthen the capacity of administrators to improve education in public schools in this state;

(b) A plan for collaboration and continuous improvement among administrator preparation programs approved by the Teacher Standards and Practices Commission to support performance-based assessments for administrators and candidates for administrative licensure;

(c) A plan for recruitment of underrepresented persons into administrator leadership programs;

(d) The improvement of access to high quality preparation and professional development for administrators working in rural school districts;

(e) A method for disseminating evidence-based practices to support the development of effective principals and teachers; and

(f) A method for providing research and technical assistance to school districts to encourage the placement of the most highly effective teachers in the highest need schools.

SECTION 4. ORS 342.120 is amended to read:

342.120. As used in this chapter, unless the context requires otherwise:

(1) "Administrator" includes **but is not limited to** all superintendents, assistant superintendents and principals in the public schools or education service districts.

(2) "Approved teacher education institution" is one which meets the standards of the Teacher Standards and Practices Commission for preparation of teachers for preprimary programs and grades 1 through 12.

(3) "Approved teacher education program" is one offered by an approved teacher education institution and is so recognized by the Teacher Standards and Practices Commission, after considering recommendations of the State Board of Education.

(4) "Commission" means the Teacher Standards and Practices Commission.

(5) "Educational assistant" means a classified school employee who does not require a license to teach, who is employed by a school district or education service district and whose assignment consists of and is limited to assisting a licensed teacher in accordance with rules established by the State Board of Education.

(6) "Instruction" includes direction of learning in class, in small groups, in individual situations, in the library and in guidance and counseling, but does not include the provision of related services, as defined in ORS 343.035, to a child identified as a child with a disability pursuant to ORS 343.146 to 343.183 when provided in accordance with ORS 343.221.

(7) "Intern teacher" means a regularly enrolled student of an approved teacher education institution who teaches under the supervision of the staff of the institution and of the employing school district in order to acquire practical experience in teaching and for which the student receives both academic credit from the institution and financial compensation from the school district or education service district.

(8) "State board" means the State Board of Education.

(9) "Teacher" includes all licensed employees in the public schools or employed by an education service district who have direct responsibility for instruction, coordination of educational programs or supervision or evaluation of teachers and who are compensated for their services from public funds. "Teacher" does not include a school nurse as defined in ORS 342.455.

(10) "Teaching license" means a license issued under ORS 342.125 or 342.144.

(11) **"Underrepresented person" means:**

(a) **A person having origins in any of the black racial groups of Africa, but who is not Hispanic;**

(b) **A person of Hispanic culture or origin;**

(c) **A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands; or**

(d) **An American Indian or Alaskan Native having origins in any of the original peoples of North America.**

SECTION 5. ORS 342.121 is amended to read:

342.121. (1) The Teacher Standards and Practices Commission shall issue licenses to teachers and administrators who possess the minimum competencies, knowledge and skills to teach and administer in the public schools of the state.

(2) In addition to a teaching or administrative license, a person may obtain **professional** certification, indicating a higher degree of competency, knowledge and skill based on work experience and advanced study, from a professional organization of teachers or administrators[, *either on the state or*] **on the** national level. However, a **professional** teaching certificate or administrative certificate shall not be required to teach or administer in a public school of this state.

SECTION 6. ORS 342.122 is amended to read:

342.122. (1) There is created the [*Professional Organizations*] **National Board** Certification Fund, separate and distinct from the General Fund. Interest earned on moneys in the [*Professional Organizations*] **National Board** Certification Fund shall be credited to the fund.

(2) The Teacher Standards and Practices Commission may accept from any source any grant, donation or gift of money or other valuable thing made to the commission for purposes of the [*Professional Organizations*] **National Board** Certification Fund.

(3) Moneys credited to the [*Professional Organizations*] **National Board** Certification Fund are continuously appropriated to the commission for the purposes [*of advanced certifications of teachers and administrators in accordance with ORS 342.121 (2)*] **set forth in subsections (4) and (5) of this section.** The commission may draw checks or orders upon the State Treasurer in making disbursements from the [*Professional Organizations Certification*] fund for the purposes stated in this subsection.

(4) **Moneys in the National Board Certification Fund shall be used to encourage public school teachers and administrators in this state to apply for and attain certification through the National Board for Professional Teaching Standards or any other national professional organization for teaching standards designated by the Teacher Standards and Practices Commission.**

(5) **The Teacher Standards and Practices Commission may disburse moneys from the National Board Certification Fund to applicants for assistance with the direct costs of seeking and obtaining national board certification. The commission shall manage the fund in a manner that provides support, but does not pay for all the costs of any one application. Additionally, the commission shall manage the fund to provide continuous support to as many applicants as possible.**

(6) **The Teacher Standards and Practices Commission shall adopt rules that govern the disbursement of moneys from the National Board Certification Fund consistent with this section.**

SECTION 7. ORS 342.200 is amended to read:

342.200. (1) In order to allow the school districts of the state to take full advantage of various professional skills and disciplines not directly developed through teaching experience or professional education for which teaching experience is a prerequisite, it is the public policy of the State of Oregon that the Teacher Standards and Practices Commission, in establishing professional requirements and experience under ORS 342.140, shall consider professional skills, education and experience not directly related to, nor contingent upon, teaching experience or training as a classroom teacher.

(2) The commission shall establish and prescribe the requirements for an optional advanced leadership endorsement for licensed public school administrators who engage in mentoring, professional support for new teachers or administrators, outstanding instructional leadership and demonstrated school improvement.

SECTION 8. The Department of Education and the Teacher Standards and Practices Commission shall submit a report on a plan for implementation of the comprehensive leadership development system created under section 3 of this 2011 Act to the Legislative Assembly no later than March 1, 2013. The report must include the projected costs of the system, the design of the system and evidence of collaboration with and access to existing resources, systems and programs.

SECTION 9. (1) As used in this section, "Oregon Coalition for Quality Teaching and Learning" means the collaborative group of state, school district, educator, administrator, community and higher education representatives operating as a unit organized under the National Commission on Teaching and America's Future.

(2) The Teacher Standards and Practices Commission and the Department of Education, working with the Oregon Coalition for Quality Teaching and Learning, shall propose guidelines to adopt a uniform set of model core teaching standards for teaching preparation, new teachers and experienced teachers that align with updated national teaching standards. The guidelines must allow the standards to be customized based on the collaborative efforts of the teachers and administrators of the school district and the exclusive bargaining representative of the employees of the school district.

(3) The guidelines must propose model core teaching standards that:

(a) Are research-based;

(b) Distinguish different levels of proficiency; and

(c) Include multiple measures of student growth and achievement using student, school and school district data.

(4) The commission and the department shall report to the Legislative Assembly prior to January 1, 2012, on the proposed guidelines for model core teaching standards.

(5) The commission shall adopt and distribute the model core teaching standards to school districts on or before March 1, 2012.

(6) All school districts shall begin using the model core teaching standards in annual evaluations of teachers beginning in the 2012-2013 school year.

SECTION 10. (1) As used in this section, "Oregon Coalition for Quality Teaching and Learning" means the collaborative group of state, school district, educator, administrator, community and higher education representatives operating as a unit organized under the National Commission on Teaching and America's Future.

(2) The Teacher Standards and Practices Commission and the Department of Education, working with the Oregon Coalition for Quality Teaching and Learning, shall prepare a plan to encourage national board certification for teachers and administrators.

(3) The plan must address the costs of applying for certification, providing preparation support for applicants and a strategy for providing bonuses for nationally board certified teachers and administrators.

(4) Moneys from the National Board Certification Fund may be used to prepare the plan.

SECTION 11. Sections 8, 9 and 10 of this 2011 Act are repealed on March 2, 2013.

SECTION 12. In addition to and not in lieu of any other appropriation, there is appropriated to the Teacher Standards and Practices Commission, for the biennium beginning July 1, 2011, out of the General Fund, the amount of \$100,000, for deposit in the Educator Preparation Improvement Fund created under section 2 of this 2011 Act.

SECTION 13. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by House June 21, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate June 21, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State