

D R A F T

SUMMARY

Clarifies duties and powers of Oregon Education Investment Board and Chief Education Officer.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1

2 Relating to the Oregon Education Investment Board; creating new pro-
3 visions; amending sections 1, 2 and 10, chapter 519, Oregon Laws 2011;
4 and declaring an emergency.

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

6 **SECTION 1.** Section 1, chapter 519, Oregon Laws 2011, as amended by
7 section 8, chapter 519, Oregon Laws 2011, and section 20, chapter 36, Oregon
8 Laws 2012, is amended to read:

9 **Sec. 1.** (1) The Oregon Education Investment Board is established. **The**
10 **Chief Education Officer shall serve as the administrative officer of the**
11 **board.**

12 **(2) The purpose of the board is to ensure** [*for the purpose of*
13 *ensuring*] that all public school students in this state reach the education
14 outcomes established for the state. The board shall accomplish this goal by
15 overseeing a unified public education system that begins with early child-
16 hood services and continues throughout public education from kindergarten
17 to post-secondary education.

18 **(3) The board shall oversee:**

19 **(a) The Early Learning Council established by section 4, chapter 519,**
20 **Oregon Laws 2011; and**

1 **(b) The Higher Education Coordinating Commission established by**
2 **ORS 351.715.**

3 *[(2)(a) The board consists of 13 members as follows:]*

4 *[(A) The Governor, or the designee of the Governor; and]*

5 *[(B) Twelve members who are appointed by the Governor, subject to con-*
6 *firmation by the Senate in the manner provided in ORS 171.562 and 171.565,*
7 *and who serve at the pleasure of the Governor.]*

8 *[(b) When determining who to appoint to the board, the Governor shall:]*

9 *[(A) Ensure that each congressional district of this state is represented by*
10 *at least one member of the board; and]*

11 *[(B) Solicit recommendations from the Speaker of the House of Represen-*
12 *tatives for at least two members and from the President of the Senate for at*
13 *least two members.]*

14 *[(3) The Governor, or the Governor's designee, shall serve as chairperson*
15 *of the Oregon Education Investment Board.]*

16 *[(4) The duties of the board include:]*

17 *[(a) Ensuring that early childhood services are streamlined and connected*
18 *to public education from kindergarten through grade 12 and that public edu-*
19 *cation from kindergarten through grade 12 is streamlined and connected to*
20 *post-secondary education. To assist the board in fulfilling this duty, the board*
21 *shall oversee:]*

22 *[(A) The Early Learning Council established by section 4, chapter 519,*
23 *Oregon Laws 2011.]*

24 *[(B) The Higher Education Coordinating Commission established by ORS*
25 *351.715.]*

26 *[(b) Recommending strategic investments in order to ensure that the public*
27 *education budget is integrated and is targeted to achieve the education out-*
28 *comes established for the state.]*

29 *[(c) Providing an integrated, statewide, student-based data system that*
30 *monitors expenditures and outcomes to determine the return on statewide ed-*
31 *ucation investments. The board shall provide the data system described in this*

1 *paragraph by:]*

2 *[(A) Developing the data system or identifying or modifying an existing*
3 *data system that accomplishes the goals of the data system; and]*

4 *[(B) Ensuring that the data system is maintained.]*

5 *[(d) Entering into achievement compacts and administering sections 14, 15*
6 *and 18 of this 2012 Act.]*

7 *[(e) Working with the Quality Education Commission to identify best prac-*
8 *tices for school districts and the costs and benefits of the adoption of those best*
9 *practices by school districts.]*

10 *[(5) An appointed member of the board is entitled to compensation and ex-*
11 *penses as provided in ORS 292.495.]*

12 *[(6) A majority of the members of the board constitutes a quorum for the*
13 *transaction of business.]*

14 *[(7) The board shall meet at such times and places specified by the call of*
15 *the chairperson or of a majority of the members of the board.]*

16 *[(8) In accordance with applicable provisions of ORS chapter 183, the board*
17 *may adopt rules necessary for the administration of the laws that the board*
18 *is charged with administering, including any rules necessary for the oversight*
19 *of the direction and control of the Higher Education Coordinating*
20 *Commission.]*

21 **SECTION 2.** Section 1, chapter 519, Oregon Laws 2011, as amended by
22 section 8, chapter 519, Oregon Laws 2011, and sections 20 and 21, chapter 36,
23 Oregon Laws 2012, is amended to read:

24 **Sec. 1.** (1) The Oregon Education Investment Board is established. **The**
25 **Chief Education Officer shall serve as the administrative officer of the**
26 **board.**

27 **(2) The purpose of the board is to ensure** [*for the purpose of*
28 *ensuring*] that all public school students in this state reach the education
29 outcomes established for the state. The board shall accomplish this goal by
30 overseeing a unified public education system that begins with early child-
31 hood services and continues throughout public education from kindergarten

1 to post-secondary education.

2 **(3) The board shall oversee:**

3 **(a) The Early Learning Council established by section 4, chapter 519,**
4 **Oregon Laws 2011; and**

5 **(b) The Higher Education Coordinating Commission established by**
6 **ORS 351.715.**

7 *[(2)(a) The board consists of 13 members as follows:]*

8 *[(A) The Governor, or the designee of the Governor; and]*

9 *[(B) Twelve members who are appointed by the Governor, subject to con-*
10 *firmation by the Senate in the manner provided in ORS 171.562 and 171.565,*
11 *and who serve at the pleasure of the Governor.]*

12 *[(b) When determining who to appoint to the board, the Governor shall:]*

13 *[(A) Ensure that each congressional district of this state is represented by*
14 *at least one member of the board; and]*

15 *[(B) Solicit recommendations from the Speaker of the House of Represen-*
16 *tatives for at least two members and from the President of the Senate for at*
17 *least two members.]*

18 *[(3) The Governor, or the Governor's designee, shall serve as chairperson*
19 *of the Oregon Education Investment Board.]*

20 *[(4) The duties of the board include:]*

21 *[(a) Ensuring that early childhood services are streamlined and connected*
22 *to public education from kindergarten through grade 12 and that public edu-*
23 *cation from kindergarten through grade 12 is streamlined and connected to*
24 *post-secondary education. To assist the board in fulfilling this duty, the board*
25 *shall oversee:]*

26 *[(A) The Early Learning Council established by section 4, chapter 519,*
27 *Oregon Laws 2011.]*

28 *[(B) The Higher Education Coordinating Commission established by ORS*
29 *351.715.]*

30 *[(b) Recommending strategic investments in order to ensure that the public*
31 *education budget is integrated and is targeted to achieve the education out-*

1 comes established for the state.]

2 [(c) Providing an integrated, statewide, student-based data system that
3 monitors expenditures and outcomes to determine the return on statewide ed-
4 ucation investments. The board shall provide the data system described in this
5 paragraph by:]

6 [(A) Developing the data system or identifying or modifying an existing
7 data system that accomplishes the goals of the data system; and]

8 [(B) Ensuring that the data system is maintained.]

9 [(d) Working with the Quality Education Commission to identify best
10 practices for school districts and the costs and benefits of the adoption of those
11 best practices by school districts.]

12 [(5) An appointed member of the board is entitled to compensation and ex-
13 penses as provided in ORS 292.495.]

14 [(6) A majority of the members of the board constitutes a quorum for the
15 transaction of business.]

16 [(7) The board shall meet at such times and places specified by the call of
17 the chairperson or of a majority of the members of the board.]

18 [(8) In accordance with applicable provisions of ORS chapter 183, the board
19 may adopt rules necessary for the administration of the laws that the board
20 is charged with administering, including any rules necessary for the oversight
21 of the direction and control of the Higher Education Coordinating
22 Commission.]

23 **SECTION 3. (1) The Oregon Education Investment Board consists**
24 **of 13 members as follows:**

25 **(a) The Governor, or the designee of the Governor; and**

26 **(b) Twelve members who are appointed by the Governor.**

27 **(2) When determining who to appoint to the board, the Governor**
28 **shall:**

29 **(a) Ensure that each congressional district of this state is repres-**
30 **ented by at least one member of the board; and**

31 **(b) Solicit recommendations from the Speaker of the House of**

1 **Representatives for at least two members and from the President of**
2 **the Senate for at least two members.**

3 **(3) Appointed members serve four-year terms, but a member serves**
4 **at the pleasure of the Governor. Before the expiration of the term of**
5 **an appointed member, the Governor shall appoint a successor whose**
6 **term begins on July 1 next following. An appointed member is eligible**
7 **for reappointment. If there is a vacancy for any cause, the Governor**
8 **shall make an appointment to become immediately effective for the**
9 **unexpired term.**

10 **(4) The appointment of members to the board is subject to confir-**
11 **mation by the Senate in the manner provided in ORS 171.562 and**
12 **171.565.**

13 **(5) An appointed member of the board is entitled to compensation**
14 **and expenses as provided in ORS 292.495.**

15 **SECTION 4. The duties of the Oregon Education Investment Board**
16 **include:**

17 **(1) Ensuring that early childhood services are streamlined and**
18 **connected to public education from kindergarten through grade 12 and**
19 **that public education from kindergarten through grade 12 is stream-**
20 **lined and connected to post-secondary education. To assist the board**
21 **in fulfilling this duty, the board shall oversee:**

22 **(a) The Early Learning Council established by section 4, chapter 519,**
23 **Oregon Laws 2011.**

24 **(b) The Higher Education Coordinating Commission established by**
25 **ORS 351.715.**

26 **(2) Recommending strategic investments in order to ensure that the**
27 **public education budget is integrated and is targeted to achieve the**
28 **education outcomes established for the state.**

29 **(3) Providing an integrated, statewide, student-based data system**
30 **that monitors expenditures and outcomes to determine the return on**
31 **statewide education investments. The board shall provide the data**

1 **system described in this subsection by:**

2 **(a) Developing the data system or identifying or modifying an ex-**
3 **isting data system that accomplishes the goals of the data system; and**

4 **(b) Ensuring that the data system is maintained.**

5 **(4) Entering into achievement compacts and administering sections**
6 **14, 15 and 18, chapter 36, Oregon Laws 2012.**

7 **(5) Working with the Quality Education Commission to identify best**
8 **practices for school districts and the costs and benefits of the adoption**
9 **of those best practices by school districts.**

10 **SECTION 5.** Section 4 of this 2013 Act is amended to read:

11 **Sec. 4.** The duties of the Oregon Education Investment Board include:

12 (1) Ensuring that early childhood services are streamlined and connected
13 to public education from kindergarten through grade 12 and that public ed-
14 ucation from kindergarten through grade 12 is streamlined and connected to
15 post-secondary education. To assist the board in fulfilling this duty, the
16 board shall oversee:

17 (a) The Early Learning Council established by section 4, chapter 519,
18 Oregon Laws 2011.

19 (b) The Higher Education Coordinating Commission established by ORS
20 351.715.

21 (2) Recommending strategic investments in order to ensure that the public
22 education budget is integrated and is targeted to achieve the education out-
23 comes established for the state.

24 (3) Providing an integrated, statewide, student-based data system that
25 monitors expenditures and outcomes to determine the return on statewide
26 education investments. The board shall provide the data system described in
27 this subsection by:

28 (a) Developing the data system or identifying or modifying an existing
29 data system that accomplishes the goals of the data system; and

30 (b) Ensuring that the data system is maintained.

31 *[(4) Entering into achievement compacts and administering sections 14, 15*

1 *and 18, chapter 36, Oregon Laws 2012.]*

2 [(5)] (4) Working with the Quality Education Commission to identify best
3 practices for school districts and the costs and benefits of the adoption of
4 those best practices by school districts.

5 **SECTION 6. The amendments to section 4 of this 2013 Act by section
6 5 of this 2013 Act become operative July 1, 2015.**

7 **SECTION 7. (1) The Governor, or the Governor's designee, shall
8 serve as chairperson of the Oregon Education Investment Board.**

9 **(2) A majority of the members of the board constitutes a quorum
10 for the transaction of business.**

11 **(3) The board shall meet at such times and places specified by the
12 call of the chairperson or of a majority of the members of the board.**

13 **SECTION 8. In accordance with applicable provisions of ORS chap-
14 ter 183, the Oregon Education Investment Board may adopt rules
15 necessary for the administration of the laws that the board is charged
16 with administering, including any rules necessary for the oversight of
17 the direction and control of the Higher Education Coordinating Com-
18 mission.**

19 **SECTION 9. (1) The Oregon Education Investment Board may es-
20 tablish such advisory and technical committees as it considers neces-
21 sary to aid and advise the board in the performance of its functions.
22 These committees may be continuing or temporary committees. The
23 board shall determine the representation, membership, terms and or-
24 ganization of the committees and shall appoint their members.**

25 **(2) Members of the committees are not entitled to compensation,
26 but at the discretion of the board may be reimbursed from funds
27 available to the board for actual and necessary travel and other ex-
28 penses incurred by them in the performance of their official duties in
29 the manner and amount provided in ORS 292.495.**

30 **SECTION 10. The Oregon Education Investment Board may dele-
31 gate any of the duties listed in section 4 of this 2013 Act to the Chief**

1 **Education Officer.**

2 **SECTION 11.** Section 2, chapter 519, Oregon Laws 2011, as amended by
3 section 1, chapter 36, Oregon Laws 2012, is amended to read:

4 **Sec. 2.** (1) The Oregon Education Investment Board established by section
5 1, chapter 519, Oregon Laws 2011, shall appoint a Chief Education Officer
6 who shall serve at the pleasure of the board. **The Chief Education Officer**
7 **shall be responsible for the performance of the duties, functions and**
8 **powers of the board.**

9 (2) The Chief Education Officer shall be a person who, by training and
10 experience, is well qualified to:

11 (a) Perform the duties of the office, as determined by the board; and

12 (b) Assist in carrying out the functions of the board, as described in
13 *[section 1, chapter 519, Oregon Laws 2011]* **section 4 of this 2013 Act.**

14 *[(3)(a) For the purpose of furthering the mission of the Oregon Education*
15 *Investment Board to oversee a unified public education system, the Chief Ed-*
16 *ucation Officer shall have direction and control over the positions identified*
17 *in paragraph (b) of this subsection for matters related to the design and or-*
18 *ganization of the state's education system, including early childhood services*
19 *provided by the state.]*

20 *[(b) The positions over which the Chief Education Officer shall have di-*
21 *rection and control are:]*

22 *[(A) The Commissioner for Community College Services.]*

23 *[(B) The Chancellor of the Oregon University System.]*

24 *[(C) The executive director of the Oregon Student Access Commission.]*

25 *[(D) The Early Childhood System Director.]*

26 *[(E) The executive director of the Higher Education Coordinating Commis-*
27 *sion.]*

28 *[(F) The Deputy Superintendent of Public Instruction.]*

29 *[(c) The authority of the Chief Education Officer granted under paragraph*
30 *(a) of this subsection does not include the authority to appoint or remove a*
31 *person from a position identified in paragraph (b) of this subsection.]*

1 *[(d) If a person in a position identified in paragraph (b) of this subsection*
2 *is appointed by an entity other than the Governor, the Governor shall resolve*
3 *any dispute between the Chief Education Officer and the appointing authority*
4 *of the person. The Governor's decision is final.]*

5 **SECTION 12. (1) For the purpose of furthering the mission of the**
6 **Oregon Education Investment Board to oversee a unified public edu-**
7 **cation system, the Chief Education Officer shall have direction and**
8 **control over the positions identified in subsection (2) of this section**
9 **for matters related to the design and organization of the state's edu-**
10 **cation system, including early childhood services provided by the**
11 **state.**

12 **(2) The positions over which the Chief Education Officer shall have**
13 **direction and control are:**

14 **(a) The Commissioner for Community College Services.**

15 **(b) The Chancellor of the Oregon University System.**

16 **(c) The executive director of the Oregon Student Access Commis-**
17 **sion.**

18 **(d) The Early Childhood System Director.**

19 **(e) The executive director of the Higher Education Coordinating**
20 **Commission.**

21 **(f) The Deputy Superintendent of Public Instruction.**

22 **(3) The authority of the Chief Education Officer granted under**
23 **subsection (1) of this section does not include the authority to appoint**
24 **or remove a person from a position identified in subsection (2) of this**
25 **section.**

26 **(4) If a person in a position identified in subsection (2) of this sec-**
27 **tion is appointed by an entity other than the Governor, the Governor**
28 **shall resolve any dispute between the Chief Education Officer and the**
29 **appointing authority of the person. The Governor's decision is final.**

30 **(5) In addition to the positions identified in subsection (2) of this**
31 **section and subject to ORS chapter 240, the Chief Education Officer**

1 **shall appoint all subordinate officers and employees, prescribe their**
2 **duties and fix their compensation.**

3 **SECTION 13.** Section 10, chapter 519, Oregon Laws 2011, as amended by
4 section 1, chapter 37, Oregon Laws 2012, is amended to read:

5 **Sec. 10. (1)** Sections 1, 2, 3, 5, 6 and 7, chapter 519, Oregon Laws 2011,
6 are repealed on March 15, 2016.

7 **(2) Sections 3, 4, 7, 8, 9, 10 and 12 of this 2013 Act are repealed on**
8 **March 15, 2016.**

9 **SECTION 14.** **This 2013 Act being necessary for the immediate**
10 **preservation of the public peace, health and safety, an emergency is**
11 **declared to exist, and this 2013 Act takes effect on its passage.**

12
