

House Bill 2881

Sponsored by Representative PARRISH; Senator OLSEN

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**.

Allows parents to submit petition to school district board to transform school that is in bottom 20 percent of schools of state. Provides process and requirements for transformation.

A BILL FOR AN ACT

1
2 Relating to underperforming schools.

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

4 **SECTION 1. (1) If a school is in the bottom 20 percent of the schools of the state, as**
5 **identified under rules adopted by the State Board of Education, the parents of the students**
6 **of the school may:**

7 (a) **Submit an application to convert the school into a charter school as provided by ORS**
8 **chapter 338;**

9 (b) **Submit a petition to the school district board to transform the school by using the**
10 **turnaround model described in section 2 of this 2013 Act;**

11 (c) **Submit a petition to the school district board to transform the school by using the**
12 **restart model described in section 3 of this 2013 Act;**

13 (d) **Submit a petition to the school district board to transform the school by using the**
14 **transformation model described in section 4 of this 2013 Act; or**

15 (e) **Submit a petition to the school district board to close the school.**

16 (2) **A school district board that receives a petition described in subsection (1) of this**
17 **section shall notify the Department of Education within 10 days of receiving the petition.**

18 (3)(a) **The school district board shall review a petition submitted as provided by sub-**
19 **section (1) of this section if:**

20 (A) **The parents representing at least 51 percent of the students attending the school sign**
21 **the petition; or**

22 (B) **The parents representing at least 51 percent of the students who attend an elemen-**
23 **tary school that will matriculate to a middle school or attend a middle school that will**
24 **matriculate to a high school sign the petition.**

25 (b) **For the purpose of counting signatures under this subsection, each parent may sign**
26 **the petition once for each child in the school.**

27 (4) **A petition described in subsection (1) of this section may not be submitted until the**
28 **requirements of subsection (3) of this section are satisfied.**

29 (5)(a) **A school district board shall have 45 days to review and verify signatures submitted**
30 **on a petition. Signatures shall be verified by comparing signatures to existing files for par-**
31 **ents. A school district board may contact a parent about a signature only in the case 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 perceived discrepancy.

2 (b) If enough discrepancies exist to cause the requirements of subsection (3) of this sec-
3 tion to not be met, the school district board shall allow the parents an additional 30 days to
4 resolve discrepancies or to collect additional signatures.

5 (6)(a) A school district board shall make a decision on a petition no later than 30 days
6 after completing the review and verification of the signatures as provided by subsection (5)
7 of this section.

8 (b) A school district board may decide to not approve a petition only by:

9 (A) Making a written finding that describes why granting the petition is logistically im-
10 possible or why the petition was submitted for reasons other than improving academic
11 achievement or student safety; and

12 (B) Presenting the written finding at a public hearing.

13 (c) If the school district board approves the petition, the board shall implement the plan
14 requested in the petition:

15 (A) Within 180 days after the petition is received; or

16 (B) By the first day of the following school year, if the petition is received after March
17 1.

18 (d) If the school district board does not approve the petition:

19 (A) The board shall implement one of the other options described in subsection (1) of this
20 section upon a finding that the option has substantial promise of enabling the school to made
21 adequate student achievement growth consistent with state standards;

22 (B) The option chosen by the board shall be implemented within the time frame provided
23 by paragraph (c) of this subsection; and

24 (C) The parents shall have the right to request the State Board of Education to review
25 the decision and to enter an order granting the petition if the board finds that granting the
26 petition is logistically possible or that the petition was submitted to improve academic
27 achievement or student safety.

28 (7) Subsection (1) of this section does not apply to a school that the school district board
29 has scheduled to close.

30 (8) Students of a school that is the subject of a petition described in this section shall
31 be eligible to continue to attend the school, unless the school is closed.

32 (9) If a school is transformed as provided by section 2, 3 or 4 of this 2013 Act, another
33 petition may not be filed under this section until two years after the initial transformation
34 was initiated.

35 **SECTION 2.** (1) If the parents of the students of a school submit a petition to the school
36 district board for a turnaround model, the school district where the school is located shall:

37 (a) Replace the principal and grant the new principal sufficient operational flexibility to
38 implement a fully comprehensive approach to substantially improve student achievement
39 outcomes and increase high school graduation rates. The operational flexibility may include
40 staffing, calendars and school time, and budgeting.

41 (b) Use evaluations adopted by the school district board to measure the effectiveness of
42 staff to meet the needs of students. To fulfill this purpose, the school district shall:

43 (A) Screen all existing staff and allow the rehiring of no more than 50 percent of the
44 staff; and

45 (B) Select new staff.

1 (c) Implement strategies that are designed to recruit, place and retain staff with the
2 skills necessary to meet the needs of the students in the school. The strategies may include
3 financial incentives, increased opportunities for promotion and career growth, and more
4 flexible work conditions.

5 (d) Provide staff with ongoing, high quality, job-embedded professional development that:

6 (A) Is aligned with the comprehensive instructional program developed for the school;
7 and

8 (B) Is designed with school staff to ensure that staff are equipped to facilitate effective
9 teaching and learning and have the capacity to successfully implement school reform strat-
10 egies.

11 (e) Adopt a new governance structure. The governance structure may require the school
12 to regularly report to the school district board or the Department of Education, hire an in-
13 dividual who reports directly to the superintendent of the school district, or enter into a
14 multiyear contract with the Department of Education to obtain added flexibility from state
15 law in exchange for greater accountability from the school.

16 (f) Use data to identify and implement an instructional program that is research-based
17 and that is aligned from one grade to the next and aligned with state academic standards.

18 (g) Promote the continuous use of student data to inform and differentiate instruction
19 in order to meet the academic needs of individual students. The student data may include
20 formative, interim and summative assessments.

21 (h) Establish schedules and implement strategies that provide increased learning time.

22 (i) Provide appropriate social, emotional and community oriented services and supports
23 for students.

24 (2) If the parents of the students of a school submit a petition to the school district board
25 for a turnaround model, the school district where the school is located may implement
26 strategies in addition to the strategies described in subsection (1) of this section, including
27 any of the strategies described under the transformation model described in section 4 of this
28 2013 Act.

29 **SECTION 3.** (1) If the parents of the students of a school submit a petition to the school
30 district board for a restart model, the school district board shall:

31 (a) Request applicants to submit a proposal to convert the school to a public charter
32 school governed by ORS chapter 338; or

33 (b) Request the entity designated by the parents on the petition to submit a proposal to
34 convert the school to a public charter school governed by ORS chapter 338.

35 (2) If applicants are requested to submit a proposal to convert the school to a public
36 charter school, as provided by subsection (1) of this section, the parents of the students of
37 the school shall select the proposal that the parents want the school district board to eval-
38 uate.

39 (3) A school district board shall evaluate a proposal submitted under this section in the
40 same manner that the school district board would evaluate a proposal under ORS 338.055.

41 (4) A school that is converted into a public charter school as provided by this section
42 must enroll, within the grades the school serves, any former students who wish to attend
43 the public charter school.

44 **SECTION 4.** (1) If the parents of the students of a school submit a petition to the school
45 district board for a transformation model, the school district where the school is located

1 shall:

2 (a) Develop and increase teacher and administrator effectiveness, as described in sub-
3 section (2) of this section;

4 (b) Implement comprehensive instruction reform, as described in subsection (3) of this
5 section;

6 (c) Increase learning time and create community oriented schools, as described in sub-
7 section (4) of this section; and

8 (d) Provide operational flexibility and sustained support, as described in subsection (5)
9 of this section.

10 (2)(a) To develop and increase teacher and administrator effectiveness, the school district
11 shall:

12 (A) Replace the principal.

13 (B) Use rigorous, transparent and equitable evaluations for teachers and principals that:

14 (i) Consider data on student growth to be a significant factor;

15 (ii) May consider other factors, including multiple observation-based assessments of
16 performance and ongoing collections of professional practices that are reflective of student
17 achievement and increased high school graduation rates; and

18 (iii) Are designed and developed with teacher and principal involvement.

19 (C) Identify and reward administrators, teachers and other staff who have increased
20 student achievement and high school graduation rates.

21 (D) Identify and remove administrators, teachers and other staff who, after ample op-
22 portunities have been provided, have not been able to increase student achievement and high
23 school graduation rates.

24 (E) Implement strategies that are designed to recruit, place and retain staff with the
25 skills necessary to meet the needs of the students in the school. The strategies may include
26 financial incentives, increased opportunities for promotion and career growth, and more
27 flexible work conditions.

28 (F) Provide staff with ongoing, high quality, job-embedded professional development that:

29 (i) Is aligned with the comprehensive instructional program developed for the school; and

30 (ii) Is designed with school staff to ensure that staff are equipped to facilitate effective
31 teaching and learning and have the capacity to successfully implement school reform strat-
32 egies.

33 (b) To develop and increase teacher and administrator effectiveness, the school district
34 may:

35 (A) Provide additional compensation to attract and retain staff with the skills necessary
36 to meet the needs of the students in the school;

37 (B) Institute a system for measuring changes in instructional practices resulting from
38 professional development; and

39 (C) Ensure that the school is not required to accept a teacher without the mutual con-
40 sent of the teacher and principal, regardless of the teacher's seniority.

41 (3)(a) To implement comprehensive instruction reform, the school district shall:

42 (A) Use data to identify and implement an instructional program that is research-based
43 and aligned from one grade to the next and aligned with state academic standards; and

44 (B) Promote the continuous use of student data to inform and differentiate instruction
45 in order to meet the academic needs of individual students. The student data may include

1 formative, interim and summative assessments.

2 (b) To implement comprehensive instruction reform, the school district may:

3 (A) Conduct periodic reviews to ensure that the curriculum is being implemented with
4 fidelity, is having the intended impact on student achievement and is modified if ineffective;

5 (B) Implement a schoolwide model for responding and intervening if a student is having
6 difficulty learning;

7 (C) Provide additional supports and professional development to teachers and principals
8 in order to implement effective strategies to support students with disabilities in the least
9 restrictive environment and to ensure that students with limited English proficiency acquire
10 language skills sufficient to master academic content;

11 (D) Use and integrate technology-based supports and interventions as part of the in-
12 structional program;

13 (E) For secondary schools, increase rigor by offering opportunities for students to enroll
14 in advanced coursework that prepares students for college and careers and providing appro-
15 priate supports designed to ensure that low achieving students can take advantage of the
16 advanced coursework;

17 (F) Improve student transitions from middle school to high school through summer
18 transition programs or freshman academies;

19 (G) Increase graduation rates through credit recovery programs, reengagement strate-
20 gies, small learning communities, competency-based instruction and performance-based as-
21 sessments and acceleration of basic reading and mathematics skills; and

22 (H) Establish early warning systems to identify students who may be at risk of failing
23 to achieve high standards or to graduate.

24 (4)(a) To increase learning time and create community oriented schools, the school dis-
25 trict shall:

26 (A) Establish schedules and implement strategies that provide increased learning time;
27 and

28 (B) Provide ongoing mechanisms for family and community engagement.

29 (b) To increase learning time and create community oriented schools, the school district
30 may:

31 (A) Partner with parents, parent organizations, community-based organizations and state
32 and local agencies to create safe school environments that meet the social, emotional and
33 health needs of students;

34 (B) Extend or restructure the school day to add time for advisory periods and other ac-
35 tivities that build relationships between students, faculty and other school staff;

36 (C) Implement approaches to improve the school environment and discipline at the
37 school; and

38 (D) Expand the school program to offer prekindergarten.

39 (5)(a) To provide operational flexibility and sustained support, the school district shall:

40 (A) Give the school sufficient operational flexibility to fully implement a comprehensive
41 approach to substantially improve student achievement outcomes and increase high school
42 graduation rates; and

43 (B) Ensure that the school receives ongoing, intensive technical assistance and related
44 support from the school district board, the Department of Education and any other entity.

45 (b) To provide operational flexibility and sustained support, the school district may allow

1 the school to operate under a new governance arrangement.

2 **SECTION 5.** (1) The State Board of Education shall adopt rules required for the imple-
3 mentation of sections 1 to 4 of this 2013 Act, including:

4 (a) The petition format and submission process.

5 (b) The appeals procedure.

6 (2) The Department of Education shall maintain records regarding the contents of and
7 outcomes from parental petitions in order to ensure appropriate implementation of sections
8 1 to 4 of this 2013 Act.

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