

A-Engrossed House Bill 3075

Ordered by the House April 16
Including House Amendments dated April 16

Sponsored by Representative BARKER (at the request of Oregon School Boards Association)

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.

Reduces frequency by which Department of Education collects information related to physical education.

Allows school district board to determine how to make written personnel policies available for inspection.

Revises timelines for achievement compacts for school districts and education service districts.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to education; amending ORS 329.498 and 332.505 and sections 14 and 16, chapter 36, Oregon
3 Laws 2012; and declaring an emergency.

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

5 **SECTION 1.** ORS 329.498 is amended to read:

6 329.498. (1) The Department of Education shall collect data from school districts on:

7 [(1)] (a) The number of minutes of physical education that are provided to students in
8 kindergarten through grade 8 each school week in each public school within the district;

9 [(2)] (b) The physical capacity of public schools to provide students in kindergarten through
10 grade 5 with at least 150 minutes of physical education during each school week and to provide
11 students in grades 6 through 8 with at least 225 minutes of physical education during each school
12 week; and

13 [(3)] (c) The additional facilities required by public schools to provide physical education to
14 students as described in [*subsection (2) of this section*] **paragraph (b) of this subsection.**

15 **(2) The department shall collect the data described in subsection (1) of this section:**

16 **(a) Annually, for data described in subsection (1)(a) of this section.**

17 **(b) Whenever a public school increases or decreases the school's physical capacity to
18 provide students with physical education, for data described in subsection (1)(b) and (c) of
19 this section.**

20 **SECTION 2.** ORS 332.505 is amended to read:

21 332.505. (1) A district school board may:

22 (a) Employ a superintendent of schools and necessary assistant superintendents for the district
23 and fix the terms and conditions of employment and the compensation. The district school board
24 shall not contract with a superintendent for more than a period of three years at a time. The con-
25 tract shall automatically expire at the end of its term. However, the district school board may elect

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 to issue a subsequent contract for an additional three years at any time.

2 (b) Employ personnel, including teachers and administrators, necessary to carry out the duties
3 and powers of the board and fix the duties, terms and conditions of employment and the compen-
4 sation.

5 (c) Compensate district employees in any form which may include, but shall not be limited to,
6 insurance, tuition reimbursement and salaries.

7 (d) Employ educational assistants and intern teachers subject to the rules of the State Board
8 of Education.

9 (2) The district school board shall maintain written personnel policies [*at least one copy of which*
10 *shall be placed in the library and one copy in the business office of every school in the district. Copies*
11 *shall be*] **and make the policies** available for inspection by any school employee or member of the
12 public.

13 (3) The superintendent of the school district shall cause each employee to be specifically in-
14 formed of the existence and availability of the personnel policies.

15 **SECTION 3.** Section 16, chapter 36, Oregon Laws 2012, is amended to read:

16 **Sec. 16.** (1) Each school district and education service district shall form an achievement com-
17 pact advisory committee.

18 (2) An achievement compact advisory committee shall be responsible for developing an
19 achievement compact and ensuring that an achievement compact is implemented.

20 (3) The governing body of a district shall appoint the members of an achievement compact ad-
21 visory committee. The members shall consist of teachers, administrators and other appropriate edu-
22 cation personnel who are employed by the district. When an employee organization represents
23 educators of a district, the superintendent of the district, at the direction of the governing board
24 of the district, shall collaborate with the local president of the employee organization to recommend
25 the appointment of educators to the achievement compact advisory committee.

26 (4) An achievement compact advisory committee shall:

27 (a) Develop plans for achieving the district's outcomes, measures of progress, goals and targets
28 expressed in an achievement compact, including methods of assessing and reporting progress toward
29 the achievement of goals and targets; and

30 (b) Recommend outcomes, measures of progress, goals and targets to be contained in the
31 district's achievement compact for the next fiscal year.

32 (5) Each achievement compact advisory committee shall present its recommendations in a report
33 to the governing board of the district no later than [*February*] **May** 1 of each year. An achievement
34 compact advisory committee's report and recommendations shall be considered by the governing
35 board of the district when entering into an achievement compact for the next fiscal year. The gov-
36 erning board shall file the achievement compact advisory committee's report with each achievement
37 compact it adopts and forwards to the Oregon Education Investment Board.

38 **SECTION 4.** Section 14, chapter 36, Oregon Laws 2012, is amended to read:

39 **Sec. 14.** (1) For the purposes of this section:

40 (a) "Achievement compact" means an agreement entered into between the Oregon Education
41 Investment Board and the governing body of an education entity as described in this section.

42 (b) "Education entity" means:

43 (A) A school district, as defined in ORS 332.002;

44 (B) An education service district operated under ORS chapter 334;

45 (C) A community college district or community college service district operated under ORS

1 chapter 341;

2 (D) The Oregon University System established by ORS 351.011;

3 (E) A public university of the Oregon University System, as listed in ORS 352.002; and

4 (F) The health professions and graduate science programs of the Oregon Health and Science
5 University operated under ORS chapter 353.

6 (c) “Governing body of an education entity” means:

7 (A) For a school district, the school district board.

8 (B) For an education service district, the board of directors of the education service district.

9 (C) For a community college district or a community college service district, the board of edu-
10 cation of the community college district.

11 (D) For the Oregon University System, the State Board of Higher Education.

12 (E) For a public university of the Oregon University System, the president of the university.

13 (F) For the Oregon Health and Science University, the Oregon Health and Science University
14 Board of Directors.

15 (2)(a) Prior to the beginning of each fiscal year, the governing body of each education entity
16 must enter into an achievement compact with the Oregon Education Investment Board for the fiscal
17 year.

18 (b) Governing bodies of education entities identified in subsection (1)(b)(A) to (C) of this section
19 shall enter into achievement compacts as part of the budgeting process under ORS 294.305 to 294.565
20 and shall submit achievement compacts to the board prior to:

21 **(A) October 15 of each year for governing bodies of education entities identified in sub-**
22 **section (1)(b)(A) or (B) of this section; or**

23 **(B) July 1 of each year for governing bodies of education entities identified in subsection**
24 **(1)(b)(C) of this section.**

25 (c) The board shall specify a process for adoption and a timeline for submission of achievement
26 compacts for education entities identified in subsection (1)(b)(D) to (F) of this section.

27 (d) The board shall provide to each school district a number quantifying the district’s estimated
28 level of funding for the next fiscal year compared to the determination of funding needed to ensure
29 that the state’s system of kindergarten through grade 12 public education meets the quality goals
30 specified under ORS 327.506.

31 (3)(a) The board shall establish the terms for achievement compacts.

32 (b) The terms of an achievement compact may include:

33 (A) A description of goals for outcomes that are consistent with the educational goals identified
34 in ORS 329.015, the findings described in ORS 351.003 and the mission of education provided in ORS
35 351.009.

36 (B) A description of the outcomes and measures of progress that will allow each education entity
37 to quantify:

38 (i) Completion rates for:

39 (I) Critical stages of learning and programs of study;

40 (II) The attainment of diplomas, certificates and degrees; and

41 (III) Achieving the high school and post-secondary education goals established in ORS 351.009
42 and a projection of the progress needed to achieve those goals by 2025;

43 (ii) Validations of the quality of knowledge and skills acquired by students of the education en-
44 tity; and

45 (iii) The relevance of the knowledge and skills acquired by the students of the education entity

1 and the means by which those skills and knowledge will contribute to the workforce, the economy
2 and society as described in state policy.

3 (C) Other information suggested by the governing body of an education entity and approved by
4 the board.

5 (c) Notwithstanding the terms described in paragraph (b) of this subsection, for an achievement
6 compact entered into by an education entity identified in subsection (1)(b)(F) of this section, the
7 terms of the achievement compact shall be limited to the enrollment of, and attainment of degrees
8 by, Oregon residents in programs for which the state provides funding.

9 (4)(a) The governing body of each education entity shall identify a target number and percentage
10 of students for achievement of the outcomes, measures of progress and goals specified in the
11 achievement compact for the fiscal year.

12 (b) The governing body of each education entity shall provide a target number and percentage
13 of students for the aggregate of all disadvantaged subgroups, as defined by federal law or specified
14 by rules adopted by the board. The target number and percentage of students must reflect the edu-
15 cation entity's goals of improving education outcomes for disadvantaged student groups and closing
16 any student achievement gaps between disadvantaged student groups and other student groups.

17 (5) As part of the process of entering into an achievement compact, the governing body of an
18 education entity shall ensure that open communications are provided to parents, students, teachers
19 or faculty, employees, exclusive bargaining representatives and community representatives for the
20 purposes of explaining and discussing the outcomes, measures of progress, goals and targets speci-
21 fied in the achievement compact for the fiscal year. The open communications must be provided
22 during each education entity's public budget process.

23 (6) The board shall specify the format of the achievement compacts and provide model achieve-
24 ment compacts to the governing body of each education entity.

25 (7) The board may adopt a timeline and method for governing bodies of education entities to
26 provide the board with a report at the end of a fiscal year that describes the achievements made
27 by the education entities during the fiscal year. The report:

28 (a) Must include disaggregated data for each disadvantaged student group specified by the
29 board; and

30 (b) May state achievements in numbers and percentages and in relation to the outcomes, meas-
31 ures of progress, goals and targets specified in the achievement compact for the fiscal year.

32 **SECTION 5. This 2013 Act being necessary for the immediate preservation of the public**
33 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
34 **on its passage.**