

# House Bill 3230

Sponsored by 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**.

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 provisions; amending sections 1,  
3 2 and 10, chapter 519, Oregon Laws 2011; and declaring an emergency.

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

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

7 **Sec. 1.** (1) The Oregon Education Investment Board is established. **The Chief Education Offi-**  
8 **cer shall serve as the administrative officer of the board.**

9 **(2) The purpose of the board is to ensure** [*for the purpose of ensuring*] that all public school  
10 students in this state reach the education outcomes established for the state. The board shall ac-  
11 complish this goal by overseeing a unified public education system that begins with early childhood  
12 services and continues throughout public education from kindergarten to post-secondary education.

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

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

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

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

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

19 [(B) *Twelve members who are appointed by the Governor, subject to confirmation by the Senate in*  
20 *the manner provided in ORS 171.562 and 171.565, and who serve at the pleasure of the Governor.*]

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

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

24 [(B) *Solicit recommendations from the Speaker of the House of Representatives for at least two*  
25 *members and from the President of the Senate for at least two members.*]

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

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

29 [(a) *Ensuring that early childhood services are streamlined and connected to public education from*  
30 *kindergarten through grade 12 and that public education from kindergarten through grade 12 is*  
31 *streamlined and connected to post-secondary education. To assist the board in fulfilling this duty, the*

**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 shall oversee:]*

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

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

4 *[(b) Recommending strategic investments in order to ensure that the public education budget is in-*  
5 *tegrated and is targeted to achieve the education outcomes established for the state.]*

6 *[(c) Providing an integrated, statewide, student-based data system that monitors expenditures and*  
7 *outcomes to determine the return on statewide education investments. The board shall provide the data*  
8 *system described in this paragraph by:]*

9 *[(A) Developing the data system or identifying or modifying an existing data system that accom-*  
10 *plishes the goals of the data system; and]*

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

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

14 *[(e) Working with the Quality Education Commission to identify best practices for school districts*  
15 *and the costs and benefits of the adoption of those best practices by school districts.]*

16 *[(5) An appointed member of the board is entitled to compensation and expenses as provided in*  
17 *ORS 292.495.]*

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

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

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

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

27 **Sec. 1.** (1) The Oregon Education Investment Board is established. **The Chief Education Offi-**  
28 **cer shall serve as the administrative officer of the board.**

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

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

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

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

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

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

39 *[(B) Twelve members who are appointed by the Governor, subject to confirmation by the Senate in*  
40 *the manner provided in ORS 171.562 and 171.565, and who serve at the pleasure of the Governor.]*

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

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

44 *[(B) Solicit recommendations from the Speaker of the House of Representatives for at least two*  
45 *members and from the President of the Senate for at least two members.]*

1        [(3) *The Governor, or the Governor’s designee, shall serve as chairperson of the Oregon Education*  
 2 *Investment Board.*]

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

4        [(a) *Ensuring that early childhood services are streamlined and connected to public education from*  
 5 *kindergarten through grade 12 and that public education from kindergarten through grade 12 is*  
 6 *streamlined and connected to post-secondary education. To assist the board in fulfilling this duty, the*  
 7 *board shall oversee:*]

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

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

10       [(b) *Recommending strategic investments in order to ensure that the public education budget is in-*  
 11 *tegrated and is targeted to achieve the education outcomes established for the state.*]

12       [(c) *Providing an integrated, statewide, student-based data system that monitors expenditures and*  
 13 *outcomes to determine the return on statewide education investments. The board shall provide the data*  
 14 *system described in this paragraph by:*]

15       [(A) *Developing the data system or identifying or modifying an existing data system that accom-*  
 16 *plishes the goals of the data system; and*]

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

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

20       [(5) *An appointed member of the board is entitled to compensation and expenses as provided in*  
 21 *ORS 292.495.*]

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

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

25       [(8) *In accordance with applicable provisions of ORS chapter 183, the board may adopt rules nec-*  
 26 *essary for the administration of the laws that the board is charged with administering, including any*  
 27 *rules necessary for the oversight of the direction and control of the Higher Education Coordinating*  
 28 *Commission.*]

29       **SECTION 3. (1) The Oregon Education Investment Board consists of 13 members as fol-**  
 30 **lows:**

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

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

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

34       **(a) Ensure that each congressional district of this state is represented by at least one**  
 35 **member of the board; and**

36       **(b) Solicit recommendations from the Speaker of the House of Representatives for at**  
 37 **least two members and from the President of the Senate for at least two members.**

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

43       **(4) The appointment of members to the board is subject to confirmation by the Senate**  
 44 **in the manner provided in ORS 171.562 and 171.565.**

45       **(5) An appointed member of the board is entitled to compensation and expenses as pro-**

1 vided in ORS 292.495.

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

3 (1) Ensuring that early childhood services are streamlined and connected to public edu-  
 4 cation from kindergarten through grade 12 and that public education from kindergarten  
 5 through grade 12 is streamlined and connected to post-secondary education. To assist the  
 6 board in fulfilling this duty, the board shall oversee:

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

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

9 (2) Recommending strategic investments in order to ensure that the public education  
 10 budget is integrated and is targeted to achieve the education outcomes established for the  
 11 state.

12 (3) Providing an integrated, statewide, student-based data system that monitors expen-  
 13 ditures and outcomes to determine the return on statewide education investments. The  
 14 board shall provide the data system described in this subsection by:

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

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

18 (4) Entering into achievement compacts and administering sections 14, 15 and 18, chapter  
 19 36, Oregon Laws 2012.

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

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

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

24 (1) Ensuring that early childhood services are streamlined and connected to public education  
 25 from kindergarten through grade 12 and that public education from kindergarten through grade 12  
 26 is streamlined and connected to post-secondary education. To assist the board in fulfilling this duty,  
 27 the board shall oversee:

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

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

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

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

35 (a) Developing the data system or identifying or modifying an existing data system that accom-  
 36 plishes the goals of the data system; and

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

38 *[(4) Entering into achievement compacts and administering sections 14, 15 and 18, chapter 36,*  
 39 *Oregon Laws 2012.]*

40 *[(5)]* (4) Working with the Quality Education Commission to identify best practices for school  
 41 districts and the costs and benefits of the adoption of those best practices by school districts.

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

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

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

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

5       **SECTION 8. In accordance with applicable provisions of ORS chapter 183, the Oregon**  
 6 **Education Investment Board may adopt rules necessary for the administration of the laws**  
 7 **that the board is charged with administering, including any rules necessary for the oversight**  
 8 **of the direction and control of the Higher Education Coordinating Commission.**

9       **SECTION 9. (1) The Oregon Education Investment Board may establish such advisory**  
 10 **and technical committees as it considers necessary to aid and advise the board in the per-**  
 11 **formance of its functions. These committees may be continuing or temporary committees.**  
 12 **The board shall determine the representation, membership, terms and organization of the**  
 13 **committees and shall appoint their members.**

14       **(2) Members of the committees are not entitled to compensation, but at the discretion**  
 15 **of the board may be reimbursed from funds available to the board for actual and necessary**  
 16 **travel and other expenses incurred by them in the performance of their official duties in the**  
 17 **manner and amount provided in ORS 292.495.**

18       **SECTION 10. The Oregon Education Investment Board may delegate any of the duties**  
 19 **listed in section 4 of this 2013 Act to the Chief Education Officer.**

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

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

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

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

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

31       **[(3)(a) For the purpose of furthering the mission of the Oregon Education Investment Board to**  
 32 **oversee a unified public education system, the Chief Education Officer shall have direction and control**  
 33 **over the positions identified in paragraph (b) of this subsection for matters related to the design and**  
 34 **organization of the state's education system, including early childhood services provided by the state.]**

35       **[(b) The positions over which the Chief Education Officer shall have direction and control are:]**

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

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

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

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

40       **[(E) The executive director of the Higher Education Coordinating Commission.]**

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

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

45       **[(d) If a person in a position identified in paragraph (b) of this subsection is appointed by an entity**

1 *other than the Governor, the Governor shall resolve any dispute between the Chief Education Officer*  
2 *and the appointing authority of the person. The Governor's decision is final.]*

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

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

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

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

12 (c) **The executive director of the Oregon Student Access Commission.**

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

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

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

16 (3) **The authority of the Chief Education Officer granted under subsection (1) of this**  
17 **section does not include the authority to appoint or remove a person from a position identi-**  
18 **fied in subsection (2) of this section.**

19 (4) **If a person in a position identified in subsection (2) of this section is appointed by an**  
20 **entity other than the Governor, the Governor shall resolve any dispute between the Chief**  
21 **Education Officer and the appointing authority of the person. The Governor's decision is**  
22 **final.**

23 (5) **In addition to the positions identified in subsection (2) of this section and subject to**  
24 **ORS chapter 240, the Chief Education Officer shall appoint all subordinate officers and em-**  
25 **ployees, prescribe their duties and fix their compensation.**

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

28 **Sec. 10.** (1) Sections 1, 2, 3, 5, 6 and 7, chapter 519, Oregon Laws 2011, are repealed on March  
29 15, 2016.

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

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