

House Bill 4136

Sponsored by Representative SPRENGER; Representatives BENTZ, CAMERON, CONGER, ESQUIVEL, HUFFMAN, JENSON, JOHNSON, KENNEMER, KRIEGER, OLSON, RICHARDSON, THOMPSON, WEIDNER, WHITSETT (Presession filed.)

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**.

Permits district school board to enter into written agreement with federally recognized Native American tribe in Oregon to identify acceptable name, symbol or image of mascot that represents or is associated with Native American tribe, to identify behavior expectations at athletic events and to identify required training on cultural diversity.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to school mascots; amending ORS 332.075; and declaring an emergency.

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

4 **SECTION 1.** ORS 332.075 is amended to read:

5 332.075. (1) Any district school board may:

6 (a) Fix the days of the year and the hours of the day when schools shall be in session.

7 (b) Adopt textbooks and other instructional materials as provided in ORS 337.120 and 337.141
8 and courses of study for the use of such schools as provided in ORS 336.035.

9 (c) Authorize the use of the schools for purposes of training students of an approved teacher
10 education institution, as defined in ORS 342.120, and for such purposes may enter into contracts
11 with the approved teacher education institutions on such terms as may be agreed upon. Such con-
12 tracts as they relate to student teachers shall have the same effect and be subject to the same
13 regulations as a contract between a licensed teacher and a district school board.

14 (d) Develop and operate with other school districts or community college districts secondary
15 career and technical education programs for pupils of more than one district and fix by agreement
16 the duration of the district's obligation to continue such activity, subject to the availability of funds
17 therefor.

18 (e) Authorize the school district to be a member of and pay fees, if any, to any voluntary or-
19 ganization that administers interscholastic activities or that facilitates the scheduling and pro-
20 gramming of interscholastic activities.

21 (f) Accept money or property donated for the use or benefit of the school district and, consistent
22 with the laws of this state, use such money or property for the purpose for which it was donated.

23 **(g) Enter into a written agreement with the governing body of a federally recognized**
24 **Native American tribe in Oregon that is located closest to the school district to identify:**

25 **(A) The acceptable name, symbol or image of a mascot that represents, or is associated**
26 **with, a Native American tribe;**

27 **(B) The behavior expectations of students and other spectators at athletic events that**
28 **shall be enforced by the school district in relation to the mascot; and**

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 **(C) The training on cultural diversity that athletic directors or other persons identified**
2 **by the district school board shall be required to complete.**

3 (2) All contracts of the school district must be approved by the district school board before an
4 order can be drawn for payment. If a contract is made without the authority of the district school
5 board, the individual making such contract shall be personally liable.

6 (3) Notwithstanding subsection (2) of this section, a district school board may, by resolution or
7 policy, authorize its superintendent or the superintendent's designee to enter into and approve pay-
8 ment on contracts for products, materials, supplies, capital outlay, equipment and services that are
9 within appropriations made by the district school board pursuant to ORS 294.456. A district school
10 board may not authorize its superintendent or the superintendent's designee under this subsection
11 to enter into and approve payment on contracts that are collective bargaining agreements or service
12 contracts that include the provision of labor performed by employees of the school district.

13 **SECTION 2. This 2014 Act being necessary for the immediate preservation of the public**
14 **peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect**
15 **on its passage.**

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