

**Enrolled**  
**Senate Bill 1509**

Sponsored by Senators KRUSE, GIROD, CLOSE, Representative SPRENGER; Senator JOHNSON, Representative FREEMAN (Presession filed.)

CHAPTER .....

AN ACT

Relating to school mascots; creating new provisions; amending ORS 332.075; and declaring an emergency.

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

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

332.075. (1) Any district school board may:

- (a) Fix the days of the year and the hours of the day when schools shall be in session.
- (b) Adopt textbooks and other instructional materials as provided in ORS 337.120 and 337.141 and courses of study for the use of such schools as provided in ORS 336.035.
- (c) Authorize the use of the schools for purposes of training students of an approved teacher education institution, as defined in ORS 342.120, and for such purposes may enter into contracts with the approved teacher education institutions on such terms as may be agreed upon. Such contracts as they relate to student teachers shall have the same effect and be subject to the same regulations as a contract between a licensed teacher and a district school board.
- (d) Develop and operate with other school districts or community college districts secondary career and technical education programs for pupils of more than one district and fix by agreement the duration of the district's obligation to continue such activity, subject to the availability of funds therefor.
- (e) Authorize the school district to be a member of and pay fees, if any, to any voluntary organization that administers interscholastic activities or that facilitates the scheduling and programming of interscholastic activities.
- (f) Accept money or property donated for the use or benefit of the school district and, consistent with the laws of this state, use such money or property for the purpose for which it was donated.
- (g) Enter into an approved written agreement with the governing body of a federally recognized Native American tribe in Oregon to allow the use of a mascot that represents, is associated with or is significant to the Native American tribe entering into the agreement. An agreement entered into under this paragraph must:**
  - (A) Describe the acceptable uses of the mascot;**
  - (B) Comply with rules adopted by the State Board of Education that:**
    - (i) Are adopted after consultation with the federally recognized tribes in Oregon pursuant to ORS 182.164 (3); and**
    - (ii) Prescribe the requirements for approval; and**

**(C) Be approved by the State Board of Education, which the board must provide if the agreement meets the requirements of this paragraph and the rules adopted under this paragraph.**

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

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

**SECTION 2. The State Board of Education must adopt the rules described in ORS 332.075 (1)(g) not later than January 1, 2017.**

**SECTION 3. This 2014 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect on its passage.**

**Passed by Senate February 14, 2014**

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House February 26, 2014**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M.,....., 2014

**Approved:**

.....M.,....., 2014

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2014

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Kate Brown, Secretary of State