

D R A F T

SUMMARY

Prohibits State Board of Education from establishing certain standards for instructional time unless moneys available for state's system of kindergarten through grade 12 public education meet specified percentage of amount of moneys determined to be sufficient by Quality Education Commission.

Declares emergency, effective July 1, 2015.

A BILL FOR AN ACT

1
2 Relating to instructional time; creating new provisions; amending ORS
3 326.051; and declaring an emergency.

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

5 **SECTION 1.** ORS 326.051 is amended to read:

6 326.051. Subject to ORS 417.300 and 417.305:

7 (1) In addition to such other duties as are prescribed by law and pursuant
8 to the requirement of ORS chapter 183, the State Board of Education shall:

9 (a) Establish state standards for public kindergartens and public elemen-
10 tary and secondary schools consistent with the policies stated in ORS
11 326.011. **The standards may include requirements for instructional**
12 **time, except that, unless the amount of moneys available for the**
13 **state's system of kindergarten through grade 12 public education is**
14 **at least 83 percent of the amount of moneys determined to be suffi-**
15 **cient by the Quality Education Commission under ORS 327.506, the**
16 **standards may not prescribe a requirement that:**

17 (A) **Students in kindergarten through grade 3 be provided more**
18 **than 810 hours of instructional time per year;**

1 **(B) Students in grades 4 through 8 be provided more than 900 hours**
2 **of instructional time per year;**

3 **(C) Students in grades 9 through 12 be provided more than 990 hours**
4 **of instructional time per year; or**

5 **(D) A specified percentage of students of the school district be**
6 **scheduled to receive the minimum hours of instructional time per**
7 **year.**

8 (b) Adopt rules for the general governance of public kindergartens and
9 public elementary and secondary schools.

10 (c) Prescribe required or minimum courses of study.

11 (d) Adopt rules regarding school and interscholastic activities.

12 (e) Adopt rules that provide that no public elementary or secondary
13 school shall discriminate in determining participation in interscholastic ac-
14 tivities. As used in this paragraph, “discrimination” has the meaning given
15 that term in ORS 659.850.

16 (f) Adopt rules that will eliminate the use and purchase of elemental
17 mercury, mercury compounds and mercury-added instructional materials by
18 public elementary and secondary schools.

19 (2) The State Board of Education may:

20 (a) Consistent with the laws of this state, accept money or property not
21 otherwise provided for under paragraph (b) of this subsection, which is do-
22 nated for the use or benefit of the public kindergartens and public elemen-
23 tary and secondary schools and use such money or property for the purpose
24 for which it was donated. Until it is used, the board shall deposit any money
25 received under this paragraph in a special fund with the State Treasurer as
26 provided in ORS 293.265 to 293.275.

27 (b) Apply for federal funds and accept and enter into any contracts or
28 agreements on behalf of the state for the receipt of such funds from the
29 federal government or its agencies for:

30 (A) Educational purposes, including but not limited to any funds available
31 for the school lunch program;

1 (B) Career and technical education programs in public elementary and
2 secondary schools; and

3 (C) Any grants available to the state or its political subdivisions for
4 general federal aid for public kindergartens, public elementary schools and
5 public secondary schools and their auxiliary services, improvement of
6 teacher preparation, teacher salaries, construction of school buildings, ad-
7 ministration of the Department of Education and any other educational ac-
8 tivities under the jurisdiction of the State Board of Education.

9 (c) Adopt rules to administer the United States Department of
10 Agriculture's National School Lunch Program and School Breakfast Program
11 for public and private prekindergarten through grade 12 schools and resi-
12 dential child care facilities.

13 **SECTION 2. The amendments to ORS 326.051 by section 1 of this**
14 **2015 Act first apply to the 2015-2016 school year.**

15 **SECTION 3. This 2015 Act being necessary for the immediate pres-**
16 **ervation of the public peace, health and safety, an emergency is de-**
17 **clared to exist, and this 2015 Act takes effect July 1, 2015.**

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