

A-Engrossed
House Bill 2412

Ordered by the House April 20
Including House Amendments dated April 20

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Teacher Standards and Practices Commission)

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.

Removes outdated provisions and updates terminology related to teachers.

Removes requirement that superintendents of education service districts have additional certification.

Eliminates certain requirements for becoming approved educator preparation provider or approved educator preparation program.

Eliminates certain requirements for licensure of out-of-state applicant.

[Renames "Minority Teacher Act of 1991" to "Educators Equity Act." Expands scope of Act to include post-secondary education.]

A BILL FOR AN ACT

1
2 Relating to educators; creating new provisions; amending ORS 327.008, 327.495, 329.840, 332.075,
3 332.155, 332.505, 334.225, 336.631, 338.115, 338.135, 342.120, 342.121, 342.127, 342.135, 342.138,
4 342.143, 342.144, 342.147, 342.165, 342.173, 342.175, 342.176, 342.177, 342.180, 342.192, 342.195,
5 342.200, 342.203, 342.208, 342.223, 342.360, 342.390, 342.443, 342.447, 342.950, 342.971, 351.115 and
6 681.375 and section 1, chapter 98, Oregon Laws 2014; and repealing ORS 342.140, 342.156,
7 342.167, 342.190, 342.197, 342.227 and 342.232.

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

9 **SECTION 1.** ORS 342.120 is amended to read:

10 342.120. As used in this chapter, unless the context requires otherwise:

11 (1) "Administrator" includes but is not limited to all superintendents, assistant
12 superintendents, [and] principals and **academic program directors** in [the] public schools or edu-
13 cation service districts **who have direct responsibility for supervision or evaluation of licensed**
14 **teachers and who are compensated for their services from public funds.**

15 (2) "Administrative license" means a license issued under ORS 342.125 (2)(c) or (3)(f) or
16 (g).

17 (3) "Approved educator preparation program" means a licensure program that is offered
18 by an approved educator preparation provider and meets the standards of the Teacher
19 Standards and Practices Commission.

20 (4) "Approved educator preparation provider" means an entity that meets the standards
21 of the Teacher Standards and Practices Commission for preparation of licensed educators for
22 preprimary programs through grade 12.

23 [(2) "Approved teacher education institution" is one which meets the standards of the Teacher
24 Standards and Practices Commission for preparation of teachers for preprimary programs and grades

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 *1 through 12.]*

2 [(3) *“Approved teacher education program” is one offered by an approved teacher education insti-*
3 *tution and is so recognized by the Teacher Standards and Practices Commission, after considering*
4 *recommendations of the State Board of Education.]*

5 [(4) *“Commission” means the Teacher Standards and Practices Commission.]*

6 [(5) *“Educational assistant” means a classified school employee who does not require a license to*
7 *teach, who is employed by a school district or education service district and whose assignment consists*
8 *of and is limited to assisting a licensed teacher in accordance with rules established by the State Board*
9 *of Education.]*

10 [(6) (5) **“Instruction” includes preparation of curriculum, assessment and** direction of
11 learning in class, in small groups, in individual situations, **online**, in the library and in guidance and
12 counseling, but does not include the provision of related services, as defined in ORS 343.035, to a
13 child identified as a child with a disability pursuant to ORS 343.146 to 343.183 when provided in
14 accordance with ORS 343.221.

15 **(6) “Instructional assistant” means a classified school employee who does not require a**
16 **license to teach, who is employed by a school district or education service district and whose**
17 **assignment consists of and is limited to assisting a licensed teacher in accordance with rules**
18 **established by the Teacher Standards and Practices Commission.**

19 [(7) *“Intern teacher” means a regularly enrolled student of an approved teacher education institu-*
20 *tion who teaches under the supervision of the staff of the institution and of the employing school district*
21 *in order to acquire practical experience in teaching and for which the student receives both academic*
22 *credit from the institution and financial compensation from the school district or education service*
23 *district.]*

24 [(8) *“State board” means the State Board of Education.]*

25 [(9) (7) **“Teacher” includes all licensed employees in the public schools or employed by an ed-**
26 **ucation service district who have direct responsibility for instruction[,] or** coordination of educa-
27 tional programs [*or supervision or evaluation of teachers*] and who are compensated for their services
28 from public funds. **“Teacher” does not include a school nurse as defined in ORS 342.455 or an in-**
29 **structional assistant.**

30 [(10) (8) **“Teaching license” means a license issued under ORS 342.125 or 342.144.**

31 [(11) (9) **“Underrepresented person” means:**

32 (a) A person having origins in any of the black racial groups of Africa, but who is not Hispanic;

33 (b) A person of Hispanic culture or origin;

34 (c) A person having origins in any of the original peoples of the Far East, Southeast Asia, the
35 Indian subcontinent or the Pacific Islands; or

36 (d) An American Indian or Alaskan Native having origins in any of the original peoples of North
37 America.

38 **SECTION 2.** ORS 342.121 is amended to read:

39 342.121. (1) The Teacher Standards and Practices Commission shall issue licenses to teachers
40 and administrators who possess the minimum competencies, knowledge and skills to teach and ad-
41 minister in the public schools of [*the*] **this** state.

42 (2)[(a)] In addition to a teaching or administrative license, a person may obtain professional
43 certification, indicating a higher degree of competency, knowledge and skill based on work experi-
44 ence and advanced study, from a professional organization of teachers or administrators on the na-
45 tional level. A professional teaching certificate or administrative certificate is not required to teach

1 or administer in a public school of this state.

2 *[(b) In addition to holding an administrative license as a superintendent, a person who is a su-*
 3 *perintendent of an education service district shall obtain certification, indicating a higher degree of*
 4 *competency, knowledge and skill based on work experience and advanced study, from the commission.*
 5 *The certificate shall be designed to ensure that the superintendent has knowledge of theories related to*
 6 *change, strategic planning and financial planning and is capable of formulating interorganizational*
 7 *cooperation and developing partnerships. The certificate described in this paragraph is required for a*
 8 *person to be a superintendent of an education service district of this state.]*

9 **SECTION 3.** ORS 342.127 is amended to read:

10 342.127. (1) The Teacher Standards and Practices Commission shall establish and [*the commission*
 11 *shall*] collect:

12 (a) A fee not to exceed \$100 for evaluation of the initial application for each teaching license
 13 for which application is made. If the applicant is eligible for the teaching license for which appli-
 14 cation is made and the license is issued within 90 days of original application, the commission shall
 15 issue the license without additional charge.

16 (b) A fee not to exceed \$100 for the renewal of each teaching license and a fee not to exceed
 17 \$20 for each duplicate teaching license.

18 (c) A fee not to exceed \$800 for a beginning teacher assessment conducted in lieu of an approved
 19 preparation program required for licensure.

20 (d) A fee not to exceed \$200 for alternative assessment conducted in lieu of a passing score on
 21 a licensure examination established by the commission.

22 (e) A fee not to exceed \$75 for registration as a public charter school teacher or administrator
 23 that includes any fee charged pursuant to rules adopted under ORS 181.534.

24 (f) A fee not to exceed \$75 for renewal of a registration as a public charter school teacher or
 25 administrator that includes any fee charged pursuant to rules adopted under ORS 181.534.

26 (2) In addition to the fee required by subsection (1) of this section for the issuance of a teaching
 27 license, the [*Teacher Standards and Practices*] commission shall collect a fee not to exceed \$150 for
 28 the evaluation of an applicant requesting licensing based upon completion of **an educator prepa-**
 29 **ration program** other than an Oregon approved [*teacher education*] **educator preparation** program.

30 (3) In addition to the fees required by subsection (1) of this section, the [*Teacher Standards and*
 31 *Practices*] commission shall collect a late application fee not to exceed \$25 per month up to a max-
 32 imum of \$125 from an applicant who fails to make timely application for renewal of the license or
 33 registration. The actual amount of the fee shall be determined in accordance with rules of the
 34 [*Teacher Standards and Practices*] commission.

35 (4) In spite of the expiration date posted on the license, the license shall continue to be valid
 36 for purposes of ORS 342.173 for an additional 120 days. However, the district may require a state-
 37 ment from the applicant indicating that the applicant has completed the requirements for license
 38 renewal.

39 (5) In addition to the fee required by subsection (1) of this section for the issuance of a teaching
 40 license, the commission shall collect a fee not to exceed \$150 for the reinstatement of a license that
 41 has been revoked by the commission for gross neglect of duty or gross unfitness under ORS 342.175.

42 (6) In addition to the fee required by subsection (1) of this section for the issuance of a teaching
 43 license, the commission shall collect a fee not to exceed \$100 for the issuance of any emergency li-
 44 cense through an expedited process at the request of any school district or education service district
 45 that seeks to employ the applicant.

1 (7) [*Fee rates*] **Fees** established under this section shall cover, but not exceed, the full cost of
 2 administrative expenses incurred by the commission during any biennium.

3 **SECTION 4.** ORS 342.135 is amended to read:

4 342.135. (1) A teaching license provided for in this section shall qualify its holder to accept any
 5 instructional assignment from preprimary through grade 12 for which the holder has completed the
 6 professional requirements established by the rules of the Teacher Standards and Practices Commis-
 7 sion.

8 (2)(a) A basic teaching license shall be issued on application to an otherwise qualified person
 9 who has completed an approved [*teacher education*] **educator preparation** program and meets the
 10 other requirements that the Teacher Standards and Practices Commission may consider necessary
 11 to maintain and improve quality of instruction in the public schools of the state.

12 (b) Holders of the basic teaching license who meet the requirements of the Teacher Standards
 13 and Practices Commission to teach in the regular classroom program of the public schools in
 14 kindergarten through grade nine may renew the basic license to qualify [*them*] **the licensees** to
 15 continue in such teaching by verification of successful teaching experience and of continuing pro-
 16 fessional development in keeping with Teacher Standards and Practices Commission rules.

17 (c) A holder of the basic teaching license with an endorsement in art, educational media, foreign
 18 language, health, home economics, industrial arts, music, physical education and reading may renew
 19 the initial basic license by verification of successful teaching experience and of continuing profes-
 20 sional development in keeping with Teacher Standards and Practices Commission rules. This para-
 21 graph applies to licenses for preprimary programs and grades 1 through 8 and shall include grade
 22 9 if the teacher is teaching in a middle school or a junior high.

23 (d) Secondary teachers may teach in the public schools, grades 5 through 12, in those subject
 24 fields in which [*they*] **the teachers** have met the requirements of the Teacher Standards and Prac-
 25 tices Commission.

26 (e) A holder of a standard teaching license who meets the requirements of the Teacher Stan-
 27 dards and Practices Commission to teach in the regular classroom program of the public schools in
 28 kindergarten through grade 12 is eligible to renew the standard license to qualify to continue in
 29 such teaching by verification of successful teaching experience and of continuing professional de-
 30 velopment consistent with rules of the Teacher Standards and Practices Commission.

31 (3)(a) A standard teaching license shall be issued on application to an otherwise qualified person
 32 who has completed an approved [*teacher education*] **educator preparation** program, has taught on
 33 a basic teaching license for a minimum period of time to be determined by the Teacher Standards
 34 and Practices Commission, and is recommended for licensing by the approved [*teacher education in-*
 35 *stitution*] **educator preparation provider** or the school district, whichever offered the program.

36 (b) Preparation shall be a planned education program consisting of courses taken [*in an ap-*
 37 *proved teacher education institution or in*] **through an approved educator preparation provider**
 38 **or through** an in-service training program offered by a school district for which credit is given by
 39 an approved [*teacher education institution*] **educator preparation provider** or some combination of
 40 both, in accordance with rules of the Teacher Standards and Practices Commission.

41 (4) Notwithstanding subsection (2) of this section, the Teacher Standards and Practices Com-
 42 mission shall by rule adopt dates by which continuing professional development is required for re-
 43 newal of a basic or standard teaching license.

44 **SECTION 5.** ORS 342.138 is amended to read:

45 342.138. (1) A professional teaching license, a continuing personnel service license or a contin-

1 uing administrative license shall qualify the holder to accept any assignments for preprimary
2 through grade 12 for which the holder has completed the advanced requirements established by the
3 rules of the Teacher Standards and Practices Commission.

4 (2) A professional teaching license, a continuing personnel service license or a continuing ad-
5 ministrative license shall be issued on application for five years to an otherwise qualified person
6 who has:

7 (a) Completed an advanced professional education program approved by the commission;

8 (b) Been employed for a minimum period of time to be determined by the commission in:

9 (A) An Oregon public school;

10 (B) An Oregon private school that meets the standards adopted by the commission by rule; or

11 (C) Another educational setting approved by the commission; and

12 (c) Demonstrated minimum competencies, knowledge and skills required for the professional
13 teaching license, continuing personnel service license or continuing administrative license through
14 an approved [*teacher education institution*] **educator preparation provider**, school district, profes-
15 sional organization [*identified*] **described** in ORS 342.121, or professional assessment approved by the
16 commission.

17 (3) The holder of a professional teaching license, continuing personnel service license or con-
18 tinuing administrative license may renew the license in accordance with the rules of the commission.

19 (4) A professional teaching license shall indicate that the holder has taught for more than three
20 and one-half years and is ready to take on advanced roles and responsibilities as a teacher, including
21 mentoring, curriculum development support, teacher preparation support and other educational
22 leadership.

23 **SECTION 6.** ORS 342.143 is amended to read:

24 342.143. (1) [*No*] **A** teaching, personnel service or administrative license, **or public charter**
25 **school registration**, may **not** be issued to any person until the person has attained the age of 18
26 years and has furnished satisfactory evidence of proper educational training.

27 (2) The Teacher Standards and Practices Commission may require an applicant for a teaching,
28 personnel service or administrative license or for registration as a public charter school teacher or
29 administrator to furnish evidence satisfactory to the commission of good moral character, mental
30 and physical health, and such other evidence as [*it*] **the commission** may deem necessary to es-
31 tablish the applicant's fitness to serve as a teacher or administrator.

32 (3) Without limiting the powers of the Teacher Standards and Practices Commission under sub-
33 section (2) of this section:

34 (a) [*No*] **A** teaching, personnel service or administrative license, **or a public charter school**
35 **registration**, [*as a public charter school teacher or administrator*] may **not** be issued to any person
36 who:

37 (A) Has been convicted of a crime listed in ORS 163.095, 163.115, 163.185, 163.235, 163.355,
38 163.365, 163.375, 163.385, 163.395, 163.405, 163.408, 163.411, 163.415, 163.425, 163.427, 163.432, 163.433,
39 163.435, 163.445, 163.465, 163.515, 163.525, 163.547, 163.575, 163.670, 163.675 (1985 Replacement Part),
40 163.680 (1993 Edition), 163.684, 163.686, 163.687, 163.688, 163.689, 164.325, 164.415, 166.005, 166.087,
41 167.007, 167.008, 167.012, 167.017, 167.057, 167.062, 167.075, 167.080, 167.090, 475.808, 475.810, 475.812,
42 475.818, 475.820, 475.822, 475.828, 475.830, 475.832, 475.848, 475.852, 475.858, 475.860, 475.862, 475.868,
43 475.872, 475.878, 475.880, 475.882, 475.888, 475.890, 475.892, 475.904 or 475.906.

44 (B) Has been convicted under ORS 161.405 of an attempt to commit any of the crimes listed in
45 subparagraph (A) of this paragraph.

1 (C) Has been convicted in another jurisdiction of a crime that is substantially equivalent, as
2 defined by rule, to any of the crimes listed in subparagraphs (A) and (B) of this paragraph.

3 (D) Has had a teaching, personnel service or administrative license, or **a public charter school**
4 registration, revoked in another jurisdiction for a reason that is substantially equivalent, as defined
5 by rule, to a reason described in ORS 342.175 and the revocation is not subject to further appeal.
6 A person whose [*privilege*] **right** to apply for a license or registration is denied under this subpar-
7 agraph may apply for reinstatement of the [*privilege*] **right** as provided in ORS 342.175 (4).

8 (b) The Teacher Standards and Practices Commission may refuse to issue a license or registra-
9 tion to any person who has been convicted of a crime involving the illegal use, sale or possession
10 of controlled substances.

11 (4) In denying the issuance of a license or registration under this section, the commission shall
12 follow the procedure set forth in ORS 342.176 and 342.177.

13 [*(5) The Department of Education shall provide school districts and public charter schools a copy*
14 *of the list contained in subsection (3) of this section.*]

15 **SECTION 7.** ORS 342.144 is amended to read:

16 342.144. (1) As used in this section, “American Indian tribe” means an Indian tribe as that term
17 is defined in ORS 97.740.

18 (2) The Legislative Assembly declares that teaching American Indian languages is essential to
19 the proper education of American Indian children.

20 (3) The Teacher Standards and Practices Commission shall establish an American Indian lan-
21 guages teaching license.

22 (4) Each American Indian tribe may develop a written and oral test that must be successfully
23 completed by an applicant for an American Indian languages teaching license in order to determine
24 whether the applicant is qualified to teach the tribe’s native language. When developing the test, the
25 tribe shall determine:

- 26 (a) Which dialects will be used on the test;
- 27 (b) Whether the tribe will standardize the tribe’s writing system; and
- 28 (c) How the teaching methods will be evaluated in the classroom.

29 (5) The test shall be administered at an appropriate location that does not create hardship for
30 the tribal members administering the test.

31 (6) The commission may not require an applicant to hold a specific academic degree, to complete
32 a specific amount of education or to complete [*a teacher education*] **an educator preparation** pro-
33 gram to receive an American Indian languages teaching license.

34 (7)(a) An American Indian languages teaching license qualifies the holder to accept a teaching
35 position in a school district, public charter school, education service district, community college or
36 public university listed in ORS 352.002.

37 (b) A holder of an American Indian languages teaching license who does not also have a
38 teaching license issued under ORS 342.125 may not teach in a school district or education service
39 district any subject other than the American Indian language the holder of the license is approved
40 to teach by the tribe.

41 (c) A holder of an American Indian languages teaching license who does not also have a
42 teaching license or registration issued under ORS 342.125 may not teach in a public charter school
43 any subject other than the American Indian language the holder of the license is approved to teach
44 by the tribe.

45 (8)(a) As used in this subsection, “technical assistance program” means a program provided to

1 an American Indian languages teacher by a licensed teacher with three or more years of teaching
 2 experience. A technical assistance program may include direct classroom observation and consulta-
 3 tion, assistance in instructional planning and preparation, support in implementation and delivery
 4 of classroom instruction, and other assistance intended to enhance the professional performance and
 5 development of the American Indian languages teacher.

6 (b) The holder of an American Indian languages teaching license who does not also have an
 7 administrative license, teaching license or registration issued under ORS 342.125 and who is em-
 8 ployed by a school district, public charter school or education service district shall participate in
 9 a technical assistance program with a person holding a teaching license issued by the commission
 10 under ORS 342.125. The technical assistance program shall meet the guidelines specified in ORS
 11 329.815 (2) to (4).

12 (9) An American Indian languages teaching license shall be valid for three years and may be
 13 renewed upon application from the holder of the license.

14 **SECTION 8.** ORS 342.147 is amended to read:

15 342.147. (1)(a) [*After considering recommendations of the State Board of Education,*] The Teacher
 16 Standards and Practices Commission shall establish by rule standards for approval of [*teacher edu-*
 17 *cation institutions and teacher education programs*] **educator preparation providers and educator**
 18 **preparation programs.** [*Public teacher education institutions shall be approved for programs of more*
 19 *than four years' duration only if teacher education programs which are reasonably attainable in a*
 20 *four-year period are also available in the system of higher education and are designed to culminate in*
 21 *a baccalaureate degree that qualifies its graduates for entry-level teaching licenses.*]

22 (b) **Standards for approval of an educator preparation program for early childhood edu-**
 23 **cation, elementary education, special education or reading must require that the program**
 24 **provide instruction on dyslexia and that the instruction be consistent with the knowledge and**
 25 **practice standards of an international organization on dyslexia.**

26 (2) The **Teacher Standards and Practices** Commission shall establish rules that allow [*teacher*
 27 *education*] **educator preparation** programs leading to graduate degrees to commence prior to the
 28 [*student's*] **candidate's** completion of baccalaureate degree requirements and that allow the com-
 29 bined use of undergraduate and graduate level course work in achieving program completion.

30 (3) Whenever any [*teacher education institution or program*] **educator preparation provider or**
 31 **educator preparation program** is denied approved status or has such status withdrawn, [*such*] **the**
 32 denial or withdrawal must be treated as a contested case [*within the meaning of*] **under** ORS chapter
 33 183.

34 (4) Nothing in this section is intended to grant [*any authority*] to the **Teacher Standards and**
 35 **Practices** Commission **any authority** relating to granting degrees or establishing degree require-
 36 ments that are within the authority of the State Board of Higher Education, **the Higher Education**
 37 **Coordinating Commission** or any of the public universities listed in ORS 352.002, or that are
 38 within the authority of the governing board of any private institution of higher education.

39 **SECTION 8a.** (1) **The Teacher Standards and Practices Commission shall adopt the stan-**
 40 **dards required by ORS 342.147 (1)(a), as amended by section 8 of this 2015 Act, in a timely**
 41 **manner to ensure that an educator preparation program in early childhood education, ele-**
 42 **mentary education, special education or reading is able to demonstrate compliance with the**
 43 **standards no later than December 31, 2016.**

44 (2) **The Teacher Standards and Practices Commission shall report to the interim legisla-**
 45 **tive committees on education on the adoption of the standards required by ORS 342.147 (1)(a),**

1 **as amended by section 8 of this 2015 Act, no later than October 1, 2016.**

2 **SECTION 9.** ORS 342.165 is amended to read:

3 342.165. (1) Pursuant to ORS chapter 183, the Teacher Standards and Practices Commission shall
4 adopt rules necessary for the issuance, denial, continuation, renewal, lapse, revocation, suspension
5 or reinstatement of licenses or registrations issued under ORS 342.120 to 342.430. The commission
6 shall also adopt rules establishing means in addition to those prescribed by law whereby teachers
7 are able to add additional endorsements to their teaching licenses.

8 (2) In establishing rules the commission shall consider:

9 (a) Its responsibilities to represent the public interest in the development of educational policies;

10 (b) The capabilities of Oregon [*teacher education institutions*] **educator preparation providers**
11 to prepare [*teachers*] **educators**;

12 (c) The norms required for the [*teaching*] **educator** assignments;

13 (d) The improvement of teaching **and student learning**;

14 (e) The adequacy of the [*teacher*] supply **of licensed educators**;

15 (f) The value of experience or nonacademic learning;

16 (g) The responsibilities imposed upon school districts by geographic and demographic conditions;

17 **and**

18 [*(h) The recommendations of the State Board of Education and Superintendent of Public Instruc-*
19 *tion; and*]

20 [*(i)*] **(h)** Other matters that tend to improve education.

21 **SECTION 10.** ORS 342.173 is amended to read:

22 342.173. [(1)] Any school district **or education service district** that employs any person not
23 properly licensed **or registered** by the Teacher Standards and Practices Commission, **or licensed**
24 **by the commission but not** [*and*] assigned in accordance with the terms specified by the person's
25 license, shall [*forfeit in State School Fund moneys due the district an amount determined by the*
26 *Teacher Standards and Practices Commission not to exceed the amount of the salary paid to the person*
27 *for the time during which the person is employed. The forfeiture*] **be subject to sanctions imposed**
28 **by the commission as provided by rules adopted by the commission. A sanction** is effective
29 unless:

30 [(a)] **(1)** The assignments are made with justification satisfactory to the Teacher Standards and
31 Practices Commission.

32 [(b)] **(2)** The [*teacher*] **person** is employed **as a teacher** by a post-secondary institution that is
33 accredited by the Northwest Commission on Colleges and Universities or its successor, and that has
34 a contract with a school district under which the [*teacher*] **person** is teaching at the high school
35 level. The contract shall be approved annually by the [*State Board of Education under rules adopted*
36 *by the board*] **Teacher Standards and Practices Commission**, including criteria for a [*teacher's*]
37 **person's** qualifications under [*subparagraph (C) of this*] paragraph **(c) of this subsection**. The
38 contract shall:

39 [(A)] **(a)** Be for a specific instructional assignment for which the district does not have appro-
40 priately licensed personnel either on staff or available to be placed on staff after a reasonably dili-
41 gent search;

42 [(B)] **(b)** Be approved annually by the governing boards of the post-secondary institution and the
43 [*school*] district including a written determination that appropriately licensed personnel have not
44 become available since the previous contract for the assignment;

45 [(C)] **(c)** Provide evidence that the [*teacher's*] **person's** qualifications are appropriate for the

1 assignment;

2 [(D)] (d) Allow the [teacher] **person** to teach no more than two high school units of credit or
3 the equivalent per year; and

4 [(E)] (e) Not be valid during a school closure, strike or summer session.

5 [(c)] (3) The person is teaching [a live, interactive distance learning course] **an online course**
6 originating outside the state.

7 [(2) A school district shall be required under subsection (1) of this section to forfeit not more than
8 \$1,000 of State School Fund moneys due the district if the license has lapsed during the time of em-
9 ployment with the district and the holder had at the time the license expired all the qualifications
10 necessary to renew the license.]

11 [(3) Notwithstanding subsections (1) and (2) of this section, a school district employing unlicensed
12 staff members in positions requiring licensed personnel during the time of a labor dispute shall forfeit
13 in State School Fund moneys an amount equal to the daily salary rate multiplied by the number of
14 teaching days for each unlicensed teaching employee during the entire labor dispute.]

15 [(4) If the State Board of Education finds a contract to be in violation of the provisions of sub-
16 section (1)(b) of this section, the board shall report the violation to the Teacher Standards and Practices
17 Commission, which shall proceed as provided in subsection (1) of this section.]

18 [(5) Any education service district that employs any person not properly licensed by the Teacher
19 Standards and Practices Commission and assigned in accordance with the terms specified in the
20 person's license shall pay from its funds an amount determined by the Teacher Standards and Prac-
21 tices Commission not to exceed the amount of salary paid to the person for the time during which the
22 person was employed. The payment shall be required unless the assignment is made with justification
23 satisfactory to the commission. All amounts received under this subsection shall be credited to the State
24 School Fund.]

25 [(6) An education service district shall be required under subsection (5) of this section to pay a
26 penalty of not more than \$1,000 if the license has lapsed during the time of employment with the district
27 and the holder had at the time the license expired all the qualifications necessary to renew the
28 license.]

29 [(7) Subject to any applicable collective bargaining agreement, an education service district required
30 to pay any penalty under subsection (6) of this section is entitled to recover one-half of the amounts paid
31 from the licensed personnel whose unlicensed status caused the payment. Recovery may not exceed
32 one-half of the amount paid that is attributable to the licensed person.]

33 [(8) The Teacher Standards and Practices Commission shall notify districts of the licensing expi-
34 ration dates of their employees who are reported to the commission. The reporting shall be done in a
35 manner specified by the commission.]

36 [(9) Subject to any applicable collective bargaining agreement, a district required to forfeit any
37 State School Fund moneys under subsection (2) of this section is entitled to recover one-half of the
38 amounts forfeited from the licensed personnel whose unlicensed status caused the forfeiture. Recovery
39 may not exceed one-half of the amount forfeited that is attributable to the particular licensed person.]

40 [(10) A school district or education service district that assigns a teacher to be present in the
41 classroom during a live, interactive distance learning presentation may not be subject to the forfeiture
42 described in subsection (1) of this section solely because the assignment does not conform to the terms
43 specified on the license of the teacher.]

44 **SECTION 11.** ORS 342.175 is amended to read:

45 342.175. (1) The Teacher Standards and Practices Commission may suspend or revoke the license

1 or registration of a teacher or administrator, discipline a teacher or administrator, or suspend or
2 revoke the right of any person to apply for a license or registration, if the licensee, registrant or
3 applicant has held a license or registration:

4 **(a) At any time prior to issuance of the notice of charges under ORS 342.176 based on**
5 **conviction of a crime listed in ORS 342.143 (3); or**

6 **(b) At any time within five years prior to issuance of the notice of charges under ORS 342.176**
7 **based on the following:**

8 [(a)] **(A)** Conviction of a crime not listed in ORS 342.143 (3);

9 [(b)] **(B)** Gross neglect of duty;

10 [(c)] **(C)** Any gross unfitness;

11 [(d)] **(D)** Conviction of a crime for violating any law of this **state** or any state or of the United
12 States involving the illegal use, sale or possession of controlled substances;

13 [(e)] **(E)** Any false statement knowingly made in an application for issuance, renewal or rein-
14 statement of a license or registration; or

15 [(f)] **(F)** Failure to comply with any condition of reinstatement under subsection (4) of this sec-
16 tion or any condition of probation under ORS 342.177 (3)(b).

17 (2) If a person is enrolled in an approved [*teacher education institution or program*] **educator**
18 **preparation program** under ORS 342.147, the commission may issue a public reprimand or suspend
19 or revoke the right to apply for a license or registration based on the following:

20 (a) Conviction of a crime listed in ORS 342.143 (3) or a crime described by the commission by
21 rule;

22 (b) Conviction of a crime for violating any law of this **state** or any state or of the United States
23 involving the illegal use, sale or possession of controlled substances; or

24 (c) Any conduct that may cause the commission to suspend or revoke the license or registration
25 of a teacher.

26 (3) The commission shall revoke any license or registration and shall revoke the right of any
27 person to apply for a license or registration if the person has held a license or registration at any
28 time and the holder or applicant has been convicted of any crime [*described*] **listed** in ORS 342.143
29 (3).

30 (4)(a) Except for convictions for crimes listed in ORS 342.143 (3) and subject to subsection (5)
31 of this section, any person whose license or registration has been [*suspended or*] revoked, or whose
32 [*privilege*] **right** to apply for a license or registration has been revoked, may apply to the commis-
33 sion for reinstatement of the license or registration after one year from the date of the [*suspension*
34 *or*] revocation.

35 **(b) Any person whose license or registration has been suspended or whose right to apply**
36 **for a license or registration has been suspended may apply to the commission for rein-**
37 **statement of the license or registration.**

38 (c) The commission may require an applicant for reinstatement to furnish evidence satisfactory
39 to the commission of good moral character, mental and physical health and such other evidence as
40 the commission may consider necessary to establish the applicant's fitness. The commission may
41 impose a probationary period and such conditions as [*it*] **the commission** considers necessary upon
42 approving an application for reinstatement.

43 (5) The commission shall reconsider immediately a license or registration suspension or revoca-
44 tion or the situation of a person whose [*privilege*] **right** to apply for a license or registration has
45 been revoked, upon application therefor, when the license or registration suspension or revocation

1 or the [*privilege*] **right** revocation is based on a criminal conviction that is reversed on appeal.

2 (6) Violation of rules adopted by the commission relating to competent and ethical performance
3 of professional duties shall be admissible as evidence of gross neglect of duty or gross unfitness.

4 (7) A copy of the record of conviction, certified to by the clerk of the court entering the con-
5 viction, shall be conclusive evidence of a conviction described in this section.

6 **SECTION 12.** ORS 342.176 is amended to read:

7 342.176. (1) The Teacher Standards and Practices Commission shall promptly undertake an in-
8 vestigation upon receipt of a complaint or information that may constitute grounds for:

9 (a) Refusal to issue a license or registration, as provided under ORS 342.143;

10 (b) Suspension or revocation of a license or registration, discipline of a person holding a license
11 or registration, or suspension or revocation of the right to apply for a license or registration, as
12 provided under ORS 342.175; or

13 (c) Discipline for failure to provide appropriate notice prior to resignation, as provided under
14 ORS 342.553.

15 (2) The commission may appoint an investigator and shall furnish the investigator with appro-
16 priate professional and other special assistance reasonably required to conduct the investigation,
17 and the investigator is empowered to **issue subpoenas to require the attendance of witnesses**
18 **or the production of documents over the signature of the executive director of the commis-**
19 **sion**, subpoena witnesses over the signature of the executive director, swear witnesses and compel
20 obedience in the same manner as provided under ORS 183.440 (2).

21 (3) Following completion of the investigation, the executive director **or the executive**
22 **director's designee** shall report in writing any findings and recommendations to:

23 (a) The commission, meeting in executive session, at its next regular meeting following com-
24 pletion of the investigation; and

25 (b) The person against whom the charge is made, **following consideration by the**
26 **commission.**

27 (4)(a) Except as provided in paragraph (b) of this subsection, the documents and materials used
28 in the investigation **undertaken as provided by this section** and the report **related to the in-**
29 **vestigation** [*of the executive director*] are confidential and not subject to public inspection unless the
30 commission makes a final determination to:

31 (A) Refuse to issue a license or registration, as provided under ORS 342.143;

32 (B) Suspend or revoke a license or registration, discipline a person holding a license or regis-
33 tration, or suspend or revoke the right to apply for a license or registration, as provided under ORS
34 342.175; or

35 (C) Discipline a person for failure to provide appropriate notice prior to resignation, as provided
36 under ORS 342.553.

37 (b) Records made available to the commission under ORS 419B.035 (1)(h) shall be kept confi-
38 dential.

39 (5) If the commission finds from the report that there is sufficient cause to justify holding a
40 hearing under ORS 342.177, [*it*] **the commission** shall notify in writing:

41 (a) The person charged, enclosing a statement of the charges and a notice of opportunity for
42 hearing;

43 (b) The complainant; and

44 (c) The employing district or public charter school, if any.

45 (6) If the commission finds from the report that there is not sufficient cause to justify holding

1 a hearing under ORS 342.177, [it] **the commission** shall notify in writing:

2 (a) The person charged;

3 (b) The complainant; and

4 (c) The employing district or public charter school, if any.

5 (7) Notwithstanding ORS 192.660 (6), the commission may make its findings under this section
6 in executive session. However, the provisions of ORS 192.660 (4) apply to the sessions.

7 **SECTION 13.** ORS 342.177 is amended to read:

8 342.177. (1)(a) Hearings under ORS 342.176 shall be conducted by an administrative law judge
9 assigned from the Office of Administrative Hearings established under ORS 183.605.

10 (b) Any hearing conducted under this [subsection] **section** shall be private unless the person
11 against whom the charge is made requests a public hearing. Students attending school in the em-
12 ploying district may not attend any hearing except as witnesses duly subpoenaed to testify with re-
13 spect to the charges made. Students attending a public charter school that employs the person may
14 not attend any hearing except as witnesses duly subpoenaed to testify with respect to the charges
15 made. The person **charged** [against whom the charge is made] shall have the right to be represented
16 by counsel and to present evidence and argument. The evidence must be confined to the charges.

17 (2) The Teacher Standards and Practices Commission or the person charged may have subpoenas
18 issued to compel attendance at the hearing. The person charged may have subpoenas issued by an
19 attorney of record subscribed by the signature of the attorney or by the executive director. Wit-
20 nesses appearing pursuant to subpoena, other than the parties or officers or employees of the com-
21 mission, shall receive fees and mileage as prescribed by law for witnesses in ORS 44.415 (2). The
22 commission or the person charged shall have the right to compel the attendance and obedience of
23 witnesses in the same manner as provided under ORS 183.440 (2).

24 (3) The commission shall render its decision at its next regular meeting following the hearing.
25 If the decision of the commission is that the charge described in ORS 342.175 (1) has been proven,
26 the commission may take any or all of the following disciplinary action against the person charged:

27 (a) Issue a public reprimand.

28 (b) Place the person on probation for a period not to exceed four years and subject to such
29 conditions as the commission considers necessary.

30 (c) Suspend the license or registration of the teacher or administrator for a period not to exceed
31 one year.

32 (d) Revoke the license or registration of the teacher or administrator.

33 (e) Revoke the [privilege] **right** to apply for a license or registration.

34 (4) If the decision of the commission is that the charge is not proven, the commission shall order
35 the charges dismissed.

36 (5) The commission shall notify in writing the person charged[,] **and** the employing [school] dis-
37 trict or public charter school [and the Superintendent of Public Instruction] of the decision.

38 **SECTION 14.** ORS 342.180 is amended to read:

39 342.180. (1) Any person whose license or registration has been suspended or revoked or who has
40 been disciplined, or who has been refused issuance or reinstatement of a license or registration, and
41 is aggrieved at the decision of the Teacher Standards and Practices Commission, may appeal in the
42 manner provided in ORS 183.480.

43 (2) If [the Superintendent of Public Instruction,] the district school board or the public charter
44 school employing the teacher or administrator is aggrieved at the decision of the commission, [the
45 superintendent,] the board or the school may appeal from the decision in the manner provided in ORS

1 183.480.

2 (3) Unless the decision of the commission is accompanied by a finding that immediate suspension
3 or revocation of the teaching license or registration is necessary to protect the safety and well-being
4 of students, an appeal made under this section in a proceeding to suspend or revoke shall operate
5 as a stay of the suspension or revocation, if any, until the determination of the appeal.

6 **SECTION 15.** ORS 342.192 is amended to read:

7 342.192. (1) *[Except as provided in subsection (4) of this section,]* The Teacher Standards and
8 Practices Commission shall *[not]* issue a license to an out-of-state applicant *[unless]* **if** the applicant
9 has met the professional requirements established by rule by the commission and has completed a
10 course of study *[substantially similar to that required for an in-state applicant]* **approved by the**
11 **commission.**

12 *[(2) Notwithstanding subsection (1) of this section, if the commission establishes that the position*
13 *or positions to be filled are in a geographic or subject matter area in which there are an insufficient*
14 *number of in-state applicants, the commission may issue a license to an out-of-state applicant who has*
15 *completed a course of study approved by the commission.]*

16 *[(3) In situations described in subsection (2) of this section, the commission shall adopt by rule*
17 *standards providing for equal treatment for graduates of approved Oregon colleges and universities.]*

18 *[(4) Notwithstanding subsection (1) of this section, the commission may enter into a reciprocal*
19 *agreement with the appropriate official of any other state for licensure of applicants from the state if*
20 *the commission determines that the standards and requirements for certification or licensure in that*
21 *state are substantially similar to the standards and requirements for licensure under applicable statutes*
22 *of this state and rules of the commission.]*

23 *[(5)]* **(2)** *[Teachers]* **Applicants** granted licenses under *[subsections (2), (3) and (4) of]* this section
24 shall be required to meet all standards required of Oregon teachers, including the requirements of
25 ORS 342.123, not later than *[three]* **two** years following the date of initial granting of the license.

26 **SECTION 16.** ORS 342.195 is amended to read:

27 342.195. (1) An otherwise qualified applicant for an initial or basic teaching license shall be
28 granted the license upon payment of the required fees and the showing by proof satisfactory to the
29 Teacher Standards and Practices Commission that:

30 (a) While the applicant was in the Peace Corps program or was a volunteer under section 603
31 of the Economic Opportunity Act of 1964 (Public Law 88-452), the applicant:

32 (A) Completed two years of satisfactory service that emphasized teaching in any preprimary
33 program or in any grade 1 through 12 in subjects regularly taught in public schools; and

34 (B)(i) Has completed an approved *[teacher education]* **educator preparation** program; or

35 (ii) Has earned at least a baccalaureate degree from an accredited institution of higher educa-
36 tion and has completed a teacher training program provided under the auspices of the federal pro-
37 gram; or

38 (b) The applicant was a certified instructor for the Armed Forces of the United States, if the
39 applicant provides the commission with documentation of military training or experience that the
40 commission determines is substantially equivalent to the training required for an initial or basic
41 teaching license.

42 (2)(a) The commission shall establish by rule an expedited process by which a military spouse
43 or domestic partner who is licensed to teach in another state may apply for and obtain a teaching
44 license.

45 (b) As used in this subsection, “military spouse or domestic partner” means a spouse or domestic

1 partner of an active member of the Armed Forces of the United States who is the subject of a mil-
2 itary transfer to Oregon.

3 **SECTION 17.** ORS 342.200 is amended to read:

4 342.200. [(1)] In order to allow the school districts of the state to take full advantage of various
5 professional skills and disciplines not directly developed through teaching experience or professional
6 education for which teaching experience is a prerequisite, it is the public policy of the State of
7 Oregon that the Teacher Standards and Practices Commission, in [*establishing professional require-*
8 *ments and experience*] **prescribing qualifications** under ORS [342.140] **342.125**, shall consider pro-
9 fessional skills, education and experience not directly related to, nor contingent upon, teaching
10 experience or training as a classroom teacher.

11 [(2) *The commission shall establish and prescribe the requirements for an optional advanced lead-*
12 *ership endorsement for licensed public school administrators who engage in mentoring, professional*
13 *support for new teachers or administrators, outstanding instructional leadership and demonstrated*
14 *school improvement.*]

15 **SECTION 18.** ORS 342.203 is amended to read:

16 342.203. (1) [*Annually not later than March 1,*] The Teacher Standards and Practices Commission
17 shall [*cause to be circulated among all of the common and union high*] **regularly publish information**
18 **online that can be accessed by** school districts, **public charter schools** and education service
19 districts [*in this state a list of*] **and that includes the following:**

20 (a) All teachers and administrators whose teaching or administrative licenses have been sus-
21 pended or revoked or who have been reprimanded or placed on probation during the preceding 12
22 months.

23 (b) All [*students at approved teacher education institutions or programs*] **candidates enrolled in**
24 **approved educator preparation programs** under ORS 342.147 whose right to apply for a license
25 or registration has been suspended or revoked during the preceding 12 months.

26 (2) If the decision of the commission is appealed under ORS 342.180, the name of the teacher,
27 administrator or [*student*] **candidate** shall not be [*placed on the list authorized by*] **published online**
28 **under** subsection (1) of this section unless and until such decision has been sustained by the Court
29 of Appeals or until the appeal has been dropped.

30 **SECTION 19.** ORS 342.208 is amended to read:

31 342.208. (1) The Oregon Education Investment Board shall develop model career pathways for
32 [*educational*] **instructional** assistants, as defined in ORS 342.120, to become licensed teachers. The
33 model career pathways must take into consideration the skills and experience attained by an [*edu-*
34 *cational*] **instructional** assistant.

35 (2) The model career pathways must identify:

36 (a) The minimum requirements for an [*educational*] **instructional** assistant to participate in a
37 career pathway, including the requirement that the [*educational*] **instructional** assistant have at-
38 tained at least an associate degree and be currently employed by a school district or an education
39 service district.

40 (b) Guidelines for school districts, education service districts and institutions of higher educa-
41 tion to collaborate to assist an [*educational*] **instructional** assistant who is participating in a career
42 pathway.

43 **SECTION 20.** ORS 342.208, as amended by section 4, chapter 286, Oregon Laws 2013, is
44 amended to read:

45 342.208. (1) The State Board of Education shall develop model career pathways for

1 [educational] **instructional** assistants, as defined in ORS 342.120, to become licensed teachers. The
2 model career pathways must take into consideration the skills and experience attained by an [edu-
3 cational] **instructional** assistant.

4 (2) The model career pathways must identify:

5 (a) The minimum requirements for an [educational] **instructional** assistant to participate in a
6 career pathway, including the requirement that the [educational] **instructional** assistant have at-
7 tained at least an associate degree and be currently employed by a school district or an education
8 service district.

9 (b) Guidelines for school districts, education service districts and institutions of higher educa-
10 tion to collaborate to assist an [educational] **instructional** assistant who is participating in a career
11 pathway.

12 **SECTION 21.** ORS 342.223 is amended to read:

13 342.223. (1) For the purpose of requesting a state or nationwide criminal records check under
14 ORS 181.534, the Teacher Standards and Practices Commission may require the fingerprints of:

15 (a) A person who is applying for initial issuance of a license **or registration** under ORS 342.120
16 to 342.430 as a teacher, administrator or personnel specialist if the person has not submitted to a
17 criminal records check by the commission within the previous [year] **three years or has remained**
18 **continuously licensed by or registered with the commission for a different license or regis-**
19 **tration for which the person already has submitted to a criminal records check by the com-**
20 **mission.**

21 (b) A person who is applying for reinstatement of a license **or registration** as a teacher, ad-
22 ministrator or personnel specialist, **or a certificate as a school nurse**, whose license, **registration**
23 **or certificate** has lapsed for at least three years.

24 (c) A person who is applying for initial issuance of a certificate under ORS 342.475 as a school
25 nurse.

26 (d) A person who is registering with the commission for student teaching, practicum or
27 internship as a teacher, administrator or personnel specialist, if the person **does not hold a current**
28 **license issued by the commission and** has not submitted to a criminal records check by the
29 commission within the previous three years for student teaching, practicum or internship as a
30 teacher, administrator or personnel specialist.

31 (e) A person who is applying for initial issuance of a registration as a public charter school
32 teacher or administrator under ORS 342.125.

33 (2) The making of any false statement as to the conviction of a crime is grounds for refusal to
34 issue, renew or reinstate a license, certificate or registration and is in addition to the grounds stated
35 in ORS 342.143.

36 (3) A person may appeal the refusal to issue an initial license, [certificate or] registration **or**
37 **certificate** under this section as a contested case under ORS 183.413 to 183.470, but the refusal to
38 renew or reinstate a license or registration is subject to ORS 342.175 to 342.180, and the commission
39 shall notify the person of the right to appeal.

40 **SECTION 22.** ORS 342.360 is amended to read:

41 342.360. (1) The membership of the Teacher Standards and Practices Commission shall consist
42 of:

43 (a) Four elementary teachers;

44 (b) Four junior or senior high school teachers;

45 (c) One elementary school administrator;

1 (d) One junior or senior high school administrator;

2 (e) One superintendent of city schools;

3 (f) One county superintendent or a superintendent employed by an education service district
4 board;

5 (g) One member from the faculty of an approved [*private teacher education institution*] **educator**
6 **preparation provider** in Oregon;

7 (h) One member from the faculty of a public university listed in ORS 352.002;

8 (i) One member who is also a member of a district school board; and

9 (j) Two members of the general public.

10 (2) Except for those members appointed under subsection (1)(i) and (j) of this section, members
11 must have been actively engaged in teaching, supervising or administering in the public schools or
12 in approved [*teacher education institutions*] **educator preparation providers** in Oregon for the pe-
13 riod of five years immediately preceding appointment. Acting as an elected representative of teach-
14 ers, supervisors or administrators shall be considered teaching, supervising or administering for the
15 purposes of the five-year experience requirement. In addition, members appointed under subsection
16 (1)(a) to (f) of this section must hold valid Oregon teaching or administrative licenses other than
17 restricted teaching or administrative licenses.

18 (3)(a) Throughout the term for which appointed, one of the members appointed under subsection
19 (1)(a) to (j) of this section must hold a teaching license with an endorsement in some aspect of spe-
20 cial education or have demonstrated knowledge or experience in special education.

21 (b) As used in this subsection, “special education” means specially designed education to meet
22 the goals of the individualized education program of a child with a disability including regular
23 classroom instruction, instruction in physical education, home instruction, related services and in-
24 struction in hospitals, institutions and special schools.

25 **SECTION 23.** ORS 342.390 is amended to read:

26 342.390. (1) The Teacher Standards and Practices Commission shall meet at least once every six
27 months at a place, day and hour determined by the commission. The commission shall also meet at
28 such other times and places as are specified by the call of the chairperson or of a majority of the
29 members of the commission.

30 (2) A member of the commission who is employed at a public school or by a private [*teacher*
31 *education institution*] **educator preparation provider** or by a public university listed in ORS 352.002
32 shall receive no compensation for services as a member; but subject to any other applicable law
33 regulating travel and other expenses for state officers, the member shall receive actual and neces-
34 sary travel and other expenses incurred in the performance of official duties as provided by ORS
35 292.495 (2).

36 (3) A member of the commission who serves on the commission in the capacity of a district
37 school board member or as a member of the general public shall be entitled to compensation and
38 expenses as provided in ORS 292.495 (1) and (2).

39 **SECTION 24.** ORS 342.443 is amended to read:

40 342.443. (1) The Oregon Education Investment Board shall report biennially to the Legislative
41 Assembly longitudinal data on the number and percentage of:

42 (a) Minority students enrolled in community colleges;

43 (b) Minority students applying for admission to public universities listed in ORS 352.002;

44 (c) Minority students accepted in public universities;

45 (d) Minority students graduated from public universities;

1 (e) Minority candidates seeking to enter public [*teacher education*] **educator preparation** pro-
2 grams in this state;

3 (f) Minority candidates admitted to public [*teacher education*] **educator preparation** programs;

4 (g) Minority candidates who have completed [*approved public teacher education*] **public educator**
5 **preparation** programs;

6 (h) Minority candidates receiving Oregon teaching licenses based on preparation in this state
7 and preparation in other states;

8 (i) Minority teachers who are newly employed in the public schools in this state; and

9 (j) Minority teachers already employed in the public schools.

10 (2) The board also shall report comparisons of minorities' and nonminorities' scores on basic
11 skills, pedagogy and subject matter tests.

12 (3) The Oregon University System, the public universities with governing boards listed in ORS
13 352.054, the Department of Education, the Teacher Standards and Practices Commission, community
14 colleges and school districts shall cooperate with the board in collecting data and preparing the
15 report.

16 **SECTION 25.** ORS 342.443, as amended by section 5, chapter 778, Oregon Laws 2013, is
17 amended to read:

18 342.443. (1) The Education and Workforce Policy Advisor shall report biennially to the Legisla-
19 tive Assembly longitudinal data on the number and percentage of:

20 (a) Minority students enrolled in community colleges;

21 (b) Minority students applying for admission to public universities listed in ORS 352.002;

22 (c) Minority students accepted in public universities;

23 (d) Minority students graduated from public universities;

24 (e) Minority candidates seeking to enter public [*teacher education*] **educator preparation** pro-
25 grams in this state;

26 (f) Minority candidates admitted to public [*teacher education*] **educator preparation** programs;

27 (g) Minority candidates who have completed [*approved public teacher education*] **public educator**
28 **preparation** programs;

29 (h) Minority candidates receiving Oregon teaching licenses based on preparation in this state
30 and preparation in other states;

31 (i) Minority teachers who are newly employed in the public schools in this state; and

32 (j) Minority teachers already employed in the public schools.

33 (2) The advisor also shall report comparisons of minorities' and nonminorities' scores on basic
34 skills, pedagogy and subject matter tests.

35 (3) The Oregon University System, the public universities with governing boards listed in ORS
36 352.054, the Department of Education, the Teacher Standards and Practices Commission, community
37 colleges and school districts shall cooperate with the advisor in collecting data and preparing the
38 report.

39 **SECTION 26.** ORS 342.447 is amended to read:

40 342.447. (1) The State Board of Higher Education shall require each public [*teacher education*]
41 **educator preparation** program in this state to prepare a plan with specific goals, strategies and
42 deadlines for the recruitment, admission, retention and graduation of minority teachers.

43 (2) The [*state*] board shall review the plans for the adequacy and feasibility of the plans and,
44 after making necessary revisions, shall adopt the plans.

45 (3) The [*state*] board shall adopt rules governing:

1 (a) The contents of the plans;

2 (b) The [state] board's initial and biennial review process, including timetables for revising plans;

3 and

4 (c) Other matters necessary for carrying out the provisions of ORS 342.433 to 342.449 and
5 351.077.

6 **SECTION 27.** ORS 342.950 is amended to read:

7 342.950. (1) The Network of Quality Teaching and Learning is established. The network consists
8 of the Oregon Education Investment Board, the Department of Education and public and private
9 entities that receive funding as provided by this section to accomplish the purposes of the network
10 described in subsection (2) of this section.

11 (2) The purposes of the network are the following:

12 (a) To enhance a culture of leadership and collaborative responsibility for advancing the pro-
13 fession of teaching among providers of early learning services, teachers and administrators in
14 kindergarten through grade 12, education service districts and [teacher education institutions] **edu-
15 cator preparation providers.**

16 (b) To strengthen and enhance existing evidence-based practices that improve student achieve-
17 ment, including practices advanced by or described in ORS 329.788 to 329.820, 329.822, 329.824,
18 329.838, 342.433 to 342.449 and 342.805 to 342.937.

19 (c) To improve recruitment, preparation, induction, career advancement opportunities and sup-
20 port of educators.

21 (3) To accomplish the purposes of the network described in subsection (2) of this section, the
22 Department of Education, subject to the direction and control of the Chief Education Officer, shall
23 distribute funding as follows:

24 (a) To school districts, schools, nonprofit organizations, post-secondary institutions and consor-
25 tiums that are any combination of those entities for the purpose of supporting the implementation
26 of common core state standards.

27 (b) To school districts and nonprofit organizations for the purposes of complying with the core
28 teaching standards adopted as provided by ORS 342.856 and complying with related standards pre-
29 scribed by federal law.

30 (c) To school districts and nonprofit organizations for the purpose of providing teachers with
31 opportunities for professional collaboration and professional development and for the pursuit of ca-
32 reer pathways in a manner that is consistent with the School District Collaboration Grant Program
33 described in ORS 329.838.

34 (d) To school districts and nonprofit organizations for the purpose of providing beginning
35 teachers and administrators with mentors in a manner that is consistent with the beginning teacher
36 and administrator mentorship program described in ORS 329.788 to 329.820.

37 (e) To school districts for the purposes of obtaining assessments and developing professional
38 development plans to meet school improvement objectives and educator needs.

39 (f) To school districts, nonprofit organizations and post-secondary institutions for the purpose
40 of closing achievement gaps by providing and improving the effectiveness of professional develop-
41 ment, implementing data-driven decision making, supporting practice communities and implementing
42 culturally competent practices.

43 (g) To school districts and nonprofit organizations for the purposes of developing and engaging
44 in proficiency-based or student-centered learning practices and assessments.

45 (h) To school districts, nonprofit organizations and post-secondary institutions for the purposes

1 of strengthening educator preparation programs and supporting the development and sustainability
2 of partnerships between providers of early learning services, public schools with any grades from
3 kindergarten through grade 12 and post-secondary institutions.

4 (i) To providers of early learning services, nonprofit organizations and post-secondary insti-
5 tutions for the purposes of providing professional development and supporting providers of early
6 learning services with opportunities for professional collaboration and advancement.

7 (4) The Oregon Education Investment Board shall support the network by:

8 (a) Conducting and coordinating research to determine best practices and evidence-based mod-
9 els.

10 (b) Working with educator preparation programs to ensure ongoing collaboration with education
11 providers.

12 (c) Supporting programs that help to achieve the goal of the Minority Teacher Act of 1991 as
13 described in ORS 342.437.

14 (d) Creating and supporting a statewide plan for increasing the successful recruitment of high-
15 ability and culturally diverse candidates to work in high-need communities and fields.

16 (5) The Department of Education shall support the network by:

17 (a) Developing a system that ensures statewide dissemination of best practices and evidence-
18 based models.

19 (b) Supporting the development and implementation of standards-based curriculum, high-leverage
20 practices and assessments that promote student learning and improve outcomes for students learning
21 English as a second language and for students with disabilities.

22 (c) Administering the distribution of funding as described in subsection (3) of this section.

23 (6) The Oregon Education Investment Board shall develop processes to establish the network
24 and ensure the accountability of the network. The processes must ensure that the network:

25 (a) Gives preference to entities that have demonstrated success in improving student outcomes.

26 (b) Delivers services for the benefit of all regions of this state.

27 (c) Is accountable for improving education outcomes identified by the Oregon Education Invest-
28 ment Board, contained in achievement compacts or set forth in ORS 351.009.

29 (d) Includes and connects education providers and leaders from pre-kindergarten through post-
30 secondary education.

31 (7) No more than two percent of all moneys received for the purposes of this section may be
32 expended by the Oregon Education Investment Board or the Department of Education for adminis-
33 trative costs incurred under this section. For the purpose of this subsection, technical assistance
34 and direct program services provided to school districts and nonprofit organizations are not con-
35 sidered administrative costs.

36 (8) The State Board of Education may adopt any rules necessary for the Department of Educa-
37 tion to support the network and perform any duties assigned to the department under this section
38 or assigned to the department by the Oregon Education Investment Board. Any rules adopted by the
39 State Board of Education must be consistent with this section and with actions taken by the Oregon
40 Education Investment Board to implement this section.

41 **SECTION 28.** ORS 342.950, as amended by section 2, chapter 661, Oregon Laws 2013, is
42 amended to read:

43 342.950. (1) The Network of Quality Teaching and Learning is established. The network consists
44 of the Department of Education and public and private entities that receive funding as provided by
45 this section to accomplish the purposes of the network described in subsection (2) of this section.

1 (2) The purposes of the network are the following:

2 (a) To enhance a culture of leadership and collaborative responsibility for advancing the pro-
3 fession of teaching among providers of early learning services, teachers and administrators in
4 kindergarten through grade 12, education service districts and [*teacher education institutions*] **edu-**
5 **cator preparation providers.**

6 (b) To strengthen and enhance existing evidence-based practices that improve student achieve-
7 ment, including practices advanced by or described in ORS 329.788 to 329.820, 329.822, 329.824,
8 329.838, 342.433 to 342.449 and 342.805 to 342.937.

9 (c) To improve recruitment, preparation, induction, career advancement opportunities and sup-
10 port of educators.

11 (3) To accomplish the purposes of the network described in subsection (2) of this section, the
12 Department of Education, subject to the direction and control of the Superintendent of Public In-
13 struction, shall distribute funding as follows:

14 (a) To school districts, schools, nonprofit organizations, post-secondary institutions and consor-
15 tiums that are any combination of those entities for the purpose of supporting the implementation
16 of common core state standards.

17 (b) To school districts and nonprofit organizations for the purposes of complying with the core
18 teaching standards adopted as provided by ORS 342.856 and complying with related standards pre-
19 scribed by federal law.

20 (c) To school districts and nonprofit organizations for the purpose of providing teachers with
21 opportunities for professional collaboration and professional development and for the pursuit of ca-
22 reer pathways in a manner that is consistent with the School District Collaboration Grant Program
23 described in ORS 329.838.

24 (d) To school districts and nonprofit organizations for the purpose of providing beginning
25 teachers and administrators with mentors in a manner that is consistent with the beginning teacher
26 and administrator mentorship program described in ORS 329.788 to 329.820.

27 (e) To school districts for the purposes of obtaining assessments and developing professional
28 development plans to meet school improvement objectives and educator needs.

29 (f) To school districts, nonprofit organizations and post-secondary institutions for the purpose
30 of closing achievement gaps by providing and improving the effectiveness of professional develop-
31 ment, implementing data-driven decision making, supporting practice communities and implementing
32 culturally competent practices.

33 (g) To school districts and nonprofit organizations for the purposes of developing and engaging
34 in proficiency-based or student-centered learning practices and assessments.

35 (h) To school districts, nonprofit organizations and post-secondary institutions for the purposes
36 of strengthening educator preparation programs and supporting the development and sustainability
37 of partnerships between providers of early learning services, public schools with any grades from
38 kindergarten through grade 12 and post-secondary institutions.

39 (i) To providers of early learning services, nonprofit organizations and post-secondary insti-
40 tutions for the purposes of providing professional development and supporting providers of early
41 learning services with opportunities for professional collaboration and advancement.

42 (4) The Department of Education shall support the network by:

43 (a) Conducting and coordinating research to determine best practices and evidence-based mod-
44 els.

45 (b) Working with educator preparation programs to ensure ongoing collaboration with education

1 providers.

2 (c) Supporting programs that help to achieve the goal of the Minority Teacher Act of 1991 as
3 described in ORS 342.437.

4 (d) Creating and supporting a statewide plan for increasing the successful recruitment of high-
5 ability and culturally diverse candidates to work in high-need communities and fields.

6 (e) Developing a system that ensures statewide dissemination of best practices and evidence-
7 based models.

8 (f) Supporting the development and implementation of standards-based curriculum, high-leverage
9 practices and assessments that promote student learning and improve outcomes for students learning
10 English as a second language and for students with disabilities.

11 (g) Administering the distribution of funding as described in subsection (3) of this section.

12 (5) The State Board of Education shall develop processes to establish the network and ensure
13 the accountability of the network. The processes must ensure that the network:

14 (a) Gives preference to entities that have demonstrated success in improving student outcomes.

15 (b) Delivers services for the benefit of all regions of this state.

16 (c) Is accountable for improving education outcomes identified by the State Board of Education,
17 contained in achievement compacts or set forth in ORS 351.009.

18 (d) Includes and connects education providers and leaders from pre-kindergarten through post-
19 secondary education.

20 (6) No more than two percent of all moneys received for the purposes of this section may be
21 expended by the Department of Education for administrative costs incurred under this section. For
22 the purpose of this subsection, technical assistance and direct program services provided to school
23 districts and nonprofit organizations are not considered administrative costs.

24 (7) The State Board of Education may adopt any rules necessary for the Department of Educa-
25 tion to support the network and perform any duties assigned to the department under this section.
26 Any rules adopted by the State Board of Education must be consistent with this section.

27 **NOTE:** Sections 29 through 35 were deleted by amendment. Subsequent sections were not re-
28 numbered.

29 **SECTION 36.** ORS 342.971 is amended to read:

30 342.971. (1) There is created the Educator Preparation Improvement Fund, separate and distinct
31 from the General Fund. Interest earned on moneys in the Educator Preparation Improvement Fund
32 shall be credited to the fund.

33 (2) The Teacher Standards and Practices Commission may accept from any source any grant,
34 donation or gift of money or other valuable thing made to the commission for purposes of the Edu-
35 cator Preparation Improvement Fund.

36 (3) Moneys credited to the Educator Preparation Improvement Fund are continuously appropri-
37 ated to the commission for the purposes set forth in subsection (4) of this section. The commission
38 may draw checks or orders upon the State Treasurer in making disbursements from the Educator
39 Preparation Improvement Fund for the purposes set forth in subsection (4) of this section.

40 (4) The purpose of the Educator Preparation Improvement Fund is to encourage approved
41 [teacher education] **educator preparation** programs and school district partnerships that:

42 (a) Respond to changes in education of students in preprimary programs and grades 1 through
43 12;

44 (b) Encourage collaboration around delivery models that provide effective professional prepara-
45 tion;

1 (c) Recognize the needs of the education workforce in this state, including but not limited to
2 recruiting underrepresented persons, teachers and administrators to work in high needs areas such
3 as special education, mathematics, science and teaching English to speakers of other languages;

4 (d) Encourage collaborative initiatives that improve student success and postsecondary access
5 and achievement; and

6 (e) Respond to the need for national accreditation of approved [*teacher education*] **educator**
7 **preparation** programs in this state.

8 **SECTION 37.** ORS 327.008, as amended by section 6, chapter 81, Oregon Laws 2014, is amended
9 to read:

10 327.008. (1) There is established a State School Fund in the General Fund. The fund shall consist
11 of moneys appropriated by the Legislative Assembly and moneys transferred from the Education
12 Stability Fund. The State School Fund is continuously appropriated to the Department of Education
13 for the purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125, 327.137, 327.348,
14 336.575, 336.580, 336.635, [342.173,] 343.243, 343.533 and 343.961 and sections 1 to 3, chapter 735,
15 Oregon Laws 2013, and section 2, chapter 81, Oregon Laws 2014.

16 (2) There shall be apportioned from the State School Fund to each school district a State School
17 Fund grant, consisting of the positive amount equal to a general purpose grant and a facility grant
18 and a transportation grant and a high cost disabilities grant minus local revenue, computed as pro-
19 vided in ORS 327.011 and 327.013.

20 (3) There shall be apportioned from the State School Fund to each education service district a
21 State School Fund grant as calculated under ORS 327.019.

22 (4) All figures used in the determination of the distribution of the State School Fund shall be
23 estimates for the same year as the distribution occurs, unless otherwise specified.

24 (5) Numbers of students in average daily membership used in the distribution formula shall be
25 the numbers as of June of the year of distribution.

26 (6) A school district may not use the portion of the State School Fund grant that is attributable
27 to the facility grant for capital construction costs.

28 (7) The total amount of the State School Fund that is distributed as facility grants may not ex-
29 ceed \$20 million in any biennium. If the total amount to be distributed as facility grants exceeds this
30 limitation, the Department of Education shall prorate the amount of funds available for facility
31 grants among those school districts that qualified for a facility grant.

32 (8) Each fiscal year, the Department of Education shall transfer to the Pediatric Nursing Facil-
33 ity Account established in section 5, chapter 81, Oregon Laws 2014, the amount necessary to pay
34 the costs of educational services provided to students admitted to pediatric nursing facilities as
35 provided in section 2, chapter 81, Oregon Laws 2014.

36 (9) Each fiscal year, the Department of Education shall transfer the amount of \$18 million from
37 the State School Fund to the High Cost Disabilities Account established in ORS 327.348.

38 (10)(a) Each biennium, the Department of Education shall transfer \$33 million from the State
39 School Fund to the Network of Quality Teaching and Learning Fund established under ORS 342.953.

40 (b) For the purpose of making the transfer under this subsection:

41 (A) The total amount available for all distributions from the State School Fund shall be reduced
42 by \$5 million;

43 (B) The amount distributed to school districts from the State School Fund under this section and
44 ORS 327.013 shall be reduced by \$14 million; and

45 (C) The amount distributed to education service districts from the State School Fund under this

1 section and ORS 327.019 shall be reduced by \$14 million.

2 (c) For each biennium, the amounts identified in paragraph (b)(B) and (C) of this subsection shall
3 be adjusted by the same percentage by which the amount appropriated to the State School Fund for
4 that biennium is increased or decreased compared to the preceding biennium, as determined by the
5 Department of Education after consultation with the Legislative Fiscal Officer.

6 (11) Each fiscal year, the Department of Education may expend up to \$550,000 from the State
7 School Fund for the contract described in ORS 329.488. The amount distributed to education service
8 districts from the State School Fund under this section and ORS 327.019 shall be reduced by the
9 amount expended by the department under this subsection.

10 (12) Each biennium, the Department of Education may expend up to \$350,000 from the State
11 School Fund to provide administration of and support for the development of talented and gifted
12 education under ORS 343.404.

13 (13) Each biennium, the Department of Education may expend up to \$150,000 from the State
14 School Fund for the administration of a program to increase the number of speech-language
15 pathologists and speech-language pathology assistants under ORS 348.394 to 348.406.

16 (14) Each fiscal year, the Department of Education shall transfer the amount of \$2.5 million from
17 the State School Fund to the Small School District Supplement Fund established in section 3, chap-
18 ter 735, Oregon Laws 2013.

19 **SECTION 38.** ORS 327.008, as amended by section 7, chapter 735, Oregon Laws 2013, and sec-
20 tion 7, chapter 81, Oregon Laws 2014, is amended to read:

21 327.008. (1) There is established a State School Fund in the General Fund. The fund shall consist
22 of moneys appropriated by the Legislative Assembly and moneys transferred from the Education
23 Stability Fund. The State School Fund is continuously appropriated to the Department of Education
24 for the purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125, 327.137, 327.348,
25 336.575, 336.580, 336.635, [342.173,] 343.243, 343.533 and 343.961 and section 2, chapter 81, Oregon
26 Laws 2014.

27 (2) There shall be apportioned from the State School Fund to each school district a State School
28 Fund grant, consisting of the positive amount equal to a general purpose grant and a facility grant
29 and a transportation grant and a high cost disabilities grant minus local revenue, computed as pro-
30 vided in ORS 327.011 and 327.013.

31 (3) There shall be apportioned from the State School Fund to each education service district a
32 State School Fund grant as calculated under ORS 327.019.

33 (4) All figures used in the determination of the distribution of the State School Fund shall be
34 estimates for the same year as the distribution occurs, unless otherwise specified.

35 (5) Numbers of students in average daily membership used in the distribution formula shall be
36 the numbers as of June of the year of distribution.

37 (6) A school district may not use the portion of the State School Fund grant that is attributable
38 to the facility grant for capital construction costs.

39 (7) The total amount of the State School Fund that is distributed as facility grants may not ex-
40 ceed \$20 million in any biennium. If the total amount to be distributed as facility grants exceeds this
41 limitation, the Department of Education shall prorate the amount of funds available for facility
42 grants among those school districts that qualified for a facility grant.

43 (8) Each fiscal year, the Department of Education shall transfer to the Pediatric Nursing Facil-
44 ity Account established in section 5, chapter 81, Oregon Laws 2014, the amount necessary to pay
45 the costs of educational services provided to students admitted to pediatric nursing facilities as

1 provided in section 2, chapter 81, Oregon Laws 2014.

2 (9) Each fiscal year, the Department of Education shall transfer the amount of \$18 million from
3 the State School Fund to the High Cost Disabilities Account established in ORS 327.348.

4 (10)(a) Each biennium, the Department of Education shall transfer \$33 million from the State
5 School Fund to the Network of Quality Teaching and Learning Fund established under ORS 342.953.

6 (b) For the purpose of making the transfer under this subsection:

7 (A) The total amount available for all distributions from the State School Fund shall be reduced
8 by \$5 million;

9 (B) The amount distributed to school districts from the State School Fund under this section and
10 ORS 327.013 shall be reduced by \$14 million; and

11 (C) The amount distributed to education service districts from the State School Fund under this
12 section and ORS 327.019 shall be reduced by \$14 million.

13 (c) For each biennium, the amounts identified in paragraph (b)(B) and (C) of this subsection shall
14 be adjusted by the same percentage by which the amount appropriated to the State School Fund for
15 that biennium is increased or decreased compared to the preceding biennium, as determined by the
16 Department of Education after consultation with the Legislative Fiscal Officer.

17 (11) Each fiscal year, the Department of Education may expend up to \$550,000 from the State
18 School Fund for the contract described in ORS 329.488. The amount distributed to education service
19 districts from the State School Fund under this section and ORS 327.019 shall be reduced by the
20 amount expended by the department under this subsection.

21 (12) Each biennium, the Department of Education may expend up to \$350,000 from the State
22 School Fund to provide administration of and support for the development of talented and gifted
23 education under ORS 343.404.

24 (13) Each biennium, the Department of Education may expend up to \$150,000 from the State
25 School Fund for the administration of a program to increase the number of speech-language
26 pathologists and speech-language pathology assistants under ORS 348.394 to 348.406.

27 **SECTION 39.** ORS 327.495 is amended to read:

28 327.495. All moneys received by the State Board of Education for distribution to school districts
29 in this state for the purpose of carrying out experimental and demonstration programs to improve
30 *[teaching and teacher education]* **education and educator preparation** in this state are *[hereby]*
31 continuously appropriated for such purpose.

32 **SECTION 40.** ORS 329.840 is amended to read:

33 329.840. (1) There is created the Oregon Virtual School District within the Department of Edu-
34 cation. The purpose of the Oregon Virtual School District is to provide online courses to
35 kindergarten through grade 12 public school students.

36 (2) The Oregon Virtual School District shall provide online courses that meet academic content
37 standards as defined in ORS 329.007 and meet other criteria adopted by the State Board of Educa-
38 tion. Any person who teaches an online course must be properly licensed **as required by ORS**
39 **342.173 for a person employed by a school district or education service district** or properly
40 registered as required by ORS 338.135 *[and 342.173]* for a person employed by a *[school district or]*
41 public charter school. All school districts and public charter schools may allow students to access
42 the online courses offered by the Oregon Virtual School District.

43 (3) The Superintendent of Public Instruction may contract with education service districts,
44 school districts, public charter schools, community colleges, public universities listed in ORS 352.002
45 or any other public entity to provide online courses through the Oregon Virtual School District.

1 (4) Statutes and rules that apply to other school districts do not apply to the Oregon Virtual
2 School District except as provided under this section or by rule of the State Board of Education.
3 The Oregon Virtual School District is not considered a school district for purposes of apportionment
4 of the State School Fund and the department may not receive a direct apportionment under ORS
5 327.008 from the State School Fund for the Oregon Virtual School District.

6 (5) The board may adopt the rules necessary for the administration of the Oregon Virtual School
7 District and shall adopt rules to establish:

8 (a) The procedure and criteria to be used for the selection of online courses to be offered
9 through the Oregon Virtual School District;

10 (b) The qualifications of students who may access online courses through the Oregon Virtual
11 School District;

12 (c) The number of credits for which students may access online courses through the Oregon
13 Virtual School District; and

14 (d) The student-to-teacher ratio for online courses offered through the Oregon Virtual School
15 District.

16 **SECTION 41.** ORS 332.075, as amended by section 1, chapter 43, Oregon Laws 2014, is amended
17 to read:

18 332.075. (1) Any district school board may:

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

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

22 (c) Authorize the use of the schools for purposes of training students of an [*approved teacher*
23 *education institution*] **approved educator preparation provider**, as defined in ORS 342.120, and for
24 such purposes may enter into contracts with the [*approved teacher education institutions*] **approved**
25 **educator preparation providers** on such terms as may be agreed upon. Such contracts as they
26 relate to student teachers shall have the same effect and be subject to the same regulations as a
27 contract between a licensed teacher and a district school board.

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

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

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

37 (g) Enter into an approved written agreement with the governing body of a federally recognized
38 Native American tribe in Oregon to allow the use of a mascot that represents, is associated with
39 or is significant to the Native American tribe entering into the agreement. An agreement entered
40 into under this paragraph must:

41 (A) Describe the acceptable uses of the mascot;

42 (B) Comply with rules adopted by the State Board of Education that:

43 (i) Are adopted after consultation with the federally recognized tribes in Oregon pursuant to
44 ORS 182.164 (3); and

45 (ii) Prescribe the requirements for approval; and

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

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 42.** ORS 332.155 is amended to read:

14 332.155. A district school board:

15 (1) May furnish, equip, repair, lease, purchase and build schoolhouses, including high schools,
16 junior high schools, career and technical education schools, gymnasiums, houses for teachers and
17 other employees, and like buildings; and locate, buy and lease lands for all school purposes. Leases
18 authorized by this section include lease-purchase agreements whereunder the district may acquire
19 ownership of the leased property at a nominal price. Such leases and lease-purchase agreements may
20 be for a term of up to 30 years.

21 (2) May contract for the removal or containment of asbestos substances in school buildings and
22 for repairs made necessary by such removal or containment. Contracts authorized by this section
23 may be for a term exceeding one year.

24 (3) May construct or cooperate in the construction of [*schools for training of student teachers*]
25 **facilities for educator preparation providers** on state or district owned lands, for any public
26 university listed in ORS 352.002 that is in or contiguous to the district, and to expend district funds
27 in so doing.

28 (4) May acquire personal property by a lease-purchase agreement or contract of purchase for a
29 term exceeding one year. A lease-purchase agreement is one in which the rent payable by the dis-
30 trict is expressly agreed to have been established to reflect the savings resulting from the exemption
31 from taxation, and the district is entitled to ownership of the property at a nominal or other price
32 that is stated or determinable by the terms of the agreement and was not intended to reflect the true
33 value of the property.

34 (5) May lease, sell and convey all property of the district as may not in the judgment of the
35 district school board be required for school purposes.

36 (6) May sell property of the district in transactions whereby the district has the right to lease,
37 occupy or reacquire the property following the sale or have facilities constructed thereon or fur-
38 nished to the specifications of the district. The construction or furnishing of such facilities shall be
39 subject to:

40 (a) ORS chapter 279A, except ORS 279A.125 and 279A.250 to 279A.290;

41 (b) ORS chapter 279B, except ORS 279B.235, 279B.240, 279B.270, 279B.275 and 279B.280; and

42 (c) ORS chapter 279C.005, 279C.100 to 279C.125 and 279C.300 to 279C.470.

43 (7) Shall furnish the schools with supplies, equipment, apparatus and services essential to
44 meeting the requirements of a standard school and may furnish such other supplies, equipment, ap-
45 paratus and services as the board considers advisable.

1 (8) May construct, purchase or lease in cooperation with other school districts or community
2 college districts facilities for secondary career and technical education programs for pupils of more
3 than one district and may furnish or cooperate in furnishing supplies and equipment for such facil-
4 ities, to be financed in the same manner as other school buildings and supplies are financed.

5 (9) May purchase real property upon a contractual basis when the period of time allowed for
6 payment under the contract does not exceed 30 years.

7 (10) May purchase relocatable classrooms and other relocatable structures in installment
8 transactions in which deferred installments of the purchase price are payable over not more than
9 10 years from the date such property is delivered to the district for occupancy and are secured by
10 a security interest in such property. Such transactions may take the form of, but are not limited to,
11 lease-purchase agreements.

12 (11) May enter into rental or lease-purchase agreements covering motor vehicles operated by the
13 district.

14 **SECTION 43.** ORS 332.505 is amended to read:

15 332.505. (1) **As used in this section:**

16 (a) **“Instructional assistant” has the meaning given that term in ORS 342.120.**

17 (b) **“Intern teacher” means a regularly enrolled candidate of an approved educator prep-**
18 **aration provider, as defined in ORS 342.120, who teaches under the supervision of the staff**
19 **of the provider and of the employing district in order to acquire practical experience in**
20 **teaching and for which the candidate receives both academic credit from the provider and**
21 **financial compensation from the school district or education service district.**

22 [(1)] (2) A district school board may:

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

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

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

33 (d) Employ [educational] **instructional** assistants and intern teachers subject to the rules of the
34 State Board of Education.

35 [(2)] (3) The district school board shall maintain written personnel policies and make the policies
36 available for inspection by any school employee or member of the public.

37 [(3)] (4) The superintendent of the school district shall cause each employee to be specifically
38 informed of the existence and availability of the personnel policies.

39 **SECTION 44.** ORS 334.225 is amended to read:

40 334.225. (1) The education service district board shall employ a superintendent who must hold
41 an administrative license as a superintendent [and a certificate described in ORS 342.121 (2)(b)]. The
42 superintendent shall serve as the board’s executive officer, give an official bond or an irrevocable
43 letter of credit issued by an insured institution, as defined in ORS 706.008, and have the duties
44 prescribed by the board and the laws of this state. The board shall fix the term and compensation
45 of the superintendent, provide office room for the superintendent and allow all of the

1 superintendent's necessary traveling expenses.

2 (2) The education service district board shall designate the superintendent as the district clerk.
3 The board may appoint qualified persons as deputies to the superintendent to perform the duties
4 required of the district clerk by law or by the board.

5 **SECTION 45.** ORS 336.631 is amended to read:

6 336.631. (1) Prior to contracting with or distributing any public funds to a private alternative
7 education program, a district school board shall:

8 (a) Annually approve the private alternative education program;

9 (b) Determine that the private alternative education program is registered with the Department
10 of Education; and

11 (c) Determine that the private alternative education program complies with the requirements
12 of subsection (2) of this section and ORS 336.625 (3)(c).

13 (2) The following laws apply to private alternative education programs that are registered with
14 the Department of Education under ORS 336.635 in the same manner as the laws apply to school
15 districts and public schools:

16 (a) Federal law;

17 (b) ORS 181.534, 326.603, 326.607[,] **and** 342.223 [*and 342.232*] (criminal records checks);

18 (c) ORS 337.150, 339.141, 339.147 and 339.155 (tuition and fees);

19 (d) ORS 659.850, 659.855 and 659.860 (discrimination);

20 (e) ORS 339.122 (advertisement requirements);

21 (f) Health and safety statutes and rules; and

22 (g) Any statute, rule or school district policy that is specified in a contract between the school
23 district board and the private alternative education program.

24 (3) Prior to placement of a student in a private alternative education program, the resident
25 district shall determine whether the proposed placement best serves the student's educational needs
26 and interests and assists the student in achieving the district and state academic standards.

27 (4) Contracts between a school district and a private alternative education program shall be
28 included in the assessment of effectiveness provided for in ORS 329.085.

29 **SECTION 46.** ORS 336.631, as amended by section 6, chapter 839, Oregon Laws 2007, is
30 amended to read:

31 336.631. (1) Prior to contracting with or distributing any public funds to a private alternative
32 education program, a district school board shall:

33 (a) Annually approve the private alternative education program;

34 (b) Determine that the private alternative education program is registered with the Department
35 of Education; and

36 (c) Determine that the private alternative education program complies with the requirements
37 of subsection (2) of this section and ORS 336.625 (3)(c).

38 (2) The following laws apply to private alternative education programs that are registered with
39 the Department of Education under ORS 336.635 in the same manner as the laws apply to school
40 districts and public schools:

41 (a) Federal law;

42 (b) ORS 181.534, 326.603, 326.607[,] **and** 342.223 [*and 342.232*] (criminal records checks);

43 (c) ORS 329.496 (physical education);

44 (d) ORS 337.150, 339.141, 339.147 and 339.155 (tuition and fees);

45 (e) ORS 659.850, 659.855 and 659.860 (discrimination);

1 (f) ORS 339.122 (advertisement requirements);

2 (g) Health and safety statutes and rules; and

3 (h) Any statute, rule or school district policy that is specified in a contract between the school
4 district board and the private alternative education program.

5 (3) Prior to placement of a student in a private alternative education program, the resident
6 district shall determine whether the proposed placement best serves the student's educational needs
7 and interests and assists the student in achieving the district and state academic standards.

8 (4) Contracts between a school district and a private alternative education program shall be
9 included in the assessment of effectiveness provided for in ORS 329.085.

10 **SECTION 47.** ORS 338.115 is amended to read:

11 338.115. (1) Statutes and rules that apply only to school district boards, school districts or other
12 public schools do not apply to public charter schools. However, the following laws do apply to public
13 charter schools:

14 (a) Federal law;

15 (b) ORS 30.260 to 30.300 (tort claims);

16 (c) ORS 192.410 to 192.505 (public records law);

17 (d) ORS 192.610 to 192.690 (public meetings law);

18 (e) ORS chapters 279A, 279B and 279C (Public Contracting Code);

19 (f) ORS 297.405 to 297.555 and 297.990 (Municipal Audit Law);

20 (g) ORS 326.565, 326.575 and 326.580 (student records);

21 (h) ORS 181.534, 326.603, 326.607[,] **and** 342.223 [*and 342.232*] (criminal records checks);

22 (i) ORS 329.045 (academic content standards and instruction);

23 (j) ORS 329.451 (high school diploma, modified diploma, extended diploma and alternative cer-
24 tificate);

25 (k) The statewide assessment system developed by the Department of Education for mathematics,
26 science and English under ORS 329.485 (2);

27 (L) ORS 337.150 (textbooks);

28 (m) ORS 339.119 (consideration for educational services);

29 (n) ORS 339.141, 339.147 and 339.155 (tuition and fees);

30 (o) ORS 339.250 (9) (prohibition on infliction of corporal punishment);

31 (p) ORS 339.326 (notice concerning students subject to juvenile court petitions);

32 (q) ORS 339.370, 339.372, 339.388 and 339.400 (reporting of abuse and sexual conduct and training
33 on prevention and identification of abuse and sexual conduct);

34 (r) ORS chapter 657 (Employment Department Law);

35 (s) ORS 659.850, 659.855 and 659.860 (discrimination);

36 (t) Any statute or rule that establishes requirements for instructional time provided by a school
37 during each day or during a year;

38 (u) Statutes and rules that expressly apply to public charter schools;

39 (v) Statutes and rules that apply to a special government body, as defined in ORS 174.117, or a
40 public body, as defined in ORS 174.109;

41 (w) Health and safety statutes and rules;

42 (x) Any statute or rule that is listed in the charter;

43 (y) ORS 336.840 (use of personal electronic devices); and

44 (z) This chapter.

45 (2) Notwithstanding subsection (1) of this section, a charter may specify that statutes and rules

1 that apply only to school district boards, school districts and other public schools may apply to a
2 public charter school.

3 (3) If a statute or rule applies to a public charter school, then the terms “school district” and
4 “public school” include public charter school as those terms are used in that statute or rule.

5 (4) A public charter school may not violate the Establishment Clause of the First Amendment
6 to the United States Constitution or section 5, Article I of the Oregon Constitution, or be religion
7 based.

8 (5)(a) A public charter school shall maintain an active enrollment of at least 25 students.

9 (b) For a public charter school that provides educational services under a cooperative agree-
10 ment described in ORS 338.080, the public charter school is in compliance with the requirements of
11 this subsection if the public charter school provides educational services under the cooperative
12 agreement to at least 25 students, without regard to the school districts in which the students are
13 residents.

14 (6) A public charter school may sue or be sued as a separate legal entity.

15 (7) The sponsor, members of the governing board of the sponsor acting in their official capacities
16 and employees of a sponsor acting in their official capacities are immune from civil liability with
17 respect to all activities related to a public charter school within the scope of their duties or em-
18 ployment.

19 (8) A public charter school may enter into contracts and may lease facilities and services from
20 a school district, education service district, public university listed in ORS 352.002, other govern-
21 mental unit or any person or legal entity.

22 (9) A public charter school may not levy taxes or issue bonds under which the public incurs li-
23 ability.

24 (10) A public charter school may receive and accept gifts, grants and donations from any source
25 for expenditure to carry out the lawful functions of the school.

26 (11) The school district in which the public charter school is located shall offer a high school
27 diploma, a modified diploma, an extended diploma or an alternative certificate to any public charter
28 school student who meets the district’s and state’s standards for a high school diploma, a modified
29 diploma, an extended diploma or an alternative certificate.

30 (12) A high school diploma, a modified diploma, an extended diploma or an alternative certificate
31 issued by a public charter school grants to the holder the same rights and privileges as a high
32 school diploma, a modified diploma, an extended diploma or an alternative certificate issued by a
33 nonchartered public school.

34 (13) Prior to beginning operation, the public charter school shall show proof of insurance to the
35 sponsor as specified in the charter.

36 (14) A public charter school may receive services from an education service district in the same
37 manner as a nonchartered public school in the school district in which the public charter school is
38 located.

39 **SECTION 48.** ORS 338.115, as amended by section 7, chapter 839, Oregon Laws 2007, and sec-
40 tion 12, chapter 50, Oregon Laws 2008, is amended to read:

41 338.115. (1) Statutes and rules that apply only to school district boards, school districts or other
42 public schools do not apply to public charter schools. However, the following laws do apply to public
43 charter schools:

44 (a) Federal law;

45 (b) ORS 30.260 to 30.300 (tort claims);

- 1 (c) ORS 192.410 to 192.505 (public records law);
2 (d) ORS 192.610 to 192.690 (public meetings law);
3 (e) ORS chapters 279A, 279B and 279C (Public Contracting Code);
4 (f) ORS 297.405 to 297.555 and 297.990 (Municipal Audit Law);
5 (g) ORS 326.565, 326.575 and 326.580 (student records);
6 (h) ORS 181.534, 326.603, 326.607[,] **and** 342.223 [*and* 342.232] (criminal records checks);
7 (i) ORS 329.045 (academic content standards and instruction);
8 (j) ORS 329.451 (high school diploma, modified diploma, extended diploma and alternative cer-
9 tificate);
10 (k) ORS 329.496 (physical education);
11 (L) The statewide assessment system developed by the Department of Education for mathemat-
12 ics, science and English under ORS 329.485 (2);
13 (m) ORS 337.150 (textbooks);
14 (n) ORS 339.119 (consideration for educational services);
15 (o) ORS 339.141, 339.147 and 339.155 (tuition and fees);
16 (p) ORS 339.250 (9) (prohibition on infliction of corporal punishment);
17 (q) ORS 339.326 (notice concerning students subject to juvenile court petitions);
18 (r) ORS 339.370, 339.372, 339.388 and 339.400 (reporting of abuse and sexual conduct and training
19 on prevention and identification of abuse and sexual conduct);
20 (s) ORS chapter 657 (Employment Department Law);
21 (t) ORS 659.850, 659.855 and 659.860 (discrimination);
22 (u) Any statute or rule that establishes requirements for instructional time provided by a school
23 during each day or during a year;
24 (v) Statutes and rules that expressly apply to public charter schools;
25 (w) Statutes and rules that apply to a special government body, as defined in ORS 174.117, or
26 a public body, as defined in ORS 174.109;
27 (x) Health and safety statutes and rules;
28 (y) Any statute or rule that is listed in the charter;
29 (z) ORS 336.840 (use of personal electronic devices); and
30 (aa) This chapter.
31 (2) Notwithstanding subsection (1) of this section, a charter may specify that statutes and rules
32 that apply only to school district boards, school districts and other public schools may apply to a
33 public charter school.
34 (3) If a statute or rule applies to a public charter school, then the terms “school district” and
35 “public school” include public charter school as those terms are used in that statute or rule.
36 (4) A public charter school may not violate the Establishment Clause of the First Amendment
37 to the United States Constitution or section 5, Article I of the Oregon Constitution, or be religion
38 based.
39 (5)(a) A public charter school shall maintain an active enrollment of at least 25 students.
40 (b) For a public charter school that provides educational services under a cooperative agree-
41 ment described in ORS 338.080, the public charter school is in compliance with the requirements of
42 this subsection if the public charter school provides educational services under the cooperative
43 agreement to at least 25 students, without regard to the school districts in which the students are
44 residents.
45 (6) A public charter school may sue or be sued as a separate legal entity.

1 (7) The sponsor, members of the governing board of the sponsor acting in their official capacities
2 and employees of a sponsor acting in their official capacities are immune from civil liability with
3 respect to all activities related to a public charter school within the scope of their duties or em-
4 ployment.

5 (8) A public charter school may enter into contracts and may lease facilities and services from
6 a school district, education service district, public university listed in ORS 352.002, other govern-
7 mental unit or any person or legal entity.

8 (9) A public charter school may not levy taxes or issue bonds under which the public incurs li-
9 ability.

10 (10) A public charter school may receive and accept gifts, grants and donations from any source
11 for expenditure to carry out the lawful functions of the school.

12 (11) The school district in which the public charter school is located shall offer a high school
13 diploma, a modified diploma, an extended diploma or an alternative certificate to any public charter
14 school student who meets the district's and state's standards for a high school diploma, a modified
15 diploma, an extended diploma or an alternative certificate.

16 (12) A high school diploma, a modified diploma, an extended diploma or an alternative certificate
17 issued by a public charter school grants to the holder the same rights and privileges as a high
18 school diploma, a modified diploma, an extended diploma or an alternative certificate issued by a
19 nonchartered public school.

20 (13) Prior to beginning operation, the public charter school shall show proof of insurance to the
21 sponsor as specified in the charter.

22 (14) A public charter school may receive services from an education service district in the same
23 manner as a nonchartered public school in the school district in which the public charter school is
24 located.

25 **SECTION 49.** ORS 338.135 is amended to read:

26 338.135. (1) Employee assignment to a public charter school shall be voluntary.

27 (2)(a) A public charter school or the sponsor of the public charter school is considered the em-
28 ployer of any employees of the public charter school. If a school district board is not the sponsor
29 of the public charter school, the school district board may not be the employer of the employees of
30 the public charter school and the school district board may not collectively bargain with the em-
31 ployees of the public charter school. The public charter school governing body shall control the
32 selection of employees at the public charter school.

33 (b) If a virtual public charter school or the sponsor of a virtual public charter school contracts
34 with a for-profit entity to provide educational services through the virtual public charter school, the
35 for-profit entity may not be the employer of any employees of the virtual public charter school un-
36 less:

37 (A) The employee is an administrator who does not have any teaching responsibilities; and

38 (B) Both the executive officer of the sponsor and the public charter school governing body ap-
39 prove employment by the for-profit entity. The executive officer or governing body may choose to
40 grant approval under this subparagraph:

41 (i) For all employees of the for-profit entity who meet the description in subparagraph (A) of this
42 paragraph;

43 (ii) Based on the job categories of the employees who meet the description in subparagraph (A)
44 of this paragraph; or

45 (iii) On a case-by-case basis for each employee who meets the description in subparagraph (A)

1 of this paragraph.

2 (3) The school district board of the school district within which the public charter school is lo-
3 cated shall grant a leave of absence to any employee who chooses to work in the public charter
4 school. The length and terms of the leave of absence shall be set by negotiated agreement or by
5 board policy. However, the length of the leave of absence may not be less than two years unless:

6 (a) The charter of the public charter school is terminated or the public charter school is dis-
7 solved or closed during the leave of absence; or

8 (b) The employee and the school district board have mutually agreed to a different length of
9 time.

10 (4) An employee of a public charter school operating within a school district who is granted a
11 leave of absence from the school district and returns to employment with the school district shall
12 retain seniority and benefits as an employee pursuant to the terms of the leave of absence.
13 Notwithstanding ORS 243.650 to 243.782, a school district that was the employer of an employee of
14 a public charter school not operating within the school district may make provisions for the return
15 of the employee to employment with the school district.

16 (5) For purposes of ORS chapters 238 and 238A, a public charter school shall be considered a
17 public employer and as such shall participate in the Public Employees Retirement System.

18 (6) For teacher licensing, employment experience in public charter schools shall be considered
19 equivalent to experience in public schools.

20 (7)(a) Any person employed as an administrator in a public charter school shall be licensed or
21 registered to administer by the Teacher Standards and Practices Commission.

22 (b) Any person employed as a teacher in a public charter school shall be licensed or registered
23 to teach by the commission.

24 (c) Notwithstanding paragraph (a) or (b) of this subsection, at least one-half of the total full-time
25 equivalent (FTE) teaching and administrative staff at the public charter school shall be licensed by
26 the commission pursuant to ORS **342.125 (2)(c) or (3)(f) or (g)**, 342.135, 342.136[,] **or** 342.138 [*or*
27 *342.140*].

28 (8) Notwithstanding ORS 243.650, a public charter school shall be considered a school district
29 for purposes of ORS 243.650 to 243.782. An employee of a public charter school may be a member
30 of a labor organization or organize with other employees to bargain collectively. Bargaining units
31 at the public charter school may be separate from other bargaining units of the sponsor or of the
32 school district in which the public charter school is located. Employees of a public charter school
33 may be part of the bargaining units of the sponsor or of the school district in which the public
34 charter school is located.

35 (9) An entity described in ORS 338.005 (5) may not waive the right to sponsor a public charter
36 school in a collective bargaining agreement.

37 **SECTION 50.** ORS 338.135, as amended by section 7, chapter 327, Oregon Laws 2013, is
38 amended to read:

39 338.135. (1) Employee assignment to a public charter school shall be voluntary.

40 (2)(a) A public charter school or the sponsor of the public charter school is considered the em-
41 ployer of any employees of the public charter school. If a school district board is not the sponsor
42 of the public charter school, the school district board may not be the employer of the employees of
43 the public charter school and the school district board may not collectively bargain with the em-
44 ployees of the public charter school. The public charter school governing body shall control the
45 selection of employees at the public charter school.

1 (b) If a virtual public charter school or the sponsor of a virtual public charter school contracts
2 with a for-profit entity to provide educational services through the virtual public charter school, the
3 for-profit entity may not be the employer of any employees of the virtual public charter school.

4 (3) The school district board of the school district within which the public charter school is lo-
5 cated shall grant a leave of absence to any employee who chooses to work in the public charter
6 school. The length and terms of the leave of absence shall be set by negotiated agreement or by
7 board policy. However, the length of the leave of absence may not be less than two years unless:

8 (a) The charter of the public charter school is terminated or the public charter school is dis-
9 solved or closed during the leave of absence; or

10 (b) The employee and the school district board have mutually agreed to a different length of
11 time.

12 (4) An employee of a public charter school operating within a school district who is granted a
13 leave of absence from the school district and returns to employment with the school district shall
14 retain seniority and benefits as an employee pursuant to the terms of the leave of absence.
15 Notwithstanding ORS 243.650 to 243.782, a school district that was the employer of an employee of
16 a public charter school not operating within the school district may make provisions for the return
17 of the employee to employment with the school district.

18 (5) For purposes of ORS chapters 238 and 238A, a public charter school shall be considered a
19 public employer and as such shall participate in the Public Employees Retirement System.

20 (6) For teacher licensing, employment experience in public charter schools shall be considered
21 equivalent to experience in public schools.

22 (7)(a) Any person employed as an administrator in a public charter school shall be licensed or
23 registered to administer by the Teacher Standards and Practices Commission.

24 (b) Any person employed as a teacher in a public charter school shall be licensed or registered
25 to teach by the commission.

26 (c) Notwithstanding paragraph (a) or (b) of this subsection, at least one-half of the total full-time
27 equivalent (FTE) teaching and administrative staff at the public charter school shall be licensed by
28 the commission pursuant to ORS **342.125 (2)(c) or (3)(f) or (g)**, 342.135, 342.136[,] **or** 342.138 [*or*
29 *342.140*].

30 (8) Notwithstanding ORS 243.650, a public charter school shall be considered a school district
31 for purposes of ORS 243.650 to 243.782. An employee of a public charter school may be a member
32 of a labor organization or organize with other employees to bargain collectively. Bargaining units
33 at the public charter school may be separate from other bargaining units of the sponsor or of the
34 school district in which the public charter school is located. Employees of a public charter school
35 may be part of the bargaining units of the sponsor or of the school district in which the public
36 charter school is located.

37 (9) An entity described in ORS 338.005 (5) may not waive the right to sponsor a public charter
38 school in a collective bargaining agreement.

39 **SECTION 51.** ORS 351.115 is amended to read:

40 351.115. The Oregon University System shall offer a diversity of [*teacher education*] **educator**
41 **preparation** programs, inclusive of four-year and five-year options for completion of the programs.
42 Both of these options shall qualify for teacher licensing of persons completing the programs.

43 **SECTION 52.** ORS 681.375 is amended to read:

44 681.375. The State Board of Examiners for Speech-Language Pathology and Audiology shall
45 adopt rules to define the role of speech-language pathology assistants, including but not limited to:

1 (1) The responsibilities of speech-language pathologists for the supervision and instruction of
2 speech-language pathology assistants, including the frequency, duration and documentation of direct,
3 on-site supervision and the quantity and content of instruction.

4 (2) The ratio of speech-language pathology assistants to speech-language pathologists.

5 (3) The scope of duties and restrictions on responsibilities of speech-language pathology assist-
6 ants.

7 (4) The qualifications that must be met before a speech-language pathology assistant may be
8 certified.

9 (5) Clarification of the differences between the scope of duties of speech-language pathology as-
10 sistants and of [educational] **instructional** assistants as described in ORS 681.360 (5).

11 **SECTION 53.** Section 1, chapter 98, Oregon Laws 2014, is amended to read:

12 **Sec. 1.** (1) The Department of Education shall make grants to improve student achievement in
13 schools that:

14 (a) Are considered high poverty under Title I of the federal Elementary and Secondary Educa-
15 tion Act of 1965;

16 (b) The department had not identified prior to January 1, 2014, as focus or priority schools
17 pursuant to a flexibility waiver submitted to the United States Department of Education; and

18 (c) The Department of Education has identified as needing additional supports and interventions
19 pursuant to a flexibility waiver submitted to the United States Department of Education, based on:

20 (A) Criteria used by the Department of Education to measure the performance of the schools;
21 and

22 (B) The schools' performance ranking compared to similar schools.

23 (2) The department shall identify schools to receive grants as provided in this section and shall
24 notify the identified schools of the schools' eligibility to receive grants as provided in this section.

25 (3) Moneys received by a school under this section must be used to provide instructional time
26 during a summer program. The summer program must provide at least 60 hours of direct academic
27 instruction by a teacher licensed under ORS 342.125 or by an [educational] **instructional** assistant,
28 as defined in ORS 342.120.

29 (4) The State Board of Education may adopt any rules necessary for the administration of this
30 section.

31 **SECTION 54.** **ORS 342.140, 342.156, 342.167, 342.190, 342.197, 342.227 and 342.232 are re-**
32 **pealed.**

33