

House Bill 2816

Sponsored by Representative PARRISH

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows parents to submit petition to school district board to transform school that is in bottom 20 percent of schools of state. Provides process and requirements for transformation.

A BILL FOR AN ACT

1
2 Relating to underperforming schools.

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

4 **SECTION 1. (1) If a school is in the bottom 20 percent of the schools of this state, as**
5 **identified under rules adopted by the State Board of Education, the parents of the students**
6 **of the school may:**

7 (a) **Submit a petition to the school district board to transform the school by using the**
8 **turnaround model described in section 2 of this 2015 Act;**

9 (b) **Submit a petition to the school district board to transform the school by using the**
10 **restart model described in section 3 of this 2015 Act;**

11 (c) **Submit a petition to the school district board to transform the school by using the**
12 **transformation model described in section 4 of this 2015 Act; or**

13 (d) **Submit a petition to the school district board to close the school.**

14 (2) **A school district board that receives a petition described in subsection (1) of this**
15 **section shall notify the Department of Education within 10 days of receiving the petition.**

16 (3)(a) **The school district board shall review a petition submitted as provided by sub-**
17 **section (1) of this section if the petition was signed by at least 51 percent of:**

18 (A) **The parents of students attending the school; or**

19 (B) **A combination of the parents described in subparagraph (A) of this paragraph and:**

20 (i) **For a middle school, the parents of the students of the elementary schools that will**
21 **matriculate to the middle school; or**

22 (ii) **For a high school, the parents of the students of the middle schools that will**
23 **matriculate to the high school.**

24 (b) **For the purpose of counting signatures under this subsection, each parent may sign**
25 **the petition once for each child in the school.**

26 (4) **A petition described in subsection (1) of this section may not be submitted until the**
27 **requirements of subsection (3) of this section are satisfied.**

28 (5)(a) **A school district board shall have 45 days to review and verify signatures submitted**
29 **on a petition. Signatures shall be verified by comparing signatures to existing files for par-**
30 **ents. A school district board may contact a parent about a signature only in the case of a**
31 **perceived discrepancy.**

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 (b) If enough discrepancies exist to cause the requirements of subsection (3) of this sec-
2 tion to not be met, the school district board shall allow the parents an additional 30 days to
3 resolve discrepancies or to collect additional signatures.

4 (6)(a) A school district board shall make a decision on a petition no later than 30 days
5 after completing the review and verification of the signatures as provided by subsection (5)
6 of this section.

7 (b) A school district board may decide to not approve a petition only by:

8 (A) Making a written finding that describes why granting the petition is logistically im-
9 possible or why the petition was submitted for reasons other than improving student aca-
10 demic achievement or student safety; and

11 (B) Presenting the written finding at a public hearing.

12 (c) If the school district board approves the petition, the board shall implement the plan
13 requested in the petition:

14 (A) Within 180 days after the petition is received; or

15 (B) By the first day of the following school year, if the petition is received after March
16 1.

17 (d) If the school district board does not approve the petition:

18 (A) The board shall implement one of the other options described in subsection (1) of this
19 section upon a finding that the option has substantial promise of enabling the school to make
20 adequate student achievement growth consistent with state standards;

21 (B) The option chosen by the board shall be implemented within the time frame provided
22 by paragraph (c) of this subsection; and

23 (C) The parents shall have the right to request the State Board of Education to review
24 the decision and to enter an order granting the petition if the board finds that granting the
25 petition is logistically possible or that the petition was submitted to improve student aca-
26 demic achievement or student safety.

27 (7) Subsection (1) of this section does not apply to a school that the school district board
28 has scheduled to close.

29 (8) Students of a school that is the subject of a petition described in subsection (1) of this
30 section shall be eligible to continue to attend the school unless the school is closed.

31 (9) If a school is transformed as provided by section 2, 3 or 4 of this 2015 Act, another
32 petition may not be filed under this section until two years after the initial transformation
33 was initiated.

34 **SECTION 2.** (1) If a school district board receives a petition for a turnaround model un-
35 der section 1 of this 2015 Act, the school district where the school is located shall:

36 (a) Replace the principal of the school and grant the new principal sufficient operational
37 flexibility to implement a fully comprehensive approach to substantially improve student ac-
38 ademic achievement. The operational flexibility may include staffing, calendars, school time
39 and budgeting.

40 (b) Use evaluations adopted by the school district board to measure the effectiveness of
41 school staff to meet the needs of students. To increase the effectiveness, the school district
42 shall:

43 (A) Screen all existing school staff and allow the rehiring of no more than 50 percent of
44 the staff; and

45 (B) Select new school staff.

1 (c) Implement strategies that are designed to recruit, place and retain school staff with
 2 the skills necessary to meet the needs of the students in the school. The strategies may in-
 3 clude financial incentives, increased opportunities for promotion and career growth, and
 4 more flexible work conditions.

5 (d) Provide school staff with ongoing, high-quality, job-embedded professional develop-
 6 ment that:

7 (A) Is aligned with the comprehensive instructional program developed for the school;
 8 and

9 (B) Is designed with school staff to ensure that staff are equipped to facilitate effective
 10 teaching and learning and have the capacity to successfully implement school reform strat-
 11 egies.

12 (e) Adopt a new governance structure for the school. The governance structure may re-
 13 quire the school to regularly report to the school district board or the Department of Edu-
 14 cation, hire an individual who reports directly to the superintendent of the school district,
 15 or enter into a multiyear contract with the Department of Education to obtain added flexi-
 16 bility from state law in exchange for greater accountability from the school.

17 (f) Use data to identify and implement an instructional program that is research-based
 18 and that is aligned from one grade to the next and aligned with state academic standards.

19 (g) Promote the continuous use of student data to inform and differentiate instruction
 20 in order to meet the academic needs of individual students. The student data may include
 21 formative, interim and summative assessments.

22 (h) Establish schedules and implement strategies that provide increased learning time.

23 (i) Provide appropriate social, emotional and community oriented services and supports
 24 for students.

25 (2) The school district where the school is located may implement strategies in addition
 26 to the strategies described in subsection (1) of this section, including any transformation
 27 model strategies described in section 4 of this 2015 Act.

28 **SECTION 3.** (1) If a school district board receives a petition for a restart model under
 29 section 1 of this 2015 Act, the school district board shall:

30 (a) Request the parents who signed the petition to submit a proposal to convert the
 31 school to a public charter school governed by ORS chapter 338; or

32 (b) Request the entity designated by the parents on the petition to submit a proposal to
 33 convert the school to a public charter school governed by ORS chapter 338.

34 (2) If the parents who signed the petition are requested to submit a proposal to convert
 35 the school to a public charter school, as provided by subsection (1) of this section, the par-
 36 ents shall select the proposal that the parents want the school district board to evaluate.

37 (3) A school district board shall evaluate a proposal submitted under this section in the
 38 same manner that the school district board would evaluate a proposal under ORS 338.055.

39 (4) A school that is converted into a public charter school as provided by this section
 40 must enroll, within the grades the school serves, any former students who wish to attend
 41 the public charter school.

42 **SECTION 4.** (1) If a school district board receives a petition for a transformation model
 43 under section 1 of this 2015 Act, the school district where the school is located shall:

44 (a) Develop and increase teacher and administrator effectiveness, as described in sub-
 45 section (2) of this section;

1 (b) Implement comprehensive instruction reform, as described in subsection (3) of this
2 section;

3 (c) Increase learning time and create community oriented schools, as described in sub-
4 section (4) of this section; and

5 (d) Provide operational flexibility and sustained support, as described in subsection (5)
6 of this section.

7 (2)(a) To develop and increase teacher and administrator effectiveness, the school district
8 shall:

9 (A) Replace the principal of the school.

10 (B) Use rigorous, transparent and equitable evaluations for teachers and administrators
11 of the school that:

12 (i) Consider data on student growth to be a significant factor;

13 (ii) May consider other factors, including multiple observation-based assessments of
14 performance and ongoing collections of professional practices that are reflective of student
15 academic achievement; and

16 (iii) Are designed and developed with teacher and administrator involvement.

17 (C) Identify and reward administrators, teachers and other staff of the school who have
18 increased student academic achievement.

19 (D) Identify and remove administrators, teachers and other staff of the school who, after
20 ample opportunities have been provided, have not been able to increase student academic
21 achievement.

22 (E) Implement strategies that are designed to recruit, place and retain school staff with
23 the skills necessary to meet the needs of the students in the school. The strategies may in-
24 clude financial incentives, increased opportunities for promotion and career growth, and
25 more flexible work conditions.

26 (F) Provide school staff with ongoing, high-quality, job-embedded professional develop-
27 ment that:

28 (i) Is aligned with the comprehensive instructional program developed for the school; and

29 (ii) Is designed with school staff to ensure that staff are equipped to facilitate effective
30 teaching and learning and have the capacity to successfully implement school reform strat-
31 egies.

32 (b) To develop and increase teacher and administrator effectiveness, the school district
33 may:

34 (A) Provide additional compensation to attract and retain school staff with the skills
35 necessary to meet the needs of the students in the school;

36 (B) Institute a system for measuring changes in instructional practices resulting from
37 professional development; and

38 (C) Ensure that the school is not required to accept a teacher without the mutual con-
39 sent of the teacher and principal, regardless of the teacher's seniority.

40 (3)(a) To implement comprehensive instruction reform, the school district shall:

41 (A) Use data to identify and implement an instructional program that is research-based
42 and that is aligned from one grade to the next and aligned with state academic standards;
43 and

44 (B) Promote the continuous use of student data to inform and differentiate instruction
45 in order to meet the academic needs of individual students. The student data may include

1 formative, interim and summative assessments.

2 (b) To implement comprehensive instruction reform, the school district may:

3 (A) Conduct periodic reviews to ensure that the curriculum is being implemented with
4 fidelity, is having the intended impact on student achievement and is modified if ineffective;

5 (B) Implement a schoolwide model for responding and intervening if a student is having
6 difficulty learning;

7 (C) Provide additional supports and professional development to teachers and adminis-
8 trators of the school in order to implement effective strategies to support students with
9 disabilities in the least restrictive environment and to ensure that students with limited
10 English proficiency acquire language skills sufficient to master academic content;

11 (D) Use and integrate technology-based supports and interventions as part of the in-
12 structional program;

13 (E) For secondary schools, increase rigor by offering opportunities for students to enroll
14 in advanced coursework that prepares students for college and careers and providing appro-
15 priate supports designed to ensure that low-achieving students can take advantage of the
16 advanced coursework;

17 (F) Improve student transitions from middle school to high school through summer
18 transition programs or freshman academies;

19 (G) Increase graduation rates through credit recovery programs, reengagement strate-
20 gies, small learning communities, competency-based instruction and performance-based as-
21 sessments, and acceleration of basic reading and mathematics skills; and

22 (H) Establish early warning systems to identify students who may be at risk of failing
23 to achieve high standards or to graduate.

24 (4)(a) To increase learning time and create community oriented schools, the school dis-
25 trict shall:

26 (A) Establish schedules and implement strategies that provide increased learning time;
27 and

28 (B) Provide ongoing mechanisms for family and community engagement.

29 (b) To increase learning time and create community oriented schools, the school district
30 may:

31 (A) Partner with parents, parent organizations, community-based organizations and state
32 and local agencies to create safe school environments that meet the social, emotional and
33 health needs of students;

34 (B) Extend or restructure the school day to add time for advisory periods and other ac-
35 tivities that build relationships between students, faculty and other school staff;

36 (C) Implement approaches to improve the school environment and discipline at the
37 school; and

38 (D) Expand the school program to offer prekindergarten.

39 (5)(a) To provide operational flexibility and sustained support, the school district shall:

40 (A) Give the school sufficient operational flexibility to fully implement a comprehensive
41 approach to substantially improve student academic achievement; and

42 (B) Ensure that the school receives ongoing, intensive technical assistance and related
43 support from the school district board, the Department of Education and any other entity.

44 (b) To provide operational flexibility and sustained support, the school district may allow
45 the school to operate under a new governance arrangement.

1 **SECTION 5. (1) The State Board of Education shall adopt rules required for the imple-**
2 **mentation of sections 1 to 4 of this 2015 Act, including:**

3 **(a) The petition format and submission process.**

4 **(b) The appeals procedure.**

5 **(2) The Department of Education shall maintain records regarding the contents of and**
6 **outcomes from parental petitions in order to ensure appropriate implementation of sections**
7 **1 to 4 of this 2015 Act.**

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