

House Bill 2953

Sponsored by COMMITTEE ON EDUCATION

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**.

Removes sunset on achievement compacts. Allows Oregon Education Investment Board to specify timeline by which governing body of education entity must submit achievement compact to board. Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to achievement compacts; amending sections 1 and 10, chapter 519, Oregon Laws 2011, and
3 sections 14, 16, 19 and 22, chapter 36, Oregon Laws 2012; and declaring an emergency.

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

5 **SECTION 1.** Section 19, chapter 36, Oregon Laws 2012, is amended to read:

6 **Sec. 19.** [*Sections 14 to 18 of this 2012 Act*] **Sections 15, 17 and 18, chapter 36, Oregon Laws**
7 **2012**, are repealed on July 1, 2015.

8 **SECTION 2.** Section 14, chapter 36, Oregon Laws 2012, as amended by section 4, chapter 434,
9 Oregon Laws 2013, section 202d, chapter 747, Oregon Laws 2013, and section 155, chapter 768,
10 Oregon Laws 2013, is amended to read:

11 **Sec. 14.** (1) For the purposes of this section:

12 (a) "Achievement compact" means an agreement entered into between the Oregon Education
13 Investment Board and the governing body of an education entity as described in this section.

14 (b) "Education entity" means:

15 (A) A school district, as defined in ORS 332.002;

16 (B) An education service district operated under ORS chapter 334;

17 (C) A community college district or community college service district operated under ORS
18 chapter 341;

19 (D) The Oregon University System established by ORS 351.011;

20 (E) A public university listed in ORS 352.002; and

21 (F) The health professions and graduate science programs of the Oregon Health and Science
22 University operated under ORS chapter 353.

23 (c) "Governing body of an education entity" means:

24 (A) For a school district, the school district board.

25 (B) For an education service district, the board of directors of the education service district.

26 (C) For a community college district or a community college service district, the board of edu-
27 cation of the community college district.

28 (D) For the Oregon University System, the State Board of Higher Education.

29 (E) For a public university of the Oregon University System, the president of the university.

30 (F) For a public university with a governing board listed in [*section 3 of this 2013 Act*] **ORS**
31 **352.054**, the governing board of the university.

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 (G) For the Oregon Health and Science University, the Oregon Health and Science University
2 Board of Directors.

3 (2)(a) Prior to the beginning of each fiscal year, the governing body of each education entity
4 must enter into an achievement compact with the Oregon Education Investment Board for the fiscal
5 year.

6 (b) Governing bodies of education entities identified in subsection (1)(b)(A) to (C) of this section
7 shall enter into achievement compacts as part of the budgeting process under ORS 294.305 to 294.565
8 and shall submit achievement compacts to the board **as provided by the timeline specified by the**
9 **board.** [*prior to:*]

10 [(A) *October 15 of each year for governing bodies of education entities identified in subsection*
11 *(1)(b)(A) or (B) of this section; or]*

12 [(B) *July 1 of each year for governing bodies of education entities identified in subsection (1)(b)(C)*
13 *of this section.*]

14 (c) The board shall specify a process for adoption and a timeline for submission of achievement
15 compacts for education entities identified in subsection (1)(b)(D) to (F) of this section.

16 (d) The board shall provide to each school district a number quantifying the district's estimated
17 level of funding for the next fiscal year compared to the determination of funding needed to ensure
18 that the state's system of kindergarten through grade 12 public education meets the quality goals
19 specified under ORS 327.506.

20 (3)(a) The board shall establish the terms for achievement compacts.

21 (b) The terms of an achievement compact may include:

22 (A) A description of goals for outcomes that are consistent with the educational goals identified
23 in ORS 329.015, the findings described in ORS 351.003 and the mission of education provided in ORS
24 351.009.

25 (B) A description of the outcomes and measures of progress that will allow each education entity
26 to quantify:

27 (i) Completion rates for:

28 (I) Critical stages of learning and programs of study;

29 (II) The attainment of diplomas, certificates and degrees; and

30 (III) Achieving the high school and post-secondary education goals established in ORS 351.009
31 and a projection of the progress needed to achieve those goals by 2025;

32 (ii) Validations of the quality of knowledge and skills acquired by students of the education en-
33 tity; and

34 (iii) The relevance of the knowledge and skills acquired by the students of the education entity
35 and the means by which those skills and knowledge will contribute to the workforce, the economy
36 and society as described in state policy.

37 (C) Other information suggested by the governing body of an education entity and approved by
38 the board.

39 (c) Notwithstanding the terms described in paragraph (b) of this subsection, for an achievement
40 compact entered into by an education entity identified in subsection (1)(b)(F) of this section, the
41 terms of the achievement compact shall be limited to the enrollment of, and attainment of degrees
42 by, Oregon residents in programs for which the state provides funding.

43 (4)(a) The governing body of each education entity shall identify a target number and percentage
44 of students for achievement of the outcomes, measures of progress and goals specified in the
45 achievement compact for the fiscal year.

1 (b) The governing body of each education entity shall provide a target number and percentage
 2 of students for the aggregate of all disadvantaged subgroups, as defined by federal law or specified
 3 by rules adopted by the board. The target number and percentage of students must reflect the edu-
 4 cation entity’s goals of improving education outcomes for disadvantaged student groups and closing
 5 any student achievement gaps between disadvantaged student groups and other student groups.

6 (5) As part of the process of entering into an achievement compact, the governing body of an
 7 education entity shall ensure that open communications are provided to parents, students, teachers
 8 or faculty, employees, exclusive bargaining representatives and community representatives, as ap-
 9 propriate for the type of education entity represented by the governing body of the education entity.
 10 The purposes of the open communications are to explain and discuss the outcomes, measures of
 11 progress, goals and targets specified in the achievement compact for the fiscal year. The open
 12 communications must be provided during each education entity’s public budget process.

13 (6) The board shall specify the format of the achievement compacts and provide model achieve-
 14 ment compacts to the governing body of each education entity.

15 (7) The board may adopt a timeline and method for governing bodies of education entities to
 16 provide the board with a report at the end of a fiscal year that describes the achievements made
 17 by the education entities during the fiscal year. The report:

18 (a) Must include disaggregated data for each disadvantaged student group specified by the
 19 board; and

20 (b) May state achievements in numbers and percentages and in relation to the outcomes, meas-
 21 ures of progress, goals and targets specified in the achievement compact for the fiscal year.

22 **SECTION 3.** Section 14, chapter 36, Oregon Laws 2012, as amended by section 4, chapter 434,
 23 Oregon Laws 2013, section 202d, chapter 747, Oregon Laws 2013, section 155, chapter 768, Oregon
 24 Laws 2013, and section 2 of this 2015 Act, is amended to read:

25 **Sec. 14.** (1) For the purposes of this section:

26 (a) “Achievement compact” means an agreement entered into between the [*Oregon Education*
 27 *Investment Board*] **State Board of Education** and the governing body of an education entity as
 28 described in this section.

29 (b) “Education entity” means:

30 (A) A school district, as defined in ORS 332.002;

31 (B) An education service district operated under ORS chapter 334;

32 (C) A community college district or community college service district operated under ORS
 33 chapter 341;

34 (D) The Oregon University System established by ORS 351.011;

35 (E) A public university listed in ORS 352.002; and

36 (F) The health professions and graduate science programs of the Oregon Health and Science
 37 University operated under ORS chapter 353.

38 (c) “Governing body of an education entity” means:

39 (A) For a school district, the school district board.

40 (B) For an education service district, the board of directors of the education service district.

41 (C) For a community college district or a community college service district, the board of edu-
 42 cation of the community college district.

43 (D) For the Oregon University System, the State Board of Higher Education.

44 (E) For a public university of the Oregon University System, the president of the university.

45 (F) For a public university with a governing board listed in ORS 352.054, the governing board

1 of the university.

2 (G) For the Oregon Health and Science University, the Oregon Health and Science University
3 Board of Directors.

4 (2)(a) Prior to the beginning of each fiscal year, the governing body of each education entity
5 must enter into an achievement compact with the [*Oregon Education Investment Board*] **State Board**
6 **of Education** for the fiscal year.

7 (b) Governing bodies of education entities identified in subsection (1)(b)(A) to (C) of this section
8 shall enter into achievement compacts as part of the budgeting process under ORS 294.305 to 294.565
9 and shall submit achievement compacts to the board as provided by the timeline specified by the
10 board.

11 (c) The board shall specify a process for adoption and a timeline for submission of achievement
12 compacts for education entities identified in subsection (1)(b)(D) to (F) of this section.

13 (d) The board shall provide to each school district a number quantifying the district’s estimated
14 level of funding for the next fiscal year compared to the determination of funding needed to ensure
15 that the state’s system of kindergarten through grade 12 public education meets the quality goals
16 specified under ORS 327.506.

17 (3)(a) The board shall establish the terms for achievement compacts.

18 (b) The terms of an achievement compact may include:

19 (A) A description of goals for outcomes that are consistent with the educational goals identified
20 in ORS 329.015, the findings described in ORS 351.003 and the mission of education provided in ORS
21 351.009.

22 (B) A description of the outcomes and measures of progress that will allow each education entity
23 to quantify:

24 (i) Completion rates for:

25 (I) Critical stages of learning and programs of study;

26 (II) The attainment of diplomas, certificates and degrees; and

27 (III) Achieving the high school and post-secondary education goals established in ORS 351.009
28 and a projection of the progress needed to achieve those goals by 2025;

29 (ii) Validations of the quality of knowledge and skills acquired by students of the education en-
30 tity; and

31 (iii) The relevance of the knowledge and skills acquired by the students of the education entity
32 and the means by which those skills and knowledge will contribute to the workforce, the economy
33 and society as described in state policy.

34 (C) Other information suggested by the governing body of an education entity and approved by
35 the board.

36 (c) Notwithstanding the terms described in paragraph (b) of this subsection, for an achievement
37 compact entered into by an education entity identified in subsection (1)(b)(F) of this section, the
38 terms of the achievement compact shall be limited to the enrollment of, and attainment of degrees
39 by, Oregon residents in programs for which the state provides funding.

40 (4)(a) The governing body of each education entity shall identify a target number and percentage
41 of students for achievement of the outcomes, measures of progress and goals specified in the
42 achievement compact for the fiscal year.

43 (b) The governing body of each education entity shall provide a target number and percentage
44 of students for the aggregate of all disadvantaged subgroups, as defined by federal law or specified
45 by rules adopted by the board. The target number and percentage of students must reflect the edu-

1 cation entity's goals of improving education outcomes for disadvantaged student groups and closing
2 any student achievement gaps between disadvantaged student groups and other student groups.

3 (5) As part of the process of entering into an achievement compact, the governing body of an
4 education entity shall ensure that open communications are provided to parents, students, teachers
5 or faculty, employees, exclusive bargaining representatives and community representatives, as ap-
6 propriate for the type of education entity represented by the governing body of the education entity.
7 The purposes of the open communications are to explain and discuss the outcomes, measures of
8 progress, goals and targets specified in the achievement compact for the fiscal year. The open
9 communications must be provided during each education entity's public budget process.

10 (6) The board shall specify the format of the achievement compacts and provide model achieve-
11 ment compacts to the governing body of each education entity.

12 (7) The board may adopt a timeline and method for governing bodies of education entities to
13 provide the board with a report at the end of a fiscal year that describes the achievements made
14 by the education entities during the fiscal year. The report:

15 (a) Must include disaggregated data for each disadvantaged student group specified by the
16 board; and

17 (b) May state achievements in numbers and percentages and in relation to the outcomes, meas-
18 ures of progress, goals and targets specified in the achievement compact for the fiscal year.

19 **SECTION 4.** Section 16, chapter 36, Oregon Laws 2012, as amended by section 3, chapter 434,
20 Oregon Laws 2013, is amended to read:

21 **Sec. 16.** (1) Each school district and education service district shall form an achievement com-
22 pact advisory committee.

23 (2) An achievement compact advisory committee shall be responsible for developing an
24 achievement compact and ensuring that an achievement compact is implemented.

25 (3) The governing body of a district shall appoint the members of an achievement compact ad-
26 visory committee. The members shall consist of teachers, administrators and other appropriate edu-
27 cation personnel who are employed by the district. When an employee organization represents
28 educators of a district, the superintendent of the district, at the direction of the governing board
29 of the district, shall collaborate with the local president of the employee organization to recommend
30 the appointment of educators to the achievement compact advisory committee.

31 (4) An achievement compact advisory committee shall:

32 (a) Develop plans for achieving the district's outcomes, measures of progress, goals and targets
33 expressed in an achievement compact, including methods of assessing and reporting progress toward
34 the achievement of goals and targets; and

35 (b) Recommend outcomes, measures of progress, goals and targets to be contained in the
36 district's achievement compact for the next fiscal year.

37 (5) Each achievement compact advisory committee shall present its recommendations in a report
38 to the governing board of the district no later than May 1 of each year. An achievement compact
39 advisory committee's report and recommendations shall be considered by the governing board of the
40 district when entering into an achievement compact for the next fiscal year. The governing board
41 shall file the achievement compact advisory committee's report with each achievement compact it
42 adopts and forwards to the [*Oregon Education Investment Board*] **State Board of Education**.

43 **SECTION 5.** Section 10, chapter 519, Oregon Laws 2011, as amended by section 1, chapter 37,
44 Oregon Laws 2012, section 5, chapter 286, Oregon Laws 2013, section 89, chapter 624, Oregon Laws
45 2013, section 9, chapter 660, Oregon Laws 2013, section 3, chapter 661, Oregon Laws 2013, section

1 5, chapter 739, Oregon Laws 2013, section 194, chapter 747, Oregon Laws 2013, and section 6,
 2 chapter 778, Oregon Laws 2013, is amended to read:

3 **Sec. 10.** (1) Sections 1, 2, 3, 5 and 7, chapter 519, Oregon Laws 2011, are repealed on March 15,
 4 2016.

5 (2) The amendments to [section 2 of this 2013 Act] **ORS 342.208** by section 4, **chapter 286,**
 6 **Oregon Laws 2013,** [of this 2013 Act] become operative on March 15, 2016.

7 (3) The amendments to ORS 326.021 by section 88, **chapter 624, Oregon Laws 2013,** [of this 2013
 8 Act] become operative on March 15, 2016.

9 (4) The amendments to [sections 1, 2, 3 and 4 of this 2013 Act] **ORS 327.800, 327.810, 327.815**
 10 **and 327.820** by sections 5, 6, 7 and 8, **chapter 660, Oregon Laws 2013,** [of this 2013 Act] become
 11 operative on March 15, 2016.

12 (5) The amendments to [section 1 of this 2013 Act] **ORS 342.950** by section 2, **chapter 661,**
 13 **Oregon Laws 2013,** [of this 2013 Act] become operative on March 15, 2016.

14 (6) The amendments to [section 1 of this 2013 Act] **ORS 326.500** by section 4, **chapter 739,**
 15 **Oregon Laws 2013,** [of this 2013 Act] become operative on March 15, 2016.

16 (7) The amendments to [section 7 of this 2013 Act] **ORS 327.380** by section 8, **chapter 739,**
 17 **Oregon Laws 2013,** [of this 2013 Act] become operative on March 15, 2016.

18 (8) The amendments to ORS 342.443 by section 5, **chapter 778, Oregon Laws 2013,** [of this 2013
 19 Act] become operative on March 15, 2016.

20 **(9) The amendments to sections 14 and 16, chapter 36, Oregon Laws 2012, by sections 3**
 21 **and 4 of this 2015 Act become operative on March 15, 2016.**

22 [(9)] (10) The amendments to [section 1 of this 2013 Act] **ORS 326.500** by section 6, **chapter 739,**
 23 **Oregon Laws 2013,** [of this 2013 Act] become operative on July 1, 2025.

24 **SECTION 6.** Section 22, chapter 36, Oregon Laws 2012, is amended to read:

25 **Sec. 22.** The amendments to section 1, chapter 519, Oregon Laws 2011, by section 21 [of this
 26 2012 Act], **chapter 36, Oregon Laws 2012,** become operative on [July 1, 2015] **the effective date**
 27 **of this 2015 Act.**

28 **SECTION 7.** Section 1, chapter 519, Oregon Laws 2011, as amended by section 8, chapter 519,
 29 Oregon Laws 2011, and sections 20 and 21, chapter 36, Oregon Laws 2012, is amended to read:

30 **Sec. 1.** (1) The Oregon Education Investment Board is established for the purpose of ensuring
 31 that all public school students in this state reach the education outcomes established for the state.
 32 The board shall accomplish this goal by overseeing a unified public education system that begins
 33 with early childhood services and continues throughout public education from kindergarten to
 34 post-secondary education.

35 (2)(a) The board consists of 13 members as follows:

36 (A) The Governor, or the designee of the Governor; and

37 (B) Twelve members who are appointed by the Governor, subject to confirmation by the Senate
 38 in the manner provided in ORS 171.562 and 171.565, and who serve at the pleasure of the Governor.

39 (b) When determining who to appoint to the board, the Governor shall:

40 (A) Ensure that each congressional district of this state is represented by at least one member
 41 of the board; and

42 (B) Solicit recommendations from the Speaker of the House of Representatives for at least two
 43 members and from the President of the Senate for at least two members.

44 (3) The Governor, or the Governor's designee, shall serve as chairperson of the Oregon Educa-
 45 tion Investment Board.

1 (4) The duties of the board include:

2 (a) Ensuring that early childhood services are streamlined and connected to public education
3 from kindergarten through grade 12 and that public education from kindergarten through grade 12
4 is streamlined and connected to post-secondary education. To assist the board in fulfilling this duty,
5 the board shall oversee:

6 (A) The Early Learning Council established by [*section 4, chapter 519, Oregon Laws 2011*] **ORS**
7 **326.425**.

8 (B) The Higher Education Coordinating Commission established by ORS 351.715.

9 (b) Recommending strategic investments in order to ensure that the public education budget is
10 integrated and is targeted to achieve the education outcomes established for the state.

11 (c) Providing an integrated, statewide, student-based data system that monitors expenditures and
12 outcomes to determine the return on statewide education investments. The board shall provide the
13 data system described in this paragraph by:

14 (A) Developing the data system or identifying or modifying an existing data system that ac-
15 complishes the goals of the data system; and

16 (B) Ensuring that the data system is maintained.

17 **(d) Entering into achievement compacts and administering section 14, chapter 36, Oregon**
18 **Laws 2012.**

19 [(d)] (e) Working with the Quality Education Commission to identify best practices for school
20 districts and the costs and benefits of the adoption of those best practices by school districts.

21 (5) An appointed member of the board is entitled to compensation and expenses as provided in
22 ORS 292.495.

23 (6) A majority of the members of the board constitutes a quorum for the transaction of business.

24 (7) The board shall meet at such times and places specified by the call of the chairperson or of
25 a majority of the members of the board.

26 (8) In accordance with applicable provisions of ORS chapter 183, the board may adopt rules
27 necessary for the administration of the laws that the board is charged with administering, including
28 any rules necessary for the oversight of the direction and control of the Higher Education Coordi-
29 nating Commission.

30 **SECTION 8. This 2015 Act being necessary for the immediate preservation of the public**
31 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
32 **on its passage.**

33 _____