

SB 746 STAFF MEASURE SUMMARY

Senate Committee On Education

Action Date: 04/11/17

Action: Without recommendation as to passage and be returned to President's desk for referral to another committee.

Vote: 5-0-0-0

Yeas: 5 - Gelser, Hass, Kruse, Linthicum, Roblan

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Places control of Oregon Department of Education (ODE) under Superintendent of Public Instruction (SPI). Establishes SPI as statewide nonpartisan elected office, with four-year term. Requires SPI to have at least five years of experience as teacher or administrator in public elementary school or public secondary school. Requires election at least two years after Legislature is notified by Governor that current Deputy Superintendent has left office or 2026 general election, whichever is earlier. Requires Governor to appoint Deputy Superintendent if current Deputy Superintendent leaves office or is removed from office before elected SPI takes oath of office. Requires SPI to coordinate with Chief Education Officer until that office sunsets in 2019. Allows SPI to appoint deputies, who would be members of unclassified service.

On January 7, 2019, current State Board of Education will be replaced with 11-member board consisting of six nonpartisan elected members and five members appointed by Governor, subject to confirmation by State Senate. Requires at least three of the elected board members to have at least five years of experience as teachers or administrators in public elementary or secondary schools. Requires Governor to nominate members for appointment from each congressional district and consider appointees from 15-person list submitted by labor organizations representing school employees. Elected and appointed board members will serve four-year terms. Limits appointed board members to two consecutive terms. Assigns by lot staggered four-year terms for first board members. Requires board to accept oral submissions of data or views when considering adoption, amendment or repeal of administrative rule.

SPI can: file proposed legislation without approval of Governor; allow his or her deputies to lobby and work directly with Legislative Counsel to draft legislation. Prohibits SPI and board members from receiving honoraria for speaking engagements or presentations. Requires SPI to file verified statement of economic interest with Oregon Government Ethics Commission on or before April 15 of each year. Establishes requirements for candidates for SPI and elected board seats, and for filling vacancies in those positions.

Establishes SPI's salary as \$77,000 for year beginning January 1, 2019, with an additional \$250 per month for expenses, bringing the total to \$80,000 annually. Adds SPI to the list of state officials whose salaries will be determined by the Legislative Assembly each biennium on or after July 1, 2017.

Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Structure of education system in Oregon
- History of structural change
- Constitutional provisions

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EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

From 1873 until 2012, Oregon's Superintendent of Public Instruction was a nonpartisan, statewide elected office. In 2011, the Legislature passed a package of bills giving the Governor the duties of the Superintendent, assisted by a Deputy Superintendent and a seven-member State Board of Education as part of a reorganization of Oregon's education system. When the sitting Superintendent resigned in 2012, the Governor assumed the title of Superintendent. Since that time, the Governor has been the state's Superintendent, appointing a Deputy Superintendent to manage the Oregon Department of Education.