

House Bill 2763

Sponsored by Representatives WHISNANT, SMITH WARNER, Senator KNOPP, Representative HACK, Senator DEMBROW; Representative MCLAIN

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**.

Establishes Accomplished Teaching Program within Department of Education to encourage and assist teachers in earning national board certification. Establishes Accomplished Teaching Program Fund.

Declares emergency, effective July 1, 2017.

A BILL FOR AN ACT

1 Relating to teachers; and declaring an emergency.

2 Whereas teachers play a critical role in preparing students to achieve the high academic stan-
3 dards expected under the Oregon Educational Act for the 21st Century; and

4 Whereas it is important to identify and reward teaching excellence and to encourage good
5 teachers to become excellent teachers; and

6 Whereas the National Board for Professional Teaching Standards was created to improve the
7 quality of teaching; and

8 Whereas the National Board for Professional Teaching Standards has established high and rig-
9 orous standards for accomplished teaching and has developed a national voluntary system for as-
10 ssuming and certifying teachers who demonstrate teaching excellence by meeting those standards;
11 and

12 Whereas this voluntary, advanced certification does not replace Oregon teacher licensing; and

13 Whereas 20 years of research has shown that students taught by teachers who hold national
14 board certification have improved the learning outcomes of students, especially minority and low-
15 income students; and

16 Whereas currently only one percent of the licensed teachers in this state have achieved national
17 board certification; and

18 Whereas this state should aspire to having at least 10 percent of its licensed teachers achieve
19 national board certification; and

20 Whereas it is the intent of the Legislative Assembly to provide incentives for teachers to seek
21 national board certification and to reward teachers who demonstrate teaching excellence by at-
22 taining national board certification and sharing their expertise with other teachers; and

23 Whereas it is the intent of the Legislative Assembly to increase the number of national board
24 certified teachers in this state to five percent of all public school teachers by 2022; now, therefore,

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

26 **SECTION 1. (1) The Accomplished Teaching Program is established within the Depart-**
27 **ment of Education.**

28 **(2) The department shall distribute moneys under this section for the purpose of en-**
29 **couraging teaching excellence in the public schools of this state by:**
30

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 (a) Subsidizing the application fee imposed by a national professional organization for
2 teaching standards, as described in subsection (4) of this section.

3 (b) Providing moneys to be used toward the costs of seminars related to national board
4 certification, as described in subsection (5) of this section.

5 (c) Providing annual bonuses to teachers who hold national board certification and who
6 provide mentoring and related services, as described in subsection (6) of this section.

7 (3) A teacher is eligible to receive any distributions, as described in subsections (4) to (6)
8 of this section, if the teacher:

9 (a) Is employed by a school district or public charter school in this state;

10 (b) Is licensed by the Teachers Standards and Practices Commission; and

11 (c) Meets any other requirements specified for the distribution.

12 (4)(a) The department shall provide a teacher with a 90 percent subsidy of the application
13 fee imposed by a national board certification program if the teacher:

14 (A) Satisfies the prerequisites for participating in the national board certification pro-
15 gram; and

16 (B) Agrees in writing to:

17 (i) Pay the remaining 10 percent of the application fee;

18 (ii) Participate in the national board certification program during the school year for
19 which the subsidy is provided;

20 (iii) Teach in a public school in this state for at least one year after completing the na-
21 tional board certification program; and

22 (iv) Repay to the department the amount of the subsidy if the teacher does not comply
23 with the requirements described in sub-subparagraphs (i) to (iii) of this subparagraph, unless
24 the provisions of paragraph (b) of this subsection are met.

25 (b) A teacher who does not comply with the requirements described in paragraph (a)(B)(i)
26 to (iii) of this subsection is not required to repay the amount of the subsidy if the teacher:

27 (A) Completes the certification program but fails to earn national board certification and
28 meets the one-year teaching requirement; or

29 (B) Does not complete the certification program or fails to fulfill the teaching require-
30 ment because of the teacher's death or disability or because of other extenuating circum-
31 stances as identified by the State Board of Education by rule.

32 (c)(A) A person who is required to repay a subsidy under this subsection shall:

33 (i) Be considered to have consented, as a condition of employment of the state or any
34 of its political subdivisions, to the voluntary or involuntary withholding of wages or salary
35 to repay the subsidy.

36 (ii) Establish with the department a repayment schedule through payroll deductions
37 within 60 days of service of a notice of default. The department may not require the person
38 to pay more than 10 percent of the person's wages or salary per pay period under the re-
39 payment schedule.

40 (B) If a person fails to establish a repayment schedule or fails to comply with a repay-
41 ment schedule, the person has breached an essential condition of employment and is subject
42 to involuntary withholding of wages or salary for the repayment of the subsidy.

43 (C) A person who is employed by the state or any of its political subdivisions may not
44 be dismissed for having defaulted on the repayment of the subsidy.

45 (d) Subsidies provided under this subsection may not duplicated at any time for any

1 teacher.

2 (5)(a) The department shall provide a teacher with \$160 to be used toward the costs of
 3 seminars that are presented by an organization representing teachers in this state and that
 4 are for teachers interested in pursuing national board certification.

5 (b) Incentives provided under this subsection may not be duplicated at any time for any
 6 teacher.

7 (6)(a) The department shall distribute to each school district or public charter school an
 8 amount that allows the district or school to provide to a teacher:

9 (A) An annual bonus of \$5,000, if the teacher holds national board certification and sat-
 10 isfies the requirements described in paragraph (b) of this subsection; and

11 (B) An additional annual bonus of \$5,000, if the teacher teaches in a school that is con-
 12 sidered a high-poverty school under Title I of the federal Elementary and Secondary Educa-
 13 tion Act of 1965 (20 U.S.C. 6301 et seq.).

14 (b) A teacher may receive a bonus under this subsection if the teacher agrees in writing
 15 to provide the equivalent of 12 school days of mentoring and related services to public school
 16 teachers within the state who do not hold national board certification.

17 (c) An annual bonus described in paragraph (a) of this subsection shall be paid in a single
 18 payment following the completion of all required mentoring and related services for the
 19 school year.

20 (7) The State Board of Education may adopt any rules necessary to implement this sec-
 21 tion.

22 **SECTION 2.** (1) The Accomplished Teaching Program Fund is established in the State
 23 Treasury, separate and distinct from the General Fund. Interest earned on moneys in the
 24 Accomplished Teaching Program Fund shall be credited to the fund.

25 (2) The Department of Education may accept from any source any grant, donation or gift
 26 of money or other valuable item made to the department for purposes of the fund.

27 (3) Moneys credited to the fund are continuously appropriated to the department for the
 28 purposes of the Accomplished Teaching Program established under section 1 of this 2017 Act.

29 **SECTION 3.** No later than April 1, 2020, the Department of Education shall submit a re-
 30 port to the legislative committees of the Legislative Assembly related to education. The re-
 31 port must:

32 (1) Summarize the effects on the educational outcomes of this state as a result of the
 33 increased number of teachers who hold national board certification;

34 (2) Summarize the progress of reaching the goal of increasing the number of teachers
 35 who hold national board certification in this state to five percent of all public school teachers
 36 by 2022; and

37 (3) Identify the level of funding necessary to increase the number of teachers who hold
 38 national board certification in this state to 10 percent of all public school teachers.

39 **SECTION 4.** In addition to and not in lieu of any other appropriation, there is appropri-
 40 ated to the Department of Education, for the biennium beginning July 1, 2017, out of the
 41 General Fund, the amount of \$1,200,000, for the Accomplished Teaching Program Fund es-
 42 tablished under section 2 of this 2017 Act.

43 **SECTION 5.** This 2017 Act being necessary for the immediate preservation of the public
 44 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect
 45 July 1, 2017.

