

House Bill 3208

Sponsored by Representatives SPRENGER, DOHERTY

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**.

Prohibits Legislative Assembly from enacting certain legislation related to education.
Prohibits State Board of Education from adopting or amending rules unless certain exceptions apply.

Sunset provisions on January 1, 2019.

A BILL FOR AN ACT

1
2 Relating to state education laws.

3 Whereas from the beginning of 2008 until the end of 2016, a total of 3,804 bills became law in
4 Oregon; and

5 Whereas many of the new laws enacted between 2008 and 2016 related to education and imposed
6 mandates and other requirements on the school districts of this state; and

7 Whereas in 2009, the state requirements for modified diplomas and alternative certificates were
8 modified and school districts became authorized to award extended diplomas; and

9 Whereas in 2012, the 139-year-old institution of a statewide elected Superintendent of Public
10 Instruction was dismantled and the Governor became the Superintendent of Public Instruction; and

11 Whereas the Oregon Education Investment Board was created in 2011, was headed by a con-
12 troversial Chief Education Officer who resigned after one year and was restructured as the Chief
13 Education Office after just four years of operation; and

14 Whereas the Chief Education Office adds another layer of government to the education system;
15 and

16 Whereas the State Board of Education caused 14 school districts to suffer through years of un-
17 certainty related to Native American mascots, as the board adopted rules prohibiting the mascots,
18 then defied the directive of the Legislative Assembly by refusing to amend the rules and then
19 eventually complied with the legislative directive; and

20 Whereas Oregon adopted the Common Core State Standards in 2014, causing frustration in
21 classrooms as teachers were deprived of curriculum support and students relied on Internet print-
22 outs because they lacked textbooks with the new curriculum; and

23 Whereas the Oregon Assessment of Knowledge and Skills (OAKS) was replaced with the
24 Smarter Balanced assessments (SBAC) during the 2014-2015 school year, making the collection of
25 data and measurements of growth difficult for multiple school years because a baseline had to be
26 established with the new tests; and

27 Whereas only 75 percent of Oregon's class of 2016 earned high school diplomas within four
28 years, causing Oregon to be ranked 48th in the country; and

29 Whereas 53 percent of third-graders tested at the end of the 2015-2016 school year were not on
30 track in reading and writing; and

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 Whereas 31 percent of high school juniors entering their senior year were not proficient in
2 reading and writing at the end of the 2015-2016 school year, and a staggering 67 percent of high
3 school juniors were not proficient in mathematics at the end of that school year; and

4 Whereas the achievement gap based on income has closed very little and has even grown among
5 Latino, black and Native American students; and

6 Whereas students in rural and small towns are struggling in meeting proficiency standards; and

7 Whereas students and parents are experiencing testing fatigue and opting out of SBAC testing;
8 now, therefore,

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

10 **SECTION 1. (1)(a) Except as provided in paragraph (b) of this subsection, the Legislative**
11 **Assembly may not enact any legislation that:**

12 **(A) Changes the organizational structure of public education in this state;**

13 **(B) Changes the curriculum standards of public education in this state;**

14 **(C) Changes the statewide assessment system for public education in this state; or**

15 **(D) Otherwise makes any significant changes in how public education in this state is op-**
16 **erated or measured.**

17 **(b) The Legislative Assembly may enact legislation otherwise prohibited under paragraph**
18 **(a) of this subsection if the enactment is required to comply with federal law.**

19 **(2) The State Board of Education may not adopt or amend any rules that are not:**

20 **(a) Specifically authorized by the Legislative Assembly; or**

21 **(b) Required to comply with federal law.**

22 **SECTION 2. Section 1 of this 2017 Act is repealed on January 1, 2019.**

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