

SB 1521 -3, -4, -7, -8, -9 STAFF MEASURE SUMMARY

House Committee On Education

Prepared By: Lisa Gezelter, LPRO Analyst

Meeting Dates: 2/15, 2/17

WHAT THE MEASURE DOES:

Establishes job protections for school district superintendents. Establishes conditions that must be met to terminate superintendents without cause. Protects superintendents from termination for complying with state or federal law. Declares emergency, effective on passage.

FISCAL: No fiscal impact

REVENUE: No revenue impact

Senate: Third reading. Carried by Dembrow. Passed. Ayes, 16; Nays, 7.

ISSUES DISCUSSED:

- Benefits of superintendent stability
- Authority of school boards

EFFECT OF AMENDMENT:

-3 Reduces notification period from 12 months to six months. Modifies definition of state or federal law to include state or federal directives having the force of law, such as statutes, court decisions, administrative rules issued in compliance with state law and federal regulations issued in compliance with federal law. Excludes interpretive rules, general statements of policy or guidance documents not having the force of law.

-4 Reduces notification period from 12 months to six months. Modifies definition of state or federal law to include statutes; court decisions; administrative rules; regulations; orders issued in compliance with ORS chapter 183; executive orders; or other directives, declarations, or statements issued in compliance with the law that have the force of law.

-7 Removes definition of state or federal law. Inserts definition of local, state, or federal law that includes directives having the force of law, including ordinance, city or county resolutions, statutes, court decisions, administrative rules or regulations, order issued in compliance with the state's administrative procedure laws, executive order or any other directive, declaration or statement that has the force of law and is issued by local, state, or federal government entities.

No revenue impact.

Minimal fiscal impact.

-8 Replaces the measure. Enacts provision allowing contracts that provide for termination of employment of superintendent prior to contract expiration. Allows terminations without cause with six months' notice in cases where superintendents and school boards mutually agree to include such provisions in employment contracts. Prohibits school boards from directing superintendents to take action that conflicts with state or federal law, taking adverse employment actions against superintendent for complying with state or federal law, or employing superintendent under a contract that conflicts with those requirements. Defines state or federal law as state or federal directive having the force of law, including statute, court decision, administrative rule or regulation, order

SB 1521 -3, -4, -7, -8, -9 STAFF MEASURE SUMMARY

issued in compliance with ORS chapter 183, executive order, or other directives, declarations, or statements that have the force of law. Applies to contracts entered into after bill takes effect. Takes effect on the 91st day after sine die.

-9 Replaces the measure. Prohibits school boards from directing superintendent to take any action that conflicts with state or federal law, taking adverse employment action against superintendent for complying with state or federal law, or employing superintendent under contract that conflicts with those requirements. Defines state or federal law as a state or federal directive having the force of law, including statute, court decision, administrative rule or regulation, order issued in compliance with ORS chapter 183, executive order, or other directives, declaration or statements that have the force of law. Takes effect on the 91st day after sine die.

BACKGROUND:

Oregon's education statutes provide local control to school districts, within the context of the Legislative Assembly's authority over statewide policy and the delegation of authority to the State Board of Education. [ORS 332.075 \(2021\)](#) establishes the powers of locally elected school boards. One of the central responsibilities of locally elected school boards is to hire district superintendents, who generally are hired via contract for a specified number of years. During 2021, several local school boards terminated superintendents prior to the end of their contracts, including in the Greater Albany Public School district and in the Adrian School District.

Senate Bill 1521 establishes certain job protections for school district superintendents.