

**Minority Report**  
**A-Engrossed**  
**Senate Bill 1521**

Ordered by the House February 23  
Including House Minority Report Amendments dated February 23

Sponsored by nonconcurring members of the House Committee on Education: Representatives GEORGE, OWENS,  
WEBER, WRIGHT

**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.

*[Authorizes district school board to terminate superintendent without cause only if certain conditions are met.]*

Prohibits district school board from taking specified actions against superintendent when superintendent is acting in compliance with state or federal law.

*[Declares emergency, effective on passage.]*

**Takes effect on 91st day following adjournment sine die.**

**A BILL FOR AN ACT**

1  
2 Relating to school district oversight; amending ORS 332.505; and prescribing an effective date.

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

4 **SECTION 1.** ORS 332.505 is amended to read:

5 332.505. (1) As used in this section:

6 (a) "Instructional assistant" has the meaning given that term in ORS 342.120.

7 (b) "Intern teacher" means a regularly enrolled candidate of an approved educator preparation  
8 provider, as defined in ORS 342.120, who teaches under the supervision of the staff of the provider  
9 and of the employing district in order to acquire practical experience in teaching and for which the  
10 candidate receives both academic credit from the provider and financial compensation from the  
11 school district or education service district.

12 (2) A district school board may:

13 (a) Employ a superintendent of schools and necessary assistant superintendents for the district  
14 and fix the terms and conditions of employment and the compensation. The district school board  
15 shall not contract with a superintendent for more than a period of three years at a time. The con-  
16 tract shall automatically expire at the end of its term. However, the district school board may elect  
17 to issue a subsequent contract for an additional three years at any time.

18 (b) Employ personnel, including teachers and administrators, necessary to carry out the duties  
19 and powers of the board and fix the duties, terms and conditions of employment and the compen-  
20 sation.

21 (c) Compensate district employees in any form which may include, but shall not be limited to,  
22 insurance, tuition reimbursement and salaries.

23 (d) Employ instructional assistants and intern teachers subject to the rules of the State Board  
24 of Education.

**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       **(3)(a) A district school board may not:**

2       **(A) Direct a superintendent to take any action that conflicts with a state or federal law**  
3 **that applies to school districts or education service districts;**

4       **(B) Take an adverse employment action against a superintendent for complying with a**  
5 **state or federal law that applies to school districts or education service districts; or**

6       **(C) Employ a superintendent pursuant to a contract that purports to waive, or conflicts**  
7 **with, any provision or requirement of subparagraph (A) or (B) of this paragraph.**

8       **(b) As used in this subsection:**

9       **(A) “State or federal law” means a state or federal directive having the force of law, in-**  
10 **cluding a statute, a court decision, an administrative rule or regulation, an order issued in**  
11 **compliance with ORS chapter 183, an executive order or any other directive, declaration or**  
12 **statement issued in compliance with the law as having the force of law.**

13       **(B) “Superintendent” includes an interim superintendent.**

14       [3] **(4) The district school board shall maintain written personnel policies and make the policies**  
15 **available for inspection by any school employee or member of the public.**

16       [4] **(5) The superintendent of the school district shall cause each employee to be specifically**  
17 **informed of the existence and availability of the personnel policies.**

18       **SECTION 2. This 2022 Act takes effect on the 91st day after the date on which the 2022**  
19 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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