

# Purpose of Joint Committee on Public Education Appropriation

Presented by Hannah Lai, Senior Deputy  
Office of Legislative Counsel

# Constitutional requirement

- In November 2000, voters passed Ballot Measure 1, which was a voter initiative.
- The measure resulted in the enactment of Article VIII, section 8 of the Oregon Constitution.

# Article VIII, section 8

Article VIII, section 8 directs the Legislative Assembly to:

- (1) Appropriate “a sum of money sufficient to ensure that the state’s system of public education meets quality goals established by law;” and
- (2) Publish a report that:
  - (a) Demonstrates the appropriation is sufficient or identifies the reason for the insufficiency; and
  - (b) When there is an insufficiency, the extent of the insufficiency and the impact of the insufficiency on the ability of the state system of public education to meet the quality goals.

# Quality Education Commission

- The Quality Education Commission consists of 11 members who are appointed by the Governor and confirmed by the Senate and who serve for four-year terms (ORS 327.500).
- The Quality Education Commission is charged with determining if the amount of moneys appropriated by the Legislative Assembly is sufficient to meet quality goals for kindergarten through grade 12 (ORS 327.506 (2)).

# Quality Education Model

- The Quality Education Model is the means by which the Quality Education Commission determines the cost of a quality education.
- The cost of a quality education is based on the quality goals for kindergarten through grade 12, which include those established under ORS 329.007, 329.015, 329.025, 329.045 and 329.065 (ORS 327.506 (1)).

# Legislative Assembly role for K-12

- The Legislative Assembly is directed to prepare the report required under the Oregon Constitution. The report is based on:
  - (1) The determinations of the Quality Education Commission (ORS 171.857 (5)); or
  - (2) An alternative methodology, after identifying the reasons for not using the determinations of the Quality Education Commission (ORS 171.857 (6)).
- Any alternative methodology must be based on:
  - (1) Research, data and public values; and
  - (2) The performance of successful schools or professional judgment, or a combination thereof (ORS 171.857 (6)(b)).

# Legislative Assembly role for higher education

- (1) The Legislative Assembly is directed to identify whether the state's system of post-secondary public education has quality goals established by law.
- (2) If there are goals, the Legislative Assembly is required to provide in the report:
  - (a) A demonstration that the appropriation is sufficient or an identification of the reason for the insufficiency; and
  - (b) When there is an insufficiency, a determination of the extent of the insufficiency and the impact of the insufficiency on the ability of the state system of public education to meet the quality goals (ORS 171.857 (7)).

# Timeline

The report is required within 180 days after the Legislative Assembly adjourns sine die.

For this biennium, that date is December 22, 2023.



# Case law

The Oregon Supreme Court has confirmed that Article VIII, section 8 contemplates that public education will not be sufficiently funded and that the Legislative Assembly's constitutional obligations are met by publishing the report as described in the constitution (*Pendelton School District v. State*, 345 Or. 596 (2009)).

# Conclusion

Questions?