

House Bill 3024

Sponsored by Representative OWENS; Representative DIEHL (Presession filed.)

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**.

Clarifies role of district school board in selecting or developing courses of study and in implementing courses of study.

Provides that State Board of Education may require courses of study only as prescribed by statute.

A BILL FOR AN ACT

1
2 Relating to courses of study for school districts; amending ORS 326.051 and 336.035.

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

4 **SECTION 1.** ORS 336.035 is amended to read:

5 336.035. (1)(a) **Subject to paragraph (b) of this subsection, the district school board shall**
6 **select or develop courses of study for the school district and shall provide for the imple-**
7 **mentation of courses of study for the school district.**

8 [(1)] (b) The district school board shall [*see*] **ensure** that the courses of study **implemented as**
9 **provided by paragraph (a) of this subsection comply with any requirements** prescribed by [*law*
10 *and by the rules of the State Board of Education are carried out*] **statute.**

11 (c) The district school board may establish supplemental courses that are not inconsistent with
12 the prescribed courses and may adopt courses of study in lieu of [*state courses of study*] **the pre-**
13 **scribed courses** upon approval by the Superintendent of Public Instruction.

14 (2) Any district school board may establish a course of education concerning sexually transmit-
15 ted infections including recognition of causes, sources and symptoms, and the availability of diag-
16 nostic and treatment centers. Any such course established may be taught to adults from the
17 community served by the individual schools as well as to students enrolled in the school. The board
18 shall cause the parents or guardians of minor students to be notified in advance that the course is
19 to be taught. Any such parent or guardian may direct in writing that the minor child in the care
20 of the parent or guardian be excused from any class within the course. Any parent or guardian may
21 inspect the instructional materials to be used before or during the time the course is taught.

22 (3) The district school board shall coordinate the course provided in subsection (2) of this sec-
23 tion with the officials of the local health department and the Superintendent of Public Instruction.
24 Teachers holding endorsements for health education shall be used where available. A teacher may
25 not be subject to discipline or removal for teaching or refusing to teach courses concerning sexually
26 transmitted infections.

27 **SECTION 2.** ORS 326.051 is amended to read:

28 326.051. Subject to ORS 417.300 and 417.305:

29 (1) In addition to such other duties as are prescribed by law and pursuant to the requirement
30 of ORS chapter 183, the State Board of Education shall:

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) Establish state standards for public kindergartens and public elementary and secondary
2 schools consistent with the policies stated in ORS 326.011.

3 (b) Adopt rules for the general governance of public kindergartens and public elementary and
4 secondary schools.

5 (c) Prescribe required or minimum courses of study, **as provided by statute, and recommend**
6 **other courses of study.**

7 (d) Adopt rules for public kindergartens and public elementary and secondary schools consistent
8 with the policy stated in ORS 342.437.

9 (e) Adopt rules regarding school and interscholastic activities.

10 (f) Adopt rules that provide that no public elementary or secondary school shall discriminate in
11 determining participation in interscholastic activities. As used in this paragraph, “discrimination”
12 has the meaning given that term in ORS 659.850.

13 (g) Adopt rules that will eliminate the use and purchase of elemental mercury, mercury com-
14 pounds and mercury-added instructional materials by public elementary and secondary schools.

15 (2) The State Board of Education may:

16 (a) Consistent with the laws of this state, accept money or property not otherwise provided for
17 under paragraph (b) of this subsection, which is donated for the use or benefit of the public
18 kindergartens and public elementary and secondary schools and use such money or property for the
19 purpose for which it was donated. Until it is used, the board shall deposit any money received under
20 this paragraph in a special fund with the State Treasurer as provided in ORS 293.265 to 293.275.

21 (b) Apply for federal funds, accept and enter into any contracts or agreements on behalf of the
22 state for the receipt of funds from the federal government or its agencies and disburse or expend
23 the federal funds as provided by ORS 327.128. This paragraph applies to federal funds to be used for:

24 (A) Educational purposes, including but not limited to any funds available for the school lunch
25 program;

26 (B) Career and technical education programs in public elementary and secondary schools; and

27 (C) Any grants available to the state or its political subdivisions for general federal aid for
28 public kindergartens, public elementary schools and public secondary schools and their auxiliary
29 services, improvement of teacher preparation, teacher salaries, construction of school buildings, ad-
30 ministration of the Department of Education and any other educational activities under the juris-
31 diction of the State Board of Education.

32 (c) Adopt rules to administer the United States Department of Agriculture’s National School
33 Lunch Program and School Breakfast Program for public and private prekindergarten through grade
34 12 schools and residential child care facilities.

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