



## How would your students benefit from another \$100 million of state reserves meant for education? Tell your Legislators!!

**Time is running out for the Legislature to access funds for K-12 from the Education Stability Fund (ESF)** (see story below).

**The ESF was created to help stabilize K-12 funding in times of severe economic crisis; and we're there!** While more funding from the ESF won't stave off all cuts districts are making, an additional \$100 million dollars from the fund provides students with the equivalent of one full week of school state-wide. It could prevent students from losing their academic and extracurricular activities. It could prevent students being in larger classes where their interaction with teachers is more limited. And

it could mean students wouldn't have to lose as many teachers or other staff who support their achievement.

**What does \$100 million mean to districts?** Districts would receive approximately \$154 per ADMw.

**Contact your legislators NOW! Tell them what \$100 million state-wide would do for students in your district, and ask their action to provide these funds.**

Use this link to assist you in finding your legislator's contact information: [www.leg.state.or.us/findlegsltr/](http://www.leg.state.or.us/findlegsltr/).

Share your stories with OSBA by contacting Tricia Yates, OSBA associate executive director, at [tyates@osba.org](mailto:tyates@osba.org).

## Mandate for full-day kindergarten heard in committee

During the 2009 Session, the Legislature established the Full-Day Kindergarten Implementation Committee. The task of the committee was to provide *recommendations* to the 2011 Legislature on how to expand full-day kindergarten programs to all Oregon students. The majority of committee members recommended that Oregon mandate full-day kindergarten in all school districts beginning in the 2015-16 school year.

Hillsboro School Board member and OSBA board member **Patti McLeod** was a member of the committee and argued for the recommendation to include a separate appropriation to pay for the cost of full-day kindergarten. OSBA supports full-day kindergarten when it comes with a fully-funded appropriation and local control, but does not support *Senate Bill 248* which mandates full-day programs without any additional funding.

After passing the Senate on a 27-3 vote, SB 248 received a public hearing on Wednesday in the House Rules Committee. Proponents of the mandate shared stories about the positive impacts of full-day kindergarten in their schools and communities. OSBA Associate Executive Director Tricia Yates told the committee that OSBA is supportive of full-day kindergarten but has concerns because the bill does not include any additional funding.

Further complicating matters is the fact that in 2007, the Attorney General ruled that school districts could no longer charge a fee or tuition for full-day programs. After this ruling the Legislature passed a law allowing this practice to continue through the 2011-12 school year. Absent further legislative action, districts will lose the ability to charge tuition after next school year. OSBA has offered an amendment to SB 248 that would eliminate the full-day mandate and replace it with language that allows school districts to continue charging tuition until the Legislature comes up with a funding solution.

The Rules Committee will consider adopting these amendments at their next meeting on May 23. Please contact Tricia Yates, [tyates@osba.org](mailto:tyates@osba.org), for information.

## Facts about the Education Stability Fund

**Q: What is the Education Stability Fund (ESF)?**

**A:** The ESF is a reserve fund created by the Oregon Legislature as a constitutional amendment subject to voter approval; it was approved by voters in September 2002 (ORS 348.696). The fund receives 18 percent of lottery net proceeds. The size is limited to five percent of General Fund revenue. Use of the principal requires meeting criteria reflective of an economic recession, and approval by a three-fifths vote in each legislative chamber.

**Q: What are the necessary triggers for the Legislature to access the Education Stability Fund?**

**A:** Section 6, Article XV of the Oregon Constitution provides:

(6) The Legislative Assembly may by law appropriate, allocate or transfer any portion of the principal of the education stability fund created under paragraph (d) of subsection (4) of this section for expenditure on public education if:

(a) The proposed appropriation, allocation or transfer is approved by three-fifths of the members serving in each

house of the Legislative Assembly and the Legislative Assembly finds one of the following:

(A) That the last quarterly economic and revenue forecast for a biennium indicates that moneys available to the state's General Fund for the next biennium will be at least three percent less than appropriations from the state's General Fund for the current biennium;

(B) That there has been a decline for two or more consecutive quarters in the last 12 months in seasonally adjusted nonfarm payroll employment; or

(C) That a quarterly economic and revenue forecast projects that revenues in the state's General Fund in the current biennium will be at least two percent below what the revenues were projected to be in the revenue forecast on which the legislatively adopted budget for the current biennium was based; or

(b) The proposed appropriation, allocation

*Continued*

## June 1 deadline for bills approaches

This Session, about 3,000 bills have been introduced for consideration. OSBA legislative staff are tracking the progress of over 500 pieces of legislation in both the House and Senate. Another major legislative deadline for bills is fast approaching. June 1 is the deadline for legislative committees to hold a work session (vote on) bills in a policy committee in the “second chamber.”

For example, Senate bills that have passed out of the Senate must come to a vote in the House Committee they have been assigned to by June 1 or the bill will no longer be considered. In legislative lingo this means that the bill is “dead” or the bill “has died.” But there are a few exceptions: Joint Committees, like Ways and Means, are not subject to this deadline; neither are House and Senate Rules, Revenue, or Redistricting committees.

As longtime Capitol observers will tell you, many bills may be “dead” but the ideas behind them still have the opportunity to live on. No idea or proposal is truly gone until the Legislature reaches final adjournment. Many legislators are openly talking about adjourning as early as June 18, ahead of the June 30 deadline.

A few of the key bills that OSBA is tracking include:

**[Senate Bill 560](#)** – Requires school districts to update their continuous improvement plans only when significant changes are made. Passed out of House Rules Committee this week; OSBA SUPPORTS.

**[Senate Bill 800](#)** – Mandate relief omnibus bill that deletes 28 redundant or out-of-date mandates on school districts and the Department of Education. Passed out of

House Rules Committee this week; OSBA SUPPORTS.

**[Senate Bill 909](#)** – Governor Kitzhaber’s proposal to create an Oregon Education Investment Board received two public hearings this week in the Ways and Means Education Subcommittee, where it awaits further action.

Log on to OSBA’s bill tracking system at [www.osba.org/Resources/Article/Legislative/BillTracking.aspx](http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx) to find the status of bills or contact our legislative staff if you have questions about a specific bill.

### ESF facts – *Continued*

tion or transfer is approved by three-fifths of the members serving in each house of the Legislative Assembly and the governor declares an emergency.

#### **Q: How may the ESF be spent?**

**A:** Once the economic triggers have been met, allocations from the fund must be used for “expenditure on public education.” Section 4 (4)(d), Article XV of the Oregon Constitution: Earnings on moneys in the education stability fund shall be retained in the fund or expended for the public purpose of financing public education in Oregon as provided by law.

#### **Q: Why is it important that the Legislature invest more ESF money for K-12 NOW?**

**A:** If the Legislature does not appropriate the money in this session – waiting until the February 2012 session – economic trigger requirements make it unlikely that they could access the funds.

*Sources: Oregon Legislative Revenue Office Research Brief, Oregon Statutes and Constitution*

## OSBA promotes advocacy with PSU administrator class

OSBA shared the importance and impact of legislative advocacy this week with 50 Initial Administrative Licensure students from Portland State University as part of PSU’s annual Legislative Awareness Day.

OSBA Associate Executive Director Tricia Yates and Legislative and Public Affairs Specialist Lori Sattenspiel impressed on students the critical role school leaders play in advocating for public education. They urged the class to contact their legislators and offer themselves as an education resource, and provided students with advocacy tools and information, including OSBA’s advocacy guide, [Building Relationships with Legislators](#). PSU professors Dr. Tom Chenoweth and Dr. Pat Burk joined their students in thanking OSBA for the presentation.

Did you miss OSBA’s [Legislative Webinar](#) on May 18? You can view it at [www.osba.org](http://www.osba.org): click on “Legislative Webinar Recording” in the Legislative Action Network section.

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