

2011 OSBA/COSA

# LEGISLATIVE REPORT



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 OREGON  
SCHOOL  
BOARDS  
ASSOCIATION

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**COSA**

CONFEDERATION  
OF OREGON SCHOOL  
ADMINISTRATORS

September 2011



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This *2011 OSBA/COSA Legislative Report* describes the bills enacted by the 2011 Oregon Legislative Assembly that affect public schools. It was prepared jointly by the Oregon School Boards Association and the Confederation of Oregon School Administrators, whose continuing collaboration ensure that the interests of board members and school administrators are at the forefront when state laws affecting public education are enacted.

Oregon public schools are represented full-time in Salem by Chuck Bennett from COSA and Tricia Yates, Lori Sattenspiel and Morgan Allen from OSBA.

We thank all those from school districts and education service districts around the state who work with our Salem team to represent the interests of Oregon public school students. Our special thanks go to the hundreds of school district and ESD board members and administrators who contacted their legislators in person and by letter, phone, fax and e-mail. Their response to our calls to action and their effective delivery of messages from home kept the pressure on at the Capitol and made success possible for OSBA and COSA on several important issues.

We look forward to a successful supplemental session in 2012.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin McCann".

Kevin McCann  
Executive Director  
Oregon School Boards Association

A handwritten signature in black ink, appearing to read "Craig Hawkins".

Craig Hawkins  
Executive Director  
Confederation of Oregon School  
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## DEDICATION

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*This 2011 OSBA/COSA Legislative Report is dedicated to:*

***Kent Hunsaker***

*In recognition of and gratitude for eight years of dedicated service as executive director of the Confederation of Oregon School Administrators and in honor of his 44 years of service in Oregon public education.*

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# OREGON 2011 LEGISLATIVE SESSION:

## *Education and a lingering recession were dominant themes*

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State revenue forecasts in advance of the Session were down or remained flat with no speculation that the state's economy would improve over the next several years.

Political makeup of the legislature was essentially split with the House of Representatives facing a historical 30-30 divide between Republicans and Democrats, while in the Senate, Democrats held a thin 16-14 majority. Newly elected Governor Kitzhaber took office for an unprecedented third term.

Voters also had changed the environment by passing a measure creating annual sessions of the legislature. Lawmakers could take on budgets and policy questions with a new and as yet untried set of challenges and opportunities. With a new schedule, the Legislature can quickly respond to changing economic conditions or nimbly pivot on successful or unsuccessful legislative decisions.

The final days of the Session occurred against the backdrop of statewide local school budgets being developed to reflect the legislature's \$5.7 billion State School Fund allocation (another \$25 million was added with the promise that if state revenue forecasts improve prior to the 2012 Session, another \$56 million would be added). The result was daily headlines around the state of administrator, teacher and classified employee layoffs coupled with cuts in school days for the 2011-12 year. So far state revenue forecasts have been down about \$200 million – not enough to trigger cuts in state education funding but sufficient to call the \$56 million into question. Final determination of the state's financial health will

await forecasts in November and February (the month the legislature goes back into its 2012 Session). The only good sign in school funding was that the ever declining share of state general funds spent on K-12 as a percentage of the General Fund did not decrease for the first time in many sessions.

### *Reforms to Oregon's education system*

As it relates to general education policy, it is best to view the Session as the beginning of a transition. Substantial discussion by legislators focused far more on a variety of "reform" issues urging education advocates to move away from "just focusing on the money." Movement in this direction came in legislation by Gov. Kitzhaber, who focused attention on changing the structure of education at the state level. His signature bill was SB 909, which began what is expected to be a significant revamping of statewide education governance from early childhood through university level education. At its core was creation of the Oregon Education Investment Board (OEIB) and the Early Learning Council (ELC). The two boards have been appointed and are expected to bring legislation into the 2012 Session aimed at redesigning and improving state and local coordination of a range of social and educational programs at the early childhood, K-12, community college and university systems. In a related bill, SB 552, the Governor was designated as the Superintendent of Public Instruction at the end of the term currently held by Superintendent Susan Castillo. The bill also specifies substantial requirements for the Deputy Superintendent, who would manage the Department of Education and be appointed by the Governor.

### *Success for mandate relief*

The legislature also reversed another longstanding trend and began a process to repeal some state mandates on local districts; OSBA and COSA took the lead in 2011, and will continue to lead the "mandate relief process" efforts in future Sessions. SB 800 eliminated or revised 28 outdated or redundant state laws effecting local districts and the Department of Education including SIF reporting requirements, some performance reports, some contents in the Oregon Report Card and others. The bill was part of a project stretching over several sessions. In related legislation, SB 560, the Continuous Improvement Plan process was streamlined by requiring updates of the plans only when substantial changes are made to it.

### *Changes for ESDs*

ESDs were the topic of discussion throughout the Session with a substantial bill becoming part of a package of bills voted out in the waning days. SB 250 was amended over 30 times and was passed when legislators lit on a plan that lowered the ESD share of the State School Fund to 4.5 percent from the current 4.75 percent (the resulting funds are being distributed to districts through the school funding formula). The bill also allowed school districts in four ESDs to opt out of them with notice – these ESDs were Willamette, Multnomah, and Northwest Regional along with Baker County districts included in the Intermountain ESD. It also established the Office of Regional Education Services at ODE, which will make recommendations to future legislatures on statutory and policy changes related to ESDs.

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## *Charter schools*

Three of the Session's most controversial education bills were also part of the package passed in the final days. HBs 3645 and 2301 dealt with charter schools. HB 3645 will allow charter school applicants to go to community colleges, state institutions of higher education and Oregon Health and Sciences University. The bill goes into effect next year and will sunset in 2017. HB 2301 vastly expands the potential size of on-line charter schools by increasing the percentage of students from an individual district that can enroll to 3 percent of a district's total student count. It removed the requirement that 50 percent of the students in an on-line charter school must come from the sponsoring district.

## *Inter-district transfers*

The final bill in the Session-closing education package, HB 3681, allows students to transfer out of their current district without district permission. It also substantially increased the responsibilities of the receiving district by requiring them to develop transfer policies, including the number of students who can transfer, establishing a lottery system for slots if more students from outside a district apply than there are slots available and accepting all student

applicants without limitation. Receiving districts also must maintain the previous district's IEP until a new one can be written. Once a student is accepted, the receiving district cannot rescind the acceptance. The bill doesn't go into effect until 2012.

These final three bills represent a new legislative thrust based on a doctrine of "parent's rights." Expectations are that these kinds of bills will be introduced in the future with some measure of success.

## *The path ahead*

The next big tasks from the 2011 Session are at the Department of Education, which is charged with writing the rules that implement much of the statutory changes, and at the newly created OEIB, which will be developing legislation for the 2012 Session. A variety of committees, task forces and interim committees also begin work in September to review legislation and begin preparing new proposals. COSA and OSBA will be working with a variety of internal groups and outside coalitions as well as participating in rulemaking and interim committees to address issues posed by this new thrust in education lawmaking.

# FINANCE BILLS

## HB 2825

*Chapter 199, (2011 Laws): Effective date September 29, 2011.*

House Bill 2825 requires state agencies to submit information about tax expenditures that purport to have an impact on economic development in Oregon to the Oregon Department of Administrative Services; the information is to be posted to the Oregon state transparency website.

## HB 3359

*Chapter 461, (2011 Laws): Effective date July 1, 2011.*

Several small school districts in Oregon host foreign exchange students in their school dormitories; current law allows these students to be claimed as resident students for state school fund purposes but that law expired after the 2010-11 school year. Under House Bill 3359, school districts that hosted these types of exchange students in 2010-11 may continue to host these students in the 2011-12 and 2012-13 school years and count the foreign students as resident students for state school fund purposes. These districts are capped at the number of foreign exchange students they had during the 2010-11 school year and each district must submit a report to the interim education committees by October 1, 2012, that includes funding options for hosting foreign exchange students as dormitory residents.

## HB 3543

*Chapter 299, (2011 Laws): Effective date January 1, 2012.*

Under current Oregon law, Oregon taxpayers receive any “kicker” refunds in the form of a check. House Bill 3543 changes these “kicker” refunds to tax credits rather than refund checks beginning with the 2013 biennium.

## HB 5020

*Chapter 619, (2011 Laws): Effective date July 6, 2011.*

House Bill 5020 is the budget bill for the Oregon Department of Education. The Legislature approved a total

funding level of \$1.65 billion dollars for the agency (this does not include the State School Fund (SSF)); this represents an 11.7 percent decrease from the 2009-11 biennium (primarily due to the loss of federal stimulus dollars). The budget also eliminates 17.43 FTE at ODE and the School for the Deaf.

As part of the budget reduction, 4<sup>th</sup> and 7<sup>th</sup> grade writing assessments were suspended for the 2011-13 biennium. Grant-in Aid programs experienced a total funds decrease of 10.2 percent, but funding for Early Intervention/Early Childhood Special Education (EI/ECSE) and Oregon Pre-Kindergarten (Head Start) were maintained at the current service level of funding. The Legislature included \$2 million in the General Fund for Local Option Equalization Grants for the biennium.

## HB 5042

*Chapter 412, (2011 Laws): Effective date July 1, 2011.*

House Bill 5042 is the budget bill for the Department of State Lands (DSL). DSL monitors the Common School Fund, regulates Oregon’s public waters, and administers the state’s unclaimed property and estate laws. The biennial budget was approved at \$42,406,994, about \$1.8 million less than the 2009-11 biennial budget, and reflects a slight reduction in the number of positions (108).

## HB 5055

*Chapter 496, (2011 Laws): Effective date June 23, 2011.*

House Bill 5055 appropriates money from the Education Stability Fund for several purposes, including: \$13.8 million to address the federal Maintenance of Effort (MOE) shortfall for special education during the 2009-11 biennium; \$5 million to fund SB 252; \$8.6 million to fund SB 453; and \$25 million for the 2011-13 SSF appropriation (added to the School Year Subaccount—see House Bill 5055 and Senate Bill 5552). This brings the 2011-13 SSF total to \$5.725 billion.

## SB 18

*Chapter 699, (2011 Laws): Effective date, August 2, 2011.*

Oregon voters approved Measure 68 in May 2010, allowing the Legislature to issue general obligation bonds (XI-P) for K-12 school construction and capital costs. Senate Bill 18 puts in place the infrastructure necessary to issue and distribute these bond monies should the Legislature issue any XI-P bonds in upcoming biennia; the bill establishes the statutory provisions required for the Superintendent of Public Instruction to borrow money pursuant to Article XI-P of the Oregon Constitution for capital costs of school districts.

## SB 252

*Chapter 706, (2011 Laws): Effective date, August 2, 2011.*

Senate Bill 252 establishes the School District Collaboration Grant Program, administered by the Oregon Department of Education, to allow school districts to apply for funds to help improve student achievement. The bill, which is based on the Chalkboard Project’s CLASS program, allows for voluntary collaboration of teachers and administrators to design and implement new approaches to evaluation, professional development, compensation, and career paths. The Legislature appropriated \$5 million from the Education Stability Fund to finance the program during the 2011-13 biennium.

## SB 453

*Chapter 710, (2011 Laws): Effective date, August 2, 2011.*

Senate Bill 453 changes the criteria that allow a small elementary school to qualify as a remote small elementary school and receive additional ADMw weighting from the SSF. The new criteria allow a school to qualify if it is not within eight miles of another elementary in the same school district and has been operating from the same location since January 1, 1995. According to data from the Oregon Department of Education and the Legislative Revenue

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Office, 22 more elementary schools will qualify for an additional \$8.6 million under the formula change. The change is effective with SSF payments beginning in the 2011-12 school year. The Legislature appropriated the \$8.6 million (in House Bill 5055) to pay for the additional weights to the SSF from the Education Stability Fund.

### SB 939

*Chapter 630, (2011 Laws): Effective date, July 6, 2011.*

Senate Bill 939 is a state financial administration bill that is necessary to implement the legislatively approved budget; it is not an appropriation bill. Similar measures are passed into law each session. One notable aspect of SB 939 is that it defunds the Oregon School Facilities Task Force created by the 2009 Legislature; there will not be a subsequent report on the state of school facilities in Oregon.

### SB 5510

*Chapter 572, (2011 Laws): Effective date, July 1, 2011.*

Senate Bill 5510 is the budget bill for the Employment Relations Board (ERB). ERB's budget was approved at \$932,803 General Fund, \$1,864,507 Other Funds, and 13.00 full-time equivalent positions. The general fund is reduced from the 2009-11 Legislatively Approved Budget (LAB) through March 2011 by 42.5 percent while Other Funds and FTE are increased by 6 percent and 4 percent respectively. Total funds are reduced 17.3 percent from LAB.

The mission of the ERB is to resolve labor relations disputes for an estimated 3,000 employers and 250,000 employees in public and private employment in the state. The agency is responsible for administering specific portions of Oregon law: the Public Employee Collective Bargaining Act, which governs collective bargaining in state and local government; the State Personnel Relations Law, which creates appeal rights for non-union state employees who believe they were treated unfairly in the workplace; and the private sector labor-management relations law, which addresses collective bargaining for private sector employers who are not covered by federal law.

### SB 5552

*Chapter 20, (2011 Laws): Effective date, July 1, 2011.*

Senate Bill 5552 authorizes the state's portion of the State School Fund Formula Revenue. General state support for K-12 schools and education service districts is provided through the SSF. Certain local revenue, primarily property taxes, are included as SSF Formula Revenue for allocation purposes, but stay in the districts where collected and are not part of the state budget. Formula revenue is available for general school operations. It does not include bond revenue or state and federal categorical aid. SB 5552 includes a General Fund, Lottery Funds, Other Funds, and Common School Fund distribution totaling \$5.7 billion for the 2011-2013 biennium. An additional \$25 million

was added to the State School Fund (specifically the School Year Subaccount) in House Bill 5055, bringing the total State School Fund appropriation to \$5.725 billion dollars. See Senate Bill 5553 for additional information related to the conditions of the School Year Subaccount.

### SB 5553

*Chapter 21, (2011 Laws): Effective date, July 1, 2011.*

Senate Bill 5553 created the 2011-2012 "School Year Subaccount" within the SSF and included \$100 million from the Education Stability Fund (an additional \$25 million was later added via House Bill 5055). School districts are eligible to use this portion of the SSF for smaller class sizes or to enhance learning opportunities; ESDs are not eligible for these funds. School districts must provide a written plan and proof of compliance with these requirements to the Legislature by January 15, 2012. The Legislative Fiscal Office is required to review the reports and update the Legislature on compliance.

# PROGRAM BILLS

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## HB 2047

*Chapter 278, (2011 Laws): Effective date January 1, 2012.*

House Bill 2047 designates private residential boarding schools providing academic education and therapeutic care as “child-caring agencies” that are subject to the licensure requirements of the Department of Human Services (DHS). Although it does not directly affect school districts, students may be moving between these private schools and public schools; DHS now has authority over private schools that provide therapeutic programs and can more easily remove a child from such a school.

## HB 2180

*Chapter 440, (2011 Laws): Effective date July 1, 2011.*

Under current Oregon Administrative Rules adopted by the State Board of Education, school districts are required to prepare a written plan for their Talented and Gifted (TAG) programs and services. House Bill 2180 requires that the plan be submitted to the Superintendent of Public Instruction. While the Superintendent does not “approve” the plan, the plan must contain at a minimum: a statement of school district policy regarding TAG; an assessment of current TAG programs in the district; a statement of TAG goals for the district; a description of how the district plans to meet the goals; and, a plan for evaluating the progress of meeting the district’s TAG goals. The bill also says that a school district is not eligible for TAG grants without a TAG plan submitted to the Superintendent of Public Instruction.

## HB 2210

*Chapter 357, (2011 Laws): Effective date January 1, 2012.*

House Bill 2210 allows counties to be reimbursed for traffic safety/driver education courses from the Student Driver Training Fund.

## HB 2220

*Chapter 139, (2011 Laws): Effective date July 1, 2012.*

House Bill 2220 allows the Oregon Department of Education to make available to school districts and public charters schools using or implementing proficiency based educational models an assessment system that is proficiency-based. School districts are not required to use the proficiency-based assessments.

## HB 2280

*Chapter 647, (2011 Laws): Effective date August 2, 2011.*

House Bill 2280 gives the Oregon Department of Education the authority to initiate a performance or financial audit of a school district or education service district, based on criteria developed by the State Board of Education. The bill also gives the Secretary of State the authority to initiate a performance audit of a school district or education service district in their role as State Auditor, based on criteria developed by the Secretary. School districts and education service districts have the ability to share information with the Department of Education or the Secretary of State prior to the initiation of the audit; based on this information, ODE and the Secretary may choose whether or not to proceed with the audit. This provision gives each district the opportunity to make their case as to why an audit may not be needed or warranted. Although districts can be compelled to pay for costs associated with the audits, the intent of the bill is to initiate audits in cases of malfeasance or other evidence of mismanagement.

## HB 2282

*Chapter 105, (2011 Laws): Effective date July 1, 2011.*

House Bill 2282 requires that residential facilities that provide services to children 21 years of age and younger provide appropriate educational services to their school-age residents. Currently, school districts and education

service districts provide these educational services to students through the Oregon Department of Education; this bill does not alter these types of arrangements; it mandates that all of these facilities provide education services.

## HB 2283

*Chapter 286, (2011 Laws): Effective date July 1, 2011.*

House Bill 2283 makes several significant changes to the statutes related to modified diplomas, extended diplomas, and alternative certificates.

First, it clarifies that a parent or guardian must give consent for a student to be placed on a path other than a regular diploma if the student is under 18 and does not have the right to determine for himself. If the student is 18 or older, the district must have the consent of the student.

Second, the bill specifies that students on a path other than a regular diploma have the right to pursue their path for four years beginning in grade 9, or until age 21 if they are permitted to continue attending school under federal law. A waiver of this provision is available but cannot be less than three years to achieve the pathway. School districts must inform the Superintendent of Public Instruction of any such waivers.

Third, the bill specifies that students on one of the three optional pathways must have access to the minimum number of instructional hours provided to a student on a regular diploma path, i.e., 990 hours. The bill continues to allow the student’s Individualized Education Program (IEP) team to determine if less than 990 hours are appropriate for the student, but prohibits school districts from unilaterally going below 990 hours for every student on an optional pathway. A school district must notify the student’s parent of this rule if they decide to go below the minimum number of instructional hours and request a signed acknowledgment that the IEP team has made such a determination. Finally, the bill specifies that

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students on one of the optional tracks must be able to access their necessary academic courses “onsite” at the school or program they attend. This does not mean that every high school in a district must make identical services available at each school. This bill also applies to public charter schools.

### HB 2285

*Chapter 240, (2011 Laws): Effective date July 1, 2011.*

House Bill 2285 is related to the “consent” needed to allow students to pursue a modified diploma, extended diploma or alternative certificate outlined in House Bill 2283. It clarifies that a parent or guardian must give consent for a student to be placed on a path other than a regular diploma if the student is under 18 and does not have the right to determine for himself. If the student is 18 or older, the district must have the student’s consent unless a court has determined that the student is incapable of giving consent and needs a parent or guardian to do so.

### HB 2289

*Chapter 648, (2011 Laws): Effective date August 2, 2011.*

House Bill 2289 establishes the Task Force on Accountable Schools, which is to deliver a report with recommendations to the interim legislative education committees by January 1, 2012. The task force is charged with developing a plan to improve accountability practices for schools. Areas where the task force is charged with making recommendations include: student summative assessments, measures of college and career readiness, a statewide performance report and rating system based on letter grades, formative testing, and tools and assistance schools need to meet state standards. The bill also amends ORS 342.123 to allow first-time applicants for a teaching license who hold a non-immigrant visa to be exempt from demonstrating knowledge of ethical standards of professional conduct or federal and state statutes prohibiting discrimination.

### HB 2299

*Chapter 443, (2011 Laws): Effective date July 1, 2011.*

House Bill 2299 changes charter school law and makes students who attend a charter school out of their district resident students of the school district that sponsors the charter school. All state school fund dollars will flow through the sponsoring district and the resident district is no longer responsible for the special education needs of the child. The bill also requires the charter school to notify the sponsoring district within 10 days when an out-of-district student enrolls at the charter school. After receiving this notification, the sponsoring district has 10 days to notify the parent or guardian of the student that they (the sponsoring district) are responsible for meeting the special education needs of the child and provide contact information if the parent or guardian has further questions. When an out-of-district student leaves the charter school for any reason other than graduation, the sponsoring district must notify the resident district and the parent or guardian of the student. The parent or guardian must receive written information from the sponsoring district about the requirement of the resident district to provide special education services and that district’s contact information. When a student enrolls in an out-of-district charter school or goes back to their resident district and enrolls in any school, the IEP must be implemented as written until the IEP team meets and finishes a new IEP plan (if any) for the student.

### HB 2301

*Chapter 649, (2011 Laws): Effective date August 2, 2011.*

House Bill 2301 modifies the provisions related to virtual charter schools, board structure, instructional hours, and enrollment requirements. The measure allows up to three percent of a district’s student population the flexibility to enroll in a virtual charter school that is not sponsored by the district, without needing district approval. If more than three percent of the resident students are already enrolled, the student must have district approval. If the school

district does not provide approval, the student may appeal the decision to the State Board of Education, who must issue a decision within 30 days of submission of the appeal. The bill requires virtual public charter schools to have at least 95 percent of schools’ instructional hours taught by licensed teachers.

### HB 2939

*Chapter 665, (2011 Laws): Effective date January 1, 2012.*

House Bill 2939 prohibits the use of mechanical restraint, chemical restraint, or prone restraint on students in Oregon public schools or public education programs. The bill allows for the use of physical restraint or seclusion with students if their behavior imposes a threat to their safety or the safety of others and other methods of controlling the behavior of the student are ineffective. The bill also establishes time limits and rules for seclusion and restraint such as access to bathroom or water breaks and the continuous monitoring of the situation by staff and administrators. Parents or guardians of students who are restrained or secluded must be notified by the end of the school day and receive written details of the incident. After each incident, the school personnel must meet for a debriefing meeting within two school days to discuss and document the incident; the notes from the meeting must be shared with the parent or guardian. The bill also requires school districts and education service districts to prepare an annual report detailing the use of physical restraint and seclusion for the previous school year and make this report available to the public. The law takes effect January 1, 2012, and sunsets on June 30, 2017.

### HB 3042

*Chapter 378, (2011 Laws): Effective date June 16, 2011.*

House Bill 3042 allows students between the ages of 18 and 20 who are enrolled in culinary arts programs to use or consume alcoholic beverages as part of the educational program or culinary arts competition. The use must be supervised and a student cannot consume more than two ounces of alcohol in a two-hour class period.

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## HB 3106

*Chapter 456, (2011 Laws): Effective date January 1, 2012.*

House Bill 3106 will strengthen the Expanded Options Program by ensuring that school districts both meet the demand for the program and make it available to as many students as possible. At-risk students are given additional options to continue or complete their education, earn concurrent high school and college credits, and gain early entry into post-secondary education. The bill requires districts to give priority to and increase the number of at-risk students when entry into accelerated college credit programs is limited. Some school districts chose to waive out of the Expanded Options Program because they offer alternatives like Advanced Placement or International Baccalaureate classes. The waiver process is tightened to decrease the number of districts that opt-out of the program.

## HB 3362

*Chapter 682, (2011 Laws): Effective date August 2, 2011.*

House Bill 3362 implements the Task Force recommendations from 2009 legislation that established the Career and Technical Education Task Force (CTE) and charged it with developing a plan to increase collaboration among elementary and secondary schools, community colleges, labor, business and industry and making recommendations regarding the revitalization of CTE in Oregon.

House Bill 3362 provides funding for a grant program for CTE programs at ten schools, establishing the framework for a system of educational pathways similar to the career pathways Oregon is emphasizing in other workforce development efforts. The bill also allows sponsors of a public charter school to enter into cooperative agreements with other school districts for purposes of forming partnerships to provide CTE.

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## HB 3417

*Chapter 684, (2011 Laws): Effective date August 2, 2011.*

House Bill 3417 requires a financial management system for public charter schools, which must be compatible with that of the sponsoring district, by the time the charter school opens. The bill requires district extended weighted average daily membership (ADMw) to be calculated separately for students in public charter schools and students in district schools.

## HB 3645

*Chapter 695, (2011 Laws): Effective date January 1, 2012.*

House Bill 3645 allows community colleges, public institutions of higher education within the Oregon University System or the Oregon Health and Sciences University to sponsor a public charter school. The bill provides that public charter schools must initially apply to the school district in which the school is located and upon any denial may then apply with the State Board of Education or an institution of higher education for sponsorship. An institution of higher education has the ability to say “no” to a charter developer applying for sponsorship and the “no” is not appealable. The bill outlines the sponsorship requirements of a higher education institution and provides a similar funding mechanism as current school district sponsorship of charter schools.

## SB 3

*Chapter 544, (2011 Laws): Effective date, June 28, 2011.*

Senate Bill 3 is modeled after the federal “Rosa’s Law” and modifies Oregon education statutes by replacing the words “mental retardation” with “intellectual disability.” The bill prohibits the words “retardation” or “mental retardation” from being used in an IEP or in reference to a child with an intellectual disability. The bill also requires that any IEP that uses the terms “retardation” or “mental retardation” currently remove those words and replace them with “intellectual disability.”

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## SB 22

*Chapter 315, (2011 Laws): Effective date, July 1, 2011.*

Senate Bill 22 is intended to bring equity to educational programs operated under the Youth Corrections Education Program (YCEP) and Juvenile Detention Education Program (JDEP) by allowing them to participate in specified programs and activities (and receive funding) under the Oregon Educational Act for the 21st Century. Additionally, the measure requires the State Board of Education to adopt rules and standards for YCEP and JDEP operations that allow a school district or ESD under contract to run the educational programs to award high school diplomas, modified diplomas, extended diplomas and alternative certificates. The Board also must write rules that allow for participation in the Oregon Teacher Corps program, administration of assessments, and staff participation in the teacher and administrator mentoring programs.

## SB 24

*Chapter 546, (2011 Laws): Effective date, July 1, 2011.*

Under current law, if a high school student receives a passing score on his Oregon Assessment of Knowledge and Skills (OAKS) assessment in reading and writing, that satisfies the state graduation requirements for four credits of English Language Arts. The same is true if a student passes the OAKS math exam; this satisfies the three credits required for math. Senate Bill 24 removes this option for earning credits based solely on OAKS scores, while retaining the ability of school districts to award credit for student proficiency under OAR 581-022-1131.

## SB 26

*Chapter 301, (2011 Laws): Effective date, July 1, 2011.*

Senate Bill 26 eliminates the option for private elementary or secondary schools to register with the Oregon Department of Education. Prior to passage of this law, ODE was required to maintain a registry of private schools who wished to voluntarily share their information.

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## SB 27

*Chapter 316, (2011 Laws): Effective date, July 1, 2011.*

Oregon law requires school districts to submit their annual audits to the Department of Education (ODE) for review. School boards are also required to adopt a plan for correcting deficiencies identified by audits. If audits identify deficiencies in the same area for two or more consecutive years, the Superintendent of Public Instruction and ODE may withhold ten percent of the district's SSF payment. Senate Bill 27 applies these same audit submission standards to education service districts; prior to passage of the bill, ESDs were not required to submit their audits to ODE.

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## SB 248

*Chapter 704, (2011 Laws): Effective date, January 1, 2012.*

Senate Bill 248 allows school districts to offer full-day kindergarten and receive a full 1.0 ADMw for kindergarten students beginning in the 2015-16 school year. It also allows school districts to continue charging tuition for extended day kindergarten programs through the 2014-15 school year. The bill does not mandate that school districts offer full-day kindergarten and does not identify an additional appropriation to offset the change in the funding formula.

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## SB 250

*Chapter 705, (2011 Laws): Effective date, August 2, 2011.*

Senate Bill 250 allows specified school districts to withdraw from education service districts. School districts may withdraw if they are in any of the following: Northwest Regional ESD, Multnomah ESD, Willamette ESD, or Baker County. SB 250 requires the education service district to distribute to withdrawing school districts, the school district's prorated amount of specified funds available to the education service district. The measure reduces the amount of distribution to ESDs in 2011-2012 and again in 2012-13, from 4.75 percent to 4.5 percent. It clarifies the scope of prorated funds to

be distributed to a school district upon its withdrawal from an education service district. It directs that a withdrawing school district receive 90 percent of the district's prorated share of specified funds available to an education service district. SB 250 also creates the Office of Regional Educational Services (ORES), under the direction and control of the State Board of Education, with a director of the ORES selected by the Superintendent of Public Instruction. The ORES is directed to establish best practice policies and benchmarks, provide training and support to ESD superintendents, and make recommendations. The measure provides that the ORES may expend no more than \$500,000 per biennium from its new account and that excess monies in the account must be transferred back to the State School Fund on June 30 of each odd-numbered year for distribution to school districts.

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## SB 254

*Chapter 639, (2011 Laws): Effective date, July 20, 2011.*

Senate Bill 254 allocates \$250,000 to the Oregon Department of Education to award grants to school districts for accelerated college credit programs. The grants may be used for teacher training, assisting students in covering costs related to the programs, and providing classroom supplies for the programs. The bill requires the Joint Boards of Education to develop statewide standards for dual credit programs for public high schools, community colleges and the Oregon University System; these standards will first apply to the 2013-2014 school year. Each school district is required to offer accelerated college credit programs in math, English and science by the 2014-2015 school year. There is also a requirement for an annual report on the academic performance of students in the dual credit programs for the institutions and school districts.

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## SB 330

*Chapter 551, (2011 Laws): Effective date, June 28, 2011.*

Senate Bill 330 establishes the Task Force on the Instruction of Talented and Gifted Children (TAG). The Super-

intendent of Public Instruction makes the appointments and the Department of Education staffs the Task Force. The Task Force is charged with determining resources needed for TAG instruction, appropriate levels of TAG funding, and how many students would be served. A report is due to the Legislature by October 1, 2012.

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## SB 331

*Chapter 302, (2011 Laws): Effective date, July 1, 2011.*

Oregon law requires the Oregon Department of Education to contract for a nationally-normed assessment to be given to all 10th grade students free of charge; the current vendor for this contract is the College Board. Senate Bill 331 allows school districts that were using the ACT tenth grade assessment during the 2007-2008 school year to continue to seek a one-year waiver (renewable yearly) from this requirement to give their students the PSAT. If the waiver is approved, the school districts are reimbursed for the cost of their assessments.

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## SB 480

*Chapter 711, (2011 Laws): Effective date, August 2, 2011.*

Senate Bill 480 allocates \$180,000 to the Oregon Department of Education to provide grants to school districts, government agencies and community groups that participate in the United States Department of Agriculture's Afterschool Meal and Snack Program. The grants are limited to a maximum of \$10,000 and are to be used to purchase equipment, meet sanitation requirements or for outreach.

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## SB 801

*Chapter 565, (2011 Laws): Effective date, January 1, 2012.*

Senate Bill 801 directs the State Board of Education to adopt guidelines for best practices of administering statewide assessments of students. The bill also prohibits school districts from re-testing students who have test scores that meet or exceed the OAKS standards set by the state.

# PERSONNEL BILLS

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## HB 2036

*Chapter 210, (2011 Laws): Effective date June 1, 2011.*

House Bill 2036 clarifies application of the law related to unlawful discrimination against a person with disabilities. (ORS 659A.103 through 659A.145) Current law contains provisions for employers, employment agencies, labor organizations, places of public accommodation, places of transient lodging, and programs and services offered by state government. As currently written, the entire section is made applicable to employers. House Bill 2036 limits the number of subsections made applicable to employers, to include only those related to employment practices.

## HB 2094

*Chapter 99, (2011 Laws): Effective date January 1, 2012.*

House Bill 2094 allows up to a 45-day delay in the reconsideration proceeding for notice of claim closure in workers' compensation claims if both parties are in the process of settlement negotiations and agree to the delay.

## HB 2113

*Chapter 722, (2011 Laws): Effective date August 5, 2011.*

House Bill 2113 amends the law relating to crediting of earnings on Public Employees Retirement System (PERS) member accounts for purposes of conforming law to the Oregon Supreme Court decision of *Strunk v. Public Employees Retirement Board (PERB)*. The bill authorizes the use of trustee-to-trustee transfers to fund specified retirement credit purchases under PERS. It modifies vesting dates for the pension program and individual account program of the Oregon Public Service Retirement Plan (OPSRP). Finally, the bill allows PERB to offer Roth Individual Retirement Account contributions within the Oregon Growth Savings Plan program.

## HB 2183

*Chapter 606, (2011 Laws): Effective date January 1, 2012.*

House Bill 2183 creates the violation of making a false report of child abuse punishable as a Class A violation and carrying a maximum fine of \$720. This violation is committed if, *with the intent* to influence a custody, parenting time, visitation or child support decision, a person makes a false report of child abuse to the Department of Human Services or a law enforcement agency, knowing that the report is false, or knowingly makes a false report of child abuse to a public or private official in order to encourage him or her to make a report of such to the Department of Human Services or a law enforcement agency.

## HB 2371

*Chapter 362, (2011 Laws): Effective date June 16, 2011.*

House Bill 2371 directs the Oregon Health Authority (OHA) to adopt rules requiring entities that administer and receive vaccines from OHA to report to an immunization registry and certify that employees have completed training on the storage, handling and administration of vaccines.

## HB 2456

*Chapter 653, (2011 Laws): Effective date August 2, 2011.*

House Bill 2456 prohibits the Public Employees Retirement Board (PERB) from paying increased benefits by reason of state income taxation of payments made by the Board if the person receiving payments does not pay Oregon income tax on their retirement benefits. The measure *does not apply* to certain retirees whose retirement date is on or before January 1, 2012.

Upon applying for retirement payments, a PERS member must provide a written statement to PERB that indicates whether the payments are subject to Oregon personal income tax, and

must notify the Board when that status changes. If the member fails to submit the written statement, or indicates that payments are not subject to Oregon personal income tax, PERB may not pay the increased benefit. The bill establishes procedures for enforcement and compliance and provides for expedited review by the Oregon Supreme Court upon petition by an adversely affected party.

## HB 2828

*Chapter 118, (2011 Laws): Effective date January 1, 2012.*

House Bill 2828 creates unlawful employment practice if an employer who employs 10 or more persons ceases to provide health, disability, life or other insurance during the period the employee is serving or is scheduled to serve as a juror and the employee notified their employer of election to have coverage continue.

Currently, ORS 10.090 directs an aggrieved prospective juror or juror to serve or petition the district attorney with his complaint. The circuit court has the power to remedy employer violations through such tools as reinstatement of the employee with back pay.

## HB 3450

*Chapter 489, (2011 Laws): Effective date January 1, 2012.*

House Bill 3450 reduces the timeline enacted in 2007 legislation. Senate Bill 248 (2007) established that employment arbitration and noncompetition agreements are voidable unless the employer informs the employee of the agreement's requirements in a written employment offer received by the employee at least two weeks before the first day of employment. House Bill 3450 reduces that time from two weeks to 72 hours and requires an acknowledgment written in bold face type signed by the employee.

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## HB 3474

*Chapter 609, (2011 Laws): Effective date July 6, 2011.*

In 2010 the Legislature created the Task Force on Education Career Preparation and Development and charged them with “develop(ing) a proposal for a seamless system of professional development that begins with career preparation and continues through employment as an education professional.” House Bill 3474 implements the recommendations of the Task Force, including requiring the Teacher Standards and Practices Commission and Oregon Department of Education to create a comprehensive leadership development system for administrators and prepare guidelines for a uniform set of performance evaluation methods for teachers.

## HB 5039

*Chapter 495, (2011 Laws): Effective date July 1, 2011.*

House Bill 5039 is the budget bill for the Public Employees Retirement System (PERS). The bill represents PERS’ 2011-2013 operating budget of \$76,999,319. The 2011-2013 budget includes a statewide reduction of 6.5 percent in Services & Supplies, a PERS’ staffing decrease of four positions, and an overall 7.4 percent decrease from PERS’ 2009-2011 Legislatively Approved Budget (LAB).

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## SB 290

*Chapter 729, (2011 Laws): Effective date, August 5, 2011.*

Senate Bill 290 directs the State Board of Education, in consultation with the Teacher Standards and Practices Commission, to adopt core teaching standards for teachers and administrators by January 1, 2012, in order to improve student academic growth and learning. School district boards are required to use the adopted standards for evaluating teachers and administrators beginning on July 1, 2013. The State Board shall receive the input of school boards, administrators and others prior to adopting the core teaching standards.

## SB 670

*Chapter 428, 2011 Laws: Effective Date June 17, 2011.*

Due to inconsistency between state and federal definitions of secondary schools, some Oregon middle school teachers who applied for Teacher Loan Forgiveness have been denied. Senate Bill 670, for the purposes of Teacher Loan Forgiveness, defines a secondary school as one that offers instruction in grades 6 through 12 or kindergarten through 12, if the teacher is employed to teach any grade from grade 6 through 12. The bill ensures that Oregon teachers who teach middle school, and are otherwise qualified, will be eligible for federal loan forgiveness programs.

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## SB 5545

*Chapter 138, (2011 Laws) Effective date, May 27, 2011.*

Senate Bill 5545 is the biennial budget bill for the Teacher Standards and Practices Commission. The agency’s budget is paid for entirely by licensing fees. The Legislature approved the expenditure of \$5.44 million for the agency’s 2011-2013 budget (an increase of 2.1 percent over the 2009-2011 agency budget).

# OPERATIONS BILLS

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## HB 2029

*Chapter 94, (2011 Laws): Effective date July 1, 2011.*

House Bill 2029 requires the transfer of student education records to the sponsoring school district if the school's charter is terminated or the public charter school is otherwise dissolved. The bill also makes current student education record statutes applicable to all public charter schools.

## HB 2244

*Chapter 645, (2011 Laws): Effective date August 2, 2011.*

House Bill 2244 updates Oregon public records law by changing the definition of a public record to include any information prepared, owned, used, or retained by a school district, local government or state agency (unless otherwise exempted or protected from disclosure). It also specifies that retention of these records is subject to current statutory retention policies. The intent of the bill is to ensure that new media and new types of electronic data and files are included as public records.

## HB 2321

*Chapter 242, (2011 Laws): Effective date January 1, 2012.*

House Bill 2321 authorizes a school district or education service district to send notices required by law to be delivered via regular mail to be sent by e-mail if it is not expressly prohibited by law or if the person receiving the notice consents to or requests the notice be sent by e-mail.

## HB 2425

*Chapter 473, (2011 Laws): Effective date January 1, 2012.*

House Bill 2425 makes omnibus changes to local budget law. The intent of the bill is to "clean up" local budget statutes to make them more useful and readable for the general public, with

the goal of improving transparency and establishing uniform statewide standards. The changes in the bill are also intended to conform statutes to current practices and interpretations by the Oregon Department of Revenue.

## HB 2634

*Chapter 365, (2011 Laws): Effective date June 16, 2011.*

House Bill 2634 creates the 11-member Citizens' Initiative Review Commission to oversee the review of proposed state initiative measures by volunteer citizen panels. This bill builds on the work of the Oregon Citizen Initiative Review process, created by HB 2895 (2009), which authorized the Secretary of State to have non-profit organizations form citizen panels to review and create official statements on statewide ballot measures.

## HB 2750

*Chapter 367, (2011 Laws): Effective date June 16, 2011.*

House Bill 2750 allows school districts to adopt voluntary policies that allow for limited circumstances in which alcohol may be used in culinary arts classes or competitions in high schools; a school board is not required to adopt such a policy. The bill requires adult supervision, secure storage of the alcohol, and written parental permission for students to participate (students whose parents do not consent must be offered an alternative class project). Students are not allowed to consume alcoholic beverages; the bill only allows for alcohol as used in cooking recipes or culinary courses.

## HB 2800

*Chapter 663, (2011 Laws): Effective date August 2, 2011.*

House Bill 2800 creates a fund for Farm-To-School and School-Based Garden programs at the Oregon Department of Education (ODE). School districts can apply for a grant from ODE for reimbursement of costs incurred to purchase Oregon food products and

to fund food-based, agriculture-based and garden-based educational activities. The bill includes \$200,000 for the program. If a school district receives a grant, 87.5 percent of grant moneys must be used for reimbursements, 12.5 percent of grant moneys for educational activities, and no more than two percent of moneys that are received for the program may be used for administration. ODE may be tasked with reviewing the grant applications and must award at least two per biennium. The bill requires that the reimbursements shall be equal to the lesser of: 1) the amount paid per meal by the school district to purchase the Oregon food product, or 2) fifteen cents for every school lunch.

## HB 2855

*Chapter 435, (2011 Laws): Effective date June 17, 2011.*

House Bill 2855 creates the 18-member State and Local Government Efficiency Task Force. The Task Force is charged with identifying ways to provide government services in a cost-effective manner by coordinating the efforts of state and local government bodies and agencies. The Task Force is charged with submitting a report to the Legislature by January 31, 2012. Education is specifically mentioned as an area the Task Force to study and for which they will provide recommendations.

## HB 2960

*Chapter 467, (2011 Laws): Effective date June 23, 2011.*

House Bill 2960, also known as the "Cool Schools" initiative, directs the State Department of Energy to establish a clean energy deployment program to provide grants and loans to support energy efficiency or clean energy projects, including projects to weatherize, upgrade or retrofit public schools.

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## HB 3110

*Chapter 673, (2011 Laws): Effective date January 1, 2012.*

House Bill 3110 removes the sunset on the Alcohol and Drug Policy Commission and requires the State Board of Education to consult the Commission when it develops or updates administrative rules related to alcohol and drug abuse policies required of school districts.

## HB 3197

*Chapter 387, (2011 Laws): Effective date July 1, 2011.*

House Bill 3197 requires that each school district board adopt an attendance notification policy when students are absent from school. The bill requires schools to contact the parent or guardian by the end of the school day in person or by telephone if a student has an unplanned or unexcused absence. A message may be left if the parent or guardian cannot be reached. A parent or guardian can request an alternative form of contact, such as e-mail, if they do not wish to receive a phone call.

## HB 3298

*Chapter 391, (2011 Laws): Effective date January 1, 2012.*

Under current Oregon law, Education Service District boards serve as the district boundary board for school districts. House Bill 3298 removes this authority from ESD boards and transfers it to the governing board of the county where the district is located (such as the county commission.) All other laws and rules regarding boundary changes and mergers of school districts are unchanged.

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## HB 3681

*Chapter 697, (2011 Laws): Effective date January 1, 2012.*

Under current statute, students may attend school in a school district they do not reside in through the interdistrict transfer process. House Bill 3681 allows districts to continue to enter into voluntary interdistrict transfers but creates a new transfer process that does not require the consent of the school district in which the student lives.

Beginning with the 2012-13 school year, school districts may choose to enroll non-resident students through a new process which includes:

1. By March 1, the school board must decide whether or not they will allow non-resident students to enroll and how many. If they choose to enroll non-resident students, they must first allow any resident student who wishes to transfer to another school in the district with space to choose a new school first;
2. By April 1, non-resident students must make their request to enroll in the district. If there are more non-resident students requesting a transfer than slots available, the district must enter the students into a lottery for transfer; and
3. By May 1, the school district accepting the transfers must notify the district in which the student resides that the student is enrolling in their district.

The district in which the student resides has no ability to deny the transfer under this new law. Students who transfer under this policy become resident students of the district in which they attend school for all purposes. This new open enrollment process sunsets on July 1, 2017. This new process only applies to transfers that occur beginning with the 2012-13 school year; any previous transfer arrangements remain valid.

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## HJM 25

*Filed with Secretary of State.*

House Joint Memorial 25 sends a message to Congress from the Oregon Legislature urging the reauthorization and extension of the Secure Rural Schools and Community Self-Determination Act of 2000 at the 2008 appropriation level through the 2021 federal fiscal year.

## SB 170

*Chapter 701, (2011 Laws) Effective date, August 2, 2011.*

Senate Bill 170 clarifies that the Department of Education (ODE) is responsible for the payment of costs associated with the education of students in eligible day treatment programs or eligible residential treatment programs. This may be accomplished by contracting with the school district in which the treatment program is located. The bill directs school districts to provide education services to children in programs located in their district boundaries (they may contract with another school district or ESD to do this); ODE covers the costs through the State School Fund. The bill also allows day treatment programs and residential treatment programs to co-exist within the ODE long-term care and treatment funding statute.

## SB 253

*Chapter 638, (2011 Laws) Effective date, January 1, 2012.*

Senate Bill 253 sets aspirational goals for Oregonians to achieve higher levels of education and post-secondary training. The language in the bill includes achievement of the following numerical goals by 2025: at least 40 percent of adult Oregonians earn a bachelor's degree or higher; at least 40 percent of adult Oregonians earn an associate's degree or post-secondary credential; and the remaining 20 percent or less of adult Oregonians earn a high school diploma, extended or modified diploma or equivalent as their highest level of educational attainment.

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## SB 552

*Chapter 731, (2011 Laws) Effective date, August 5, 2011.*

Senate Bill 552 designates the Governor as the Superintendent of Public Instruction upon the expiration of the term of the currently-elected Superintendent of Public Instruction or if a vacancy occurs. The bill requires the Governor to appoint the Deputy Superintendent of Public Instruction. SB 552 specifies that the Deputy Superintendent must have at least five years of experience in the administration of an elementary or secondary school.

## SB 560

*Chapter 311, (2011 Laws): Effective date, January 1, 2013.*

Senate Bill 560 streamlines school districts' continuous improvement plan (CIP) process. Instead of the biennial report that districts were required to do, a school district will only be required to file any substantial changes to the CIP, or if there are not substantial changes, certify that self-evaluations were conducted and the CIP did not receive any additions. The bill was part of OSBA's and COSA's Mandate Relief Project.

## SB 800

*Chapter 313, (2011 Laws): Effective date, January 1, 2012.*

Senate Bill 800 eliminates or revises 28 outdated or redundant state laws affecting school districts and the Oregon Department of Education (ODE). The bill deletes outdated or redundant provisions related to preparation and distribution of education laws, School Improvement Fund grant evaluation and reporting requirements, school district and school performance reports, Oregon Report Card contents, community learning center evaluations, reports by ODE related to high school completion

requirements, evaluation and reporting requirements related to the Oregon Educational Act for the 21st Century, and policies related to travel services (among other items). The bill was part of OSBA's and COSA's Mandate Relief Project.

## SB 909

*Chapter 519, (2011 Laws): Effective date, June 28, 2011.*

Senate Bill 909 establishes the Oregon Education Investment Board (OEIB) to oversee a unified public education system. It defines OEIB membership, governance and duties. It establishes the Early Learning Council (ELC) and ELC purposes; and establishes the Oregon Education Investment Fund in the State Treasury. The bill requires the ELC to conduct an analysis of plans to merge, redesign or improve coordination of early childhood services and to align childhood services with child-centered outcomes. SB 909 requires the ELC to submit information gathered to the OEIB for its report to the interim legislative committees on education before December 15, 2011.

The bill allows the OEIB to file proposed legislative measures to carry out duties, merge or redesign state programs and services. It directs the OEIB to provide, modify and maintain an integrated, statewide student-based data system before June 30, 2012.

## SB 994

*Chapter 718, (2011 Laws) Effective date, August 2, 2011.*

Senate Bill 994 aims to resolve technical conflicts in a number of education bills and includes several policy changes. The bill allows higher education institutions to deny a request to sponsor a charter school; the denial is not appealable. The bill also establishes the Task Force on Virtual School Governance which is charged with recommending a statewide governance model for virtual education in Oregon. The bills that are included in SB 994 to resolve statutory conflicts are: SB 250, HB 2960, HB 2299, HB 2301, HB 3359, HB 3362, HB 3645 and HB 3681.

## SB 5508

*Chapter 600, (2011 Laws): Effective date, June 30, 2011.*

Senate Bill 5508 appropriates \$35 million in General Fund dollars to the Emergency Board for general purpose and targeted special purpose appropriations during the 2011-13 biennium. The Emergency Board deals with unanticipated state budget needs when the Legislature is not in session. The bill also makes adjustments to individual agency budgets and pays for programs or staff across state government not included in the original agency allocation; around Salem this bill is known as the "Christmas Tree" bill.

# COMMUNITY COLLEGE BILLS

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## HB 2353

*Chapter 148, (2011 Laws): Effective date May 27, 2011.*

The Oregon Career Readiness Certification Program verifies foundational skills of applied math, reading for information and locating information. The certification data is used by employers, employees and job applicants as a uniform measure of key workplace skills. House Bill 2353 clarifies the requirements for obtaining services from the Oregon Career Readiness Certification program. The bill changes the name of the program from the Oregon Career Readiness Certification Program to the National Career Readiness Certification (NCRC). The bill requires the program to inform school districts, community colleges and education service districts about Career Readiness Certification Programs and requires community colleges and districts to report on student use of the program to the Department of Community Colleges and Workforce Development (CCWD).

## HB 3336

*Chapter 401, (2011 Laws): Effective date January 1, 2012.*

House Bill 3336 requires all state community colleges, universities and the Oregon Health and Science University to allow members and agents of the Armed Forces of the United States to recruit on campus under rules and standards established for other employment recruitment activities. The bill requires that a college or university must allow recruiters to set up booths at job fairs and to set up interviews with students, insofar as university or college officials grant the same opportunities to other employment recruitment

## HB 3338

*Chapter 2, (2011 Laws): Effective date March 8, 2011.*

House Bill 3338 will implement Ballot Measure 69, which was passed by the voters in May 2010. The bill changes statute and chapter law to align with changes made to Article XI-F (1) and Article XI-G of the Oregon Constitution governing general obligation bonding for post-secondary education.

## HB 5005

*Chapter 614, (2011 Laws): Effective date July 6, 2011.*

House Bill 5005 establishes the amount authorized for issuance of general obligation bonds, revenue bonds, certificates of participation and other financing agreements for the biennium. It includes the bonds for community colleges and the Oregon University System.

## HB 5011

*Chapter 616, (2011 Laws): Effective date July 6, 2011.*

House Bill 5011 is the Community Colleges Support Fund (CCSF) budget bill. The colleges support fund received \$395.5 million, however the Legislature held back \$14.5 million, which is the same 3.5 percent hold back that all other agencies had as well. The additional monies are to be appropriated in February as long as the economy continues to rebound, which would bring the total community college budget to \$410 million.

## SB 175

*Chapter 702, (2011 Laws): Effective date, January 1, 2012.*

Senate Bill 175 creates the Oregon Employer Workforce Training Program and Oregon Youth Employment Program in the Department of Community Colleges and Workforce Development (CCWD). The program is subject to availability of funds. The bill charges local workforce investment boards with local management and requires private sector funding equal to any state funding for the Oregon Employer Workforce Training Fund. The bill does not appropriate funding; it puts forward foundational statutes to assist in obtaining federal and business funds.

## SB 275

*Chapter 331, (2011 Laws): Effective date, January 1, 2012.*

Senate Bill 275 requires community college boards, in consultation with the Oregon Department of Veterans' Affairs, to develop standards for community colleges to implement a process to give credit for education and training obtained by a person while serving in the United States Armed Forces, and to develop methods for informing qualified individuals about potential credit for education and training.

## SB 338

*Chapter 171, (2011 Laws): Effective date, June 1, 2011.*

Senate Bill 338 creates the Task Force on Tuition Waivers for Spouses and Dependents of Fallen and Disabled Soldiers at Community Colleges. The bill requires a group of community college district presidents, in consultation with the Oregon Department of Veterans' Affairs, to address policy development and consistency in community college tuition waivers for children, spouses and surviving spouses of deceased or disabled veterans. A report will be submitted to the Legislative Assembly before the February 2012 Session.

*For more information on these bills,  
go to OSBA's Legislative Bill Tracker at  
[www.osba.org/legnan](http://www.osba.org/legnan).*

**OSBA HELPS IDENTIFY AND IMPLEMENT  
POLICY CHANGES REQUIRED BY NEW LEGISLATION.**

*Many of the laws enacted by the 2011 Legislature require policy changes for school districts, education service districts and community colleges. The Oregon School Boards Association has created sample policies to help you with these changes. For more information, contact OSBA Policy Services, 800-578-6722 or 503-588-2800.*



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