

# 2011 Legislative Summary



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*The 2011 Legislative Session adjourned sine die at 2:49 p.m. on Thursday, June 30.*

This *2011 OSBA/COSA Legislative Summary* is a brief synopsis of new laws impacting the personnel, operations, programs and finance of school districts, education service districts, charter schools and community colleges. It is available online at [www.cosa.k12.or.us](http://www.cosa.k12.or.us) and at [www.osba.org](http://www.osba.org), under the Legislative Action Network. Additional details on each bill, including effective date where available, are in the Bill Tracker at [www.osba.org](http://www.osba.org).

You will receive a more thorough description and analysis of legislation in the *2011 OSBA/COSA Legislative Report* set for release online in September. For questions or more information in the meantime, contact: Tricia Yates at OSBA ([tyates@osba.org](mailto:tyates@osba.org), 503-588-2800 or 800-578-6722), or Chuck Bennett at COSA ([chuck@cosa.k12.or.us](mailto:chuck@cosa.k12.or.us) or 503-581-3141).

## Finance

**HB 2825:** Requires state agencies to submit information about tax expenditures that have purpose connected to referenced economic development to Oregon Department of Administrative Services for posting on Oregon transparency website.

**HB 3359:** Extends sunset on allowance of certain foreign exchange students to be considered residents of school district.

**HB 3543:** Changes method by which surplus “kicker” refunds are made to personal income taxpayers from payment to credit.

**HB 5020:** Appropriates moneys from General Fund to Department of Education for certain biennial expenses.

**HB 5042:** Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by Department of State Lands for certain purposes.

**HB 5055:** Transfers, for biennia beginning July 1, 2009, and July 1, 2011, moneys from Education Stability Fund to State School Fund.

**SB 0018:** Establishes statutory provisions required for Superintendent of Public Instruction to borrow money pursuant to Article XI-P of Oregon Constitution for capital costs of school districts.

**SB 0252:** Establishes School District Collaboration Grant Program to provide funding for school districts to improve student achievement.

**SB 0453:** Allows school to qualify as remote small elementary school for purposes of weighting in State School Fund distribution formula if school is not within eight miles of school in same school district.

**SB 0939:** Directs certain semi-independent agencies to file budget information with Legislative Fiscal Officer.

**SB 5510:** Appropriates moneys from General Fund to Employment Relations Board for biennial expenses.

**SB 5552:** Appropriates moneys from General Fund to Department of Education for biennial expenses.

**SB 5553:** Establishes 2011-12 School Year Subaccount within State School Fund.

## Programs

**HB 2047:** Designates private residential boarding school that provides academic education and therapeutic care as “child-caring agency” subject to licensure requirements of Department of Human Services.

**HB 2180:** Requires school district to submit written plan of instruction for talented and gifted children to Superintendent of Public Instruction.

- HB 2210:** Allows counties to offer and be reimbursed for traffic safety education courses.
- HB 2220:** Requires assessments to show whether student meets or exceeds academic content standards of student's grade level and to show student's progress toward becoming proficient in continuum of knowledge and skills.
- HB 2280:** Authorizes Department of Education to initiate financial audit or performance audit of school district or education service district.
- HB 2282:** Requires residential facilities to provide appropriate educational services to children under 21 years of age.
- HB 2283:** Specifies length of time during which student is allowed to satisfy requirements for modified diploma, extended diploma or alternative certificate.
- HB 2285:** Identifies person who may provide consent for purpose of awarding high school diplomas, modified diplomas and extended diplomas and for purpose of advancing student to next grade level.
- HB 2289:** Establishes Task Force on Accountable Schools for purpose of recommending for legislation methods of evaluating and improving student performance.
- HB 2299:** Requires school district in which public charter school is located to be responsible for identifying, locating and evaluating students to determine which students may be in need of special education and related services.
- HB 2301:** Modifies provisions related to virtual charter schools, board structure, instructional hours and enrollment requirements. Requires students to receive approval from their resident school district to enroll in a virtual charter school that is not sponsored by the district, if more than 3 percent of the resident students are already enrolled and removes the current 50 percent residency rule.
- HB 3042:** Provides that charging or payment of tuition or fee for food or beverage career program class, or for workshop or seminar concerning food or beverage industry training, that is offered by education provider and includes consumption of alcoholic beverages is not sale or purchase of alcoholic beverages.
- HB 3362:** Allows sponsor and public charter school to enter into cooperative agreement with other school districts for purpose of forming partnership to provide educational services.
- HB 3417:** Specifies requirements of financial management system for public charter school.
- HB 3645:** Expands types of entities that may sponsor public charter school, including community colleges, public institutions within the Oregon University System or the Oregon Health and Sciences University.
- SB 0003:** Modifies terminology in education statutes for persons with intellectual disability.
- SB 0022:** Allows educational programs under Youth Corrections Education Program and Juvenile Detention Education Program to participate in specified programs and activities under Oregon Educational Act for the 21st Century.
- SB 0024:** Eliminates alternative methods by which students may satisfy mathematics or English requirements for high school diploma.
- SB 0026:** Eliminates option for private elementary or secondary school to be registered with Department of Education.
- SB 0027:** Requires education service district to prepare annual audit of books and accounts of district.
- SB 0248:** Allows school districts to offer full-day kindergarten and receive a full 1.0 ADMw for kindergarten students beginning in 2015-16. Allows school districts to continue to charge tuition for extended day programs through the 2014-15 school year. The bill does not mandate full-day kindergarten and does not include a funding source to pay for additional costs of full-day kindergarten.
- SB 0250:** Allows school districts to withdraw from education service districts, if they are in Northwest Regional ESD, Multnomah ESD, Willamette ESD or Baker County. Reduces the amount of state school fund distribution to ESDs, in 2011-12 and again in 2012-13, from 4.75 percent to 4.5 percent.
- SB 0254:** Directs Department of Education to administer grant program to provide grants related to accelerated college credit programs.
- SB 0330:** Establishes Task Force on Instruction of Talented and Gifted Children for purpose of making determinations related to instruction of talented and gifted children.
- SB 0331:** Requires Department of Education to grant waiver to allow school districts to contract with entity that meets specified criteria for purpose of administering nationally normed assessments.
- SB 0480:** Requires Department of Education to provide assistance to school districts, government agencies and community groups related to United States Department of Agriculture's Afterschool Meal and Snack Program.
- SB 0801:** Directs State Board of Education to adopt guidelines for best practices of administering statewide assessments of students.

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## Personnel

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**HB 2036:** Clarifies application of statutes related to unlawful discrimination against persons with disabilities.

**HB 2094:** Authorizes delay in reconsideration proceeding for notice of claim closure in workers' compensation claim under certain circumstances.

**HB 2113:** Modifies retirement plan options of persons elected or appointed as members of Legislative Assembly.

**HB 2183:** Creates offense of making a false report of child abuse.

**HB 2371:** Requires Oregon Health Authority to adopt rules requiring entity that administers vaccines and receives vaccines from authority to report to immunization registry and certify that employees have completed training session.

**HB 2456:** Prohibits Public Employees Retirement Board from paying certain increased benefits by reason of state income taxation of payments made by board if person receiving payments does not pay Oregon income tax on retirement benefits.

**HB 2828:** Creates unlawful employment practice if employer who employs 10 or more persons ceases to provide health, disability, life or other insurance during period employee is serving or is scheduled to serve as juror, if employee elected to have coverage continued while the employee served or was scheduled to serve as a juror, and the employee provided notice of that election to the employer in compliance with the employer's policy for notification.

**HB 3106:** Requires school district to give priority for participation in Expanded Options Program to at-risk students who are eligible students if school district has met credit hour cap.

**HB 3110:** Removes sunset on Alcohol and Drug Policy Commission.

**HB 3450:** Reduces to 72 hours minimum time before first day of employment that employer is required to notify employee in written employment offer that arbitration agreement is required as condition of employment.

**HB 3474:** Creates Educator Preparation Improvement Fund to improve preparation of teachers and administrators.

**HB 5039:** Limits certain biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by Public Employees Retirement System.

**SB 0290:** Directs State Board of Education to adopt, no later than January 1, 2012, core teaching standards to improve student academic growth and learning.

**SB 5545:** Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by Teacher Standards and Practices Commission.

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## Operations

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**HB 2029:** Requires transfer of student education records to school district when charter is terminated or public charter school is dissolved.

**HB 2244:** Requires state agencies to adopt written policies regarding use, retention and ownership of public records.

**HB 2256:** Clarifies provisions governing nomination and election of nonpartisan county offices.

**HB 2321:** Authorizes public body to send notice by electronic mail if person enters into agreement with public body to receive notice by electronic mail and certain other conditions are met.

**HB 2425:** Modifies provisions relating to local budget law.

**HB 2634:** Creates Citizens' Initiative Review Commission to oversee review of state initiative measures by citizen panels.

**HB 2750:** Allows district school board to adopt policy for use of alcoholic beverages as ingredient in food preparation or in culinary arts classes taught at secondary schools of school district.

**HB 2800:** Directs Department of Education to award grants to school districts for reimbursement of costs incurred in purchasing Oregon food products that meet certain criteria and for funding food-based, agriculture-based and garden-based educational activities.

**HB 2855:** Creates State and Local Government Efficiency Task Force.

**HB 2960:** Directs State Department of Energy to establish 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.

**HB 3148:** Adjusts signature requirements related to materials to be included in voters' pamphlet.

**HB 3197:** Requires district school board to adopt attendance notification policy.

**HB 3298:** Provides that governing body of county is district boundary board for purposes of boundary changes and mergers of school districts.

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## Community Colleges

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**HB 3681:** Allows student to attend school in school district where student does not have legal residence if student receives written consent from district where school is located.

**HJM0025:** Urges Congress to reauthorize and extend Secure Rural Schools and Community Self-Determination Act of 2000.

**SB 0170:** Requires Department of Education to be responsible for payment of costs of education of students in eligible day treatment program or eligible residential treatment program by contracting with school district in which program is located.

**SB 0253:** Revises mission of higher education to meet numerical educational goals.

**SB 0552:** Designates Governor as Superintendent of Public Instruction.

**SB 0560:** Mandate Relief: Specifies that Department of Education may not require, except under certain circumstances, school districts or schools to conduct self-evaluations or update local district continuous improvement plans more frequently than biennially.

**SB 0800:** Mandate Relief: Removes 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 Department of Education related to high school completion requirements, evaluation and reporting requirements related to Oregon Educational Act for the 21st Century, policies related to travel services and others.

**SB 0994:** Resolves conflicts in certain education bills. Establishes Task Force on Virtual School Governance.

**SB 0909:** Establishes Oregon Education Investment Board to oversee a unified public education system. Establishes an Early Learning Council. Directs the OEIB to provide an integrated, statewide student-based data system.

**SB 5508:** Appropriates moneys from General Fund to Emergency Board for allocations during biennium.

**HB 2353:** Clarifies requirements for obtaining services from the Oregon Career Readiness Certification Program.

**HB 3336:** Requires state institutions of higher learning to allow military recruitment on campus on equal footing with other employment recruitment.

**HB 3338:** Provides that projects approved for financing by Legislative Assembly under Articles XI-F(1) and XI-G of Oregon Constitution prior to amendment to Articles XI-F(1) and XI-G at May 2010 primary election benefit higher education institutions or activities or benefit community colleges authorized by law to receive state aid.

**HB 5005:** Establishes amounts authorized for issuance of general obligation bonds, revenue bonds, certificates of participation and other financing agreements for biennium.

**HB 5011:** Appropriates moneys from General Fund to Department of Community Colleges and Workforce Development for certain biennial expenses.

**SB 0175:** Creates Oregon Employer Workforce Training Program and Oregon Youth Employment Program in Department of Community Colleges and Workforce Development.

**SB 0275:** Requires board of education of community college district to develop standards for community college to implement to give credit for education and training obtained by person while serving in Armed Forces of United States.

**SB 0338:** Establishes Task Force on Tuition Waivers for Veterans at Community Colleges in Oregon for purposes related to issuance of tuition waivers for veterans and their families at community college districts.