



**March 22, 2013**

## OSBA Bill Spotlight: House Bill 2538 adds school board member to OEIB

At the direction of OSBA's Legislative Policy Committee, the legislative team has drafted several bills that bear the tagline "*at the request of the Oregon School Boards Association.*" On March 15, the House Education Committee held a public hearing on another OSBA proposal, **House Bill 2538**. Sponsored by Hood River County School Board member and State Representative Mark Johnson (R-Hood River), the bill would add one board position to the Oregon Education Investment Board (OEIB) to be filled by a school board member.

Currently, the OEIB is made up of 12 members appointed by the governor and confirmed by the Senate. The board includes members who are teachers, superintendents, union leaders, business leaders, professors, academics and representatives of social service non-profits; however, there is not a sitting school board member.

Representative Johnson testified that "K-12 boards are on the front lines of education reform...board members have a unique perspective on what is workable." He noted that school boards are not only responsible for student achievement, but also for implementing a whole host of new responsibilities including achievement compacts and a new teacher and administrator evaluation system. Without a school board member on the OEIB, Rep. Johnson said "the school board perspective is lacking" and their on-the-ground experiences are missing from policy deliberations.

OSBA Executive Director Betsy Miller-Jones told the committee that OSBA and school board members enjoy a positive and productive working relationship with the OEIB, Dr. Crew and his staff. But, she noted that "...being able to come to the table and share your thoughts, opinions and concerns is *not* the same as having a seat at the table and a vote. Right now there is a glaring omission from the board. The voice and vote of an integral education stakeholder group is not at the table. The OEIB does not include a member who serves on a locally elected school board."

During the same hearing, the committee also heard a similar proposal, **House Bill 2640**, which would add a position to the OEIB that must be filled by a parent. Supporters of the bill include the Oregon PTA and the Oregon Education Association. During their testimony they also added their support to OSBA's proposal; Betsy Miller-

Jones added OSBA's support for HB 2640 during her testimony.

The committee received both proposals positively and OSBA staff has asked that the bills be scheduled for a vote. If you are interested in sending a message in support of the legislation to the committee members, contact Morgan Allen at [mallen@osba.org](mailto:mallen@osba.org).

View House Bill 2538 here:

<http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=13&t=&r=&q=2538&c=50&key=HB%2025380&ptadd=:%20HB%202538%20Details>

View House Bill 2640 here:

<http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=13&t=&r=&q=2640&c=50&key=HB%2026400&ptadd=:%20HB%202640%20Details>

## Governor and Chief Ed Officer pitch strategic investments to House Education Committee

On March 13, the House Education Committee held a public hearing on high-priority strategic investments in Oregon's public education system proposed by Governor Kitzhaber and the Oregon Education Investment Board (OEIB). Chief Education Officer Rudy Crew joined the governor in outlining the proposals contained in **House Bill 3232** and **House Bill 3233**. The two bills contain the statutory language necessary to implement the investments; funding for the proposals will need to be included in an appropriation bill.

Governor Kitzhaber began his comments by telling the committee, "As a state, I think we need to think much more strategically about how we are going to shape our investments in education to achieve our aspirational student goals (40-40-20)..." Crew then proceeded to provide an overview of the legislation.

House Bill 3232 proposes more than \$30 million in state investments to impact outcomes in three areas:

### ***Oregon Early Reading Program (Oregon Reads):***

Increase early literacy opportunities for children with a particular focus on increasing the number of kindergartners "ready for school" and increasing the number of K-3 students that are reading at grade level. *Proposed state investment:* \$9.2 million, including \$7 million for Focus and Priority schools and expansion of Response to Intervention programs.

### **Guidance and Support for Post Secondary**

**Aspirations:** Increase the number of students on-track for graduation at the end of 9<sup>th</sup> grade to 85 percent and focus on increasing post-secondary enrollment for “underserved” students. *Proposed state investment:* \$10.4 million, including funds to expand ASPIRE programs, summer and extended learning programs for struggling students and funds to expand dual credit, advanced placement and international baccalaureate opportunities.

**Connecting to the World of Work:** Increase the number of students who graduate from high school with nine or more college credits to 65 percent, increase proficiency in middle school math and science by 15 percent and ensure at least 90 percent of students who graduate from the Oregon education system are employed within 12 months. *Proposed state investment:* \$13.5 million, including increased funding for science, technology, engineering and math (STEM) programs; science, technology, engineering, arts and math (STEAM) programs; and career-technical education programs.

House Bill 3233 creates the “Network for Quality Teaching and Learning.” Crew told the committee that Oregon “must create a strong, connected system of preparation and support for a diverse corps of educators.” The network would be responsible for disseminating best practices and evidence-based models for closing the achievement gap, serving English Language Learners and students who have an Individualized Education Program (IEP) or 504 plan. It would also be responsible for improving teacher preparation programs, administering mentoring programs and recruiting diverse educators for high-needs schools.

For clarification, HB 3233 does **not** include a provision to use education service district funds for the creation of four to six “teacher learning centers.” OSBA does not support this proposal, which was included in the Governor’s Recommended Budget.

Contact Morgan Allen at [mallen@osba.org](mailto:mallen@osba.org) if you have additional questions.

View House Bill 3232 here:

<http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=13&t=&r=&q=3232&c=50&key=HB%2032320&ptadd=:%20HB%203232%20Details>

View House Bill 3233 here:

<http://www.leg.state.or.us/13reg/measpdf/hb3200.dir/hb3233.intro.pdf>

## Charter school bills receive hearings

The House Education Committee considered several charter school bills this week, including **House Bill 2150** and **House Bill 2153**. Both bills include changes to charter school law.

In 2011 the Senate approved Senate Bill 255, a bill similar to HB 2150; however, the bill died in the House.

2011 SB 255 was rewritten with statute updates and technical fixes to charter law and now appears as HB 2150.

OSBA Legislative Specialist Lori Sattenspiel spoke in favor of HB 2150, noting that its content reflects a lengthy charter law review process led by OSBA in 2010. OSBA initiated the review in response to districts, charter advocates and agencies requesting an assessment of charter laws on the 10-year anniversary of their enactment. OSBA’s charter law review process included a large group of stakeholders, with representatives from school districts, charter schools, education associations and the Oregon Department of Education.

The Oregon Education Association submitted written comments in support of HB 2150, noting that the only concepts included in the bill are those agreed upon by the stakeholder group. These statutory additions would improve charter processes for new charters or renewals.

The other major charter bill heard this week was HB 2153, brought forward by Portland Public Schools. David Williams, Director of Government Relations, and Kristen Miles, Charter Coordinator for Portland Public Schools, highlighted the components of the bill as well as the need for this type of legislation.

Portland Public Schools currently has ten charter schools. Each year, the district receives many new charter proposals. The proposals are lengthy; their review consumes substantial district resources, including time for a committee to review every proposal. HB 2153 is intended to assist Portland Public Schools in its effort to focus charter proposals on district goals related to student achievement. The bill would allow a district to opt into this new law if its student population attending a brick and mortar charter school was over three percent. In addition, the bill allows a district to ask for charter proposals that only focus on the specific, related goals of the district.

Testimony in opposition to HB 2153 primarily focused on its negative impact on the overall mission of charter schools: independent public schools providing families with a new set of public school options. The committee questioned how HB 2153 would be implemented and how it potentially impacts the creation of new charter schools.

No further action is scheduled on either bill. Contact Lori Sattenspiel for more information at [lsattenspiel@osba.org](mailto:lsattenspiel@osba.org).

View House Bill 2150 here:

<http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=13&t=&r=&q=2150&c=50&key=HB%2021500&ptadd=:%20HB%202150%20Details>

View House Bill 2153 here:

<http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=13&t=&r=&q=2153&c=50&key=HB%2021530&ptadd=:%20HB%202153%20Details>

## Cameras for school buses debated

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This week, the Senate Judiciary Committee heard testimony on **Senate Bill 787**, which would give school districts the ability to install cameras on school buses to capture pictures of vehicles that fail to stop for the buses. Senator Tim Knopp (R-Bend) sponsored SB 787 to address student safety concerns created when vehicles fail to stop when a school bus has stopped and engaged its red flashing lights and attached stop sign.

Sen. Knopp stated the bill is not mandatory. “The language of the bill provides access to a tool for school districts to use that will help ensure the safety of students when getting on and off the school bus at selected stops,” Knopp told the committee.

Under current law, a vehicle must stop when a school bus engages its red flashing lights and attached stop sign. The bus driver is responsible to note the license plate number of a vehicle that fails to stop after the bus has indicated (with flashing lights) it is picking up or dropping off a student. The bus driver may then forward that information to local law enforcement. However, it is very uncommon for a driver to receive a citation under these circumstances. If photographic proof of a vehicle’s failure to stop were available, law enforcement could more easily issue a citation. Proponents told the committee this new tool would be similar in nature to red light cameras that many cities have installed at busy or dangerous intersections.

Committee members questioned how the camera system works, how this new feature on a school bus would fit with current laws governing red light cameras, and the processes involved in notifying car owners identified through photographs.

OSBA Legislative Specialist Lori Sattenspiel offered suggestions to clarify the bill’s language to ensure a district choosing to put cameras on its buses would not be required to allocate additional resources to support the use of the camera, either in maintenance or staff training.

Committee members agreed that the safety of schoolchildren is paramount in this discussion. Committee Chair Floyd Prozanski (D-South Lane and North Douglas Counties) said the committee will continue to work with bill proponents to ensure it would address the committee’s concerns.

Contact Lori Sattenspiel at [lsattenspiel@osba.org](mailto:lsattenspiel@osba.org) for more information.

View SB 787 here:

<http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=13&t=&r=&q=787&c=50&key=SB%2007870&ptadd=:%20SB%200787%20Details>

## OSBA Board and Legislative Policy Committee approve PERS reform resolution

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The Oregon School Boards Association Board of Directors and Legislative Policy Committee voted on March 16 to support the following resolution requesting the Legislature to enact the various provisions of the OSBA-sponsored legislation (Senate Bill 754) to modify the Public Employees Retirement System (PERS) to address districts’ looming PERS cost increases:

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### Resolution of the Oregon School Boards Association Board of Directors and Legislative Policy Committee in Support of Senate Bill 754 (2013)

**WHEREAS**, school districts in Oregon are public employers within the State of Oregon and as such are covered employers for the purposes of participating in the Public Employees Retirement System (PERS); and

**WHEREAS**, school districts will face a cost increase beginning July 1, 2013, related to PERS; and

**WHEREAS**, the average school district PERS rates will increase from 19.48 percent of payroll to 26.69 percent of payroll on July 1, 2013; and

**WHEREAS**, without action by the 77<sup>th</sup> Session of the Oregon Legislative Assembly to enact meaningful modifications to PERS, cost increases to school districts for the 2013-2015 biennium will be in excess of \$300 million; and

**WHEREAS**, school districts will need to make further budgetary reductions such as increasing class sizes, eliminating programs, reducing staff or eliminating instructional days to cover the costs of the proposed PERS rate increases; and

**WHEREAS**, the Oregon School Boards Association has drafted Senate Bill 754 and placed it for consideration before the 77<sup>th</sup> Session of the Oregon Legislative Assembly; and

**WHEREAS**, Senate Bill 754 will modify PERS to reduce costs to all PERS-covered public employers and will provide public employees and retirees with an adequate and stable retirement benefit; and

**WHEREAS**, outside expert legal counsel has issued an opinion that states that all the provisions of Senate Bill 754 are legal and within the Legislature’s power to adopt and would neither breach nor impair the PERS contract; and

**WHEREAS**, PERS’ own actuary, Milliman, has completed an actuarial analysis of Senate Bill 754 and indicates that, as proposed, Senate Bill 754 would reduce employers’ costs across the entire PERS system for the 2013-2015 biennium in excess of \$1 billion.

**NOW, THEREFORE, BE IT RESOLVED**, that the Oregon School Boards Association’s Board of Directors and Legislative Policy Committee strongly encourages the

members of the 77<sup>th</sup> Session of the Oregon Legislative Assembly to enact the provisions of Senate Bill 754; and

**BE IT FURTHER RESOLVED**, that the Oregon School Boards Association's Board of Directors and Legislative Policy Committee strongly encourages school boards across Oregon to adopt a resolution encouraging the 77<sup>th</sup> Session of the Oregon Legislature to enact the provisions of Senate Bill 754.

**ADOPTED**, this 16<sup>th</sup> day of March, 2013.

· View the resolution in pdf:  
[http://www.osba.org/News%20Center/Announcements/2013-03-21\\_PERS\\_resolution.aspx](http://www.osba.org/News%20Center/Announcements/2013-03-21_PERS_resolution.aspx)

### Sample PERS resolution for local board adoption

The following is a sample resolution for school district boards to adopt in support of SB 754. When your Board adopts a resolution, please forward it to Becky Gwynn at [bgwynn@osba.org](mailto:bgwynn@osba.org).

Find the editable version here:  
[http://www.osba.org/News%20Center/Announcements/2013-03-21\\_PERS\\_resolution.aspx](http://www.osba.org/News%20Center/Announcements/2013-03-21_PERS_resolution.aspx)

#### Resolution of the \_\_\_\_\_ School District Board of Directors Support of Senate Bill 754 (2013)

**WHEREAS**, the \_\_\_\_\_ School District is a public employer within the State of Oregon, and as such is a covered employer for the purposes of participating in the Public Employees Retirement System (PERS); and

**WHEREAS**, the \_\_\_\_\_ School District will face a cost increase beginning July 1, 2013, related to PERS; and

**WHEREAS**, the \_\_\_\_\_ School District PERS rates will increase from \_\_\_\_\_ percent of payroll to \_\_\_\_\_ percent of payroll on July 1, 2013; and

**WHEREAS**, without action by the 77<sup>th</sup> Session of the Oregon Legislative Assembly to enact meaningful modifications to PERS, the cost increases to the \_\_\_\_\_ School District for the 2013-2014 school year will be \$\_\_\_\_\_; and

**WHEREAS**, the \_\_\_\_\_ School District will need to make further budgetary reductions such as increasing class sizes, eliminating programs, reducing staff or eliminating instructional days [*any other reductions the district may face*] to cover the costs of the proposed PERS rate increases; and

**WHEREAS**, the Oregon School Boards Association has drafted Senate Bill 754 and placed it for consideration before the 77<sup>th</sup> Session of the Oregon Legislative Assembly; and

**WHEREAS**, Senate Bill 754 will modify PERS to reduce costs to all PERS-covered public employers and will provide public employees and retirees with an adequate and stable retirement benefit; and

**WHEREAS**, outside expert legal counsel has issued an opinion that states that all the provisions of Senate Bill 754 are legal and within the Legislature's power to adopt and would neither breach nor impair the PERS contract; and

**WHEREAS**, PERS' own actuary, Milliman, has completed an actuarial analysis of Senate Bill 754 and indicates that, as proposed, Senate Bill 754 would reduce employers' costs across the entire PERS system for the 2013-2015 biennium in excess of \$1 billion.

**NOW, THEREFORE, BE IT RESOLVED**, that the \_\_\_\_\_ School District Board of Directors strongly encourages the members of the 77<sup>th</sup> Session of the Oregon Legislative Assembly to enact the provisions of Senate Bill 754.

**ADOPTED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

### Contact your legislator

Find your legislators' contact information on the Oregon Legislature's website:

House - <http://www.leg.state.or.us/house/>

Senate - <http://www.leg.state.or.us/senate/>

To contact your legislator by phone, call the Capitol Switchboard at 1-800-332-2313.

### Questions about legislative issues?

Contact the OSBA Legislative Services Team:

800-578-6722 or 503-588-2800

Jim Green [jgreen@osba.org](mailto:jgreen@osba.org)

Morgan Allen [mallen@osba.org](mailto:mallen@osba.org)

Lori Sattenspiel [lsattenspiel@osba.org](mailto:lsattenspiel@osba.org)

Graphic for OSBA/COSA Legislative Day. The text 'YOUR VOICE HEARD SALEM' is displayed in large, colorful, stylized letters. Below it, the text 'OSBA/COSA Legislative Day' is written in white on a dark background. Underneath that, the date 'April 19, 2013' and location 'Salem - Capitol - Hearing Room 50' are listed. At the bottom, the website 'www.osba.org' is provided in yellow.