

# OSBA Legislative Highlights



*the Promise*  
OF OREGON

**March 27, 2015**

## The Ways and Means Committee approves State School Fund budget

On March 24, the Joint Committee on Ways and Means Subcommittee on Education approved the State School Fund (SSF) budget for the 2015-17 biennium on a straight party-line vote. **House Bill 5017** is expected to be approved by the full Ways and Means Committee and then move to the floors of both chambers sometime during the week of March 30-April 3.

The total amount appropriated to the SSF is \$7.255 billion, which is slightly higher than the previous amount of \$7.235 billion. The additional \$20 million is realized in two adjustments plus an addition of \$5 million into the SSF.

The first adjustment is a \$12.5 million fund to help school districts and English Language Learner (ELL) students. \$10 million of this amount is set aside within the Oregon Department of Education (ODE) to help fund low-performing school districts' ELL school improvement coaches, ELL performance improvement strategies and resources and ODE quarterly reviews on schools' progress. Another \$2.5 million will be used to implement a statewide ELL plan, including technical assistance, best practices support, and assistance in implementing the ELL plan's recommendations statewide.

The second adjustment is a \$2.4 million distribution for school nutritional programs for the purpose of providing a school lunch at no charge to those students who are currently eligible for a reduced price lunch.

The additional \$5 million is gained by reducing the school facilities grant from \$20 million to \$15 million. This \$5 million will be run through the SSF formula and distributed to school districts and ESDs.

HB 5017 was voted out of the subcommittee along party lines – with all the Democrats in favor of the budget and all the Republicans voting against. During the debate on the bill, several members spoke to the certainty this budget will provide school districts versus waiting longer. "School districts are building their budgets now and they need to know what their funding will look like sooner rather than later," stated subcommittee co-chair Sen. Rod Monroe (D-Portland).

"This is only the beginning point for this budget. We hope to add more [money] assuming the economy grows over the next several months," Monroe added, describing a "trigger" that was added to the bill. The trigger language states that if the May revenue forecast for the 2015-17 General Fund resources is above the corresponding

amount from the March 2015 forecast, 40 percent of the increase would be dedicated to the SSF. Estimates on this trigger amount range from \$0 to over \$150 million.

Opposing the proposed budget, Rep. John Huffman (R-The Dalles) stated, "It's true this morning we voted to give Oregon school districts certainty, but what type of certainty? School districts, last week, came and said that on a \$7.2 billion budget, it would give them certainty to once again be able to cut teachers, certainty to be able to cut programs and certainty to be able to cut school days. We can and should do better for our children."

OSBA and its coalition partners have stated this budget is not a current service level budget, and numerous school districts across Oregon will be forced to cut days, programs and employees on a \$7.2 billion SSF appropriation. We urge the legislature to revisit this budget and minimally appropriate \$7.5 billion to the SSF so we can maintain the programs for students across Oregon. Please see the Action Alert below sent out this week from OSBA's Executive Director Betsy Miller-Jones calling for members to contact their legislators regarding HB 5017.

For more information, contact Jim Green ([jgreen@osba.org](mailto:jgreen@osba.org)).

View HB 5017:  
[www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=hb\\_5017&c=50&key=HB\\_50170&ptadd=:HB\\_5017\\_Details](http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=hb_5017&c=50&key=HB_50170&ptadd=:HB_5017_Details)

## OSBA ACTION ALERT: State School Fund

### Oregon schools and students need your help TODAY!

Over the next week, legislators in Salem will decide whether to settle for a State School Fund (SSF) budget that will dictate more cuts affecting students, or aim higher. This morning the Democratic legislative leadership announced they are moving forward with a \$7.255 billion K-12 budget, and the latest 2015-17 SSF estimates.

You can change students' future, and ours:

- **CALL your legislators** toll-free at 1-800-332-2313; ask for your legislators and you will be connected.

**Or, EMAIL them at:**

[www.oregonlegislature.gov/FindYourLegislator/leg-districts.html](http://www.oregonlegislature.gov/FindYourLegislator/leg-districts.html), and urge them to **vote NO on HB 5017**, the State School Fund bill at \$7.255 billion.

The bill passed out of the education subcommittee to the full Ways and Means Committee this morning. Urge them to fully fund Oregon schools at a level of \$7.5 billion or better for the 2015-17 biennium in order to maintain current programs with full day kindergarten!

- **SIGN the petition** encouraging legislators to fully fund Oregon schools!  
([promiseoregon.org/petition](http://promiseoregon.org/petition))
- **SHARE the petition** with your friends and colleagues and ask them to contact their legislators, too! ([promiseoregon.org/petition](http://promiseoregon.org/petition))



Show your support for fully funding Oregon's public schools -  
Sign the petition!

In testimony over the last two weeks, education advocates – school board members, administrators, teachers, students and their parents – warned legislators that their education spending plan would spell further dire consequences for Oregon's future. Perhaps the **most moving and vivid testimony came from a fifth-grader**, Alfonso Bernal of Umatilla. Watch his testimony at: [www.youtube.com/watch?v=ANJvThar\\_6w&feature=youtu.be](http://www.youtube.com/watch?v=ANJvThar_6w&feature=youtu.be)

"I know other people helped you become who you are today," he told elected members of a subcommittee on education. "Can you please help me become who I want to be tomorrow?"

With that profound question, Alfonso captured both the gist of today's education funding question and spirit of "**The Promise of Oregon**" campaign."  
([promiseoregon.org](http://promiseoregon.org))

Across Oregon, more than a half-million students in grades kindergarten through 12 have their futures riding in the balance.

We still have a long way to go in this session, with many potential opportunities to build on the \$7.255 funding level. In order to take advantage of those opportunities, we need to continue to advocate. So, please stay the course and stay on message for a State School Fund budget of \$7.5 billion or more. Please know that your efforts are making a difference. We have some legislators who have already said they intend to vote "no" on HB 5017 and all recognize that this school funding level is inadequate and that they need to do more. Democratic legislators have made it clear that they view the current SSF level as a "floor." They have emphasized that they will continue to try to add money to the SSF by the end of session. Our task between now and July is to continue to do everything we can to support that level of funding or more.

Together, we can keep our promise to Alfonso and all of Oregon's young people by helping them become who they want to be tomorrow.

## Senate's employer bills could impact school districts

Since February, OSBA has been collaborating with other local government entities on several bills that, if passed as written, would impact local government entities' operations. **Senate Bill 414**, **Senate Bill 454** and **Senate Bill 470** would escalate costs while obstructing the ability to decide how to deliver certain services.

SB 414 was first heard back in February and adds another layer of complexity to the already confusing procurement process created in 2009 under House Bill 2867. All government entities must follow the multifaceted procurement process defined in ORS Chapter 279B if they choose to contract-out services with a private company. A workgroup has been looking at solutions to allow government entities to continue to look for the best and most cost-effective ways to deliver services, while providing the desired transparency of decision making to labor organizations.

Senate Bill 454 would provide paid sick leave to all employees. While sick leave has only been discussed in previous legislative sessions with no formal action on a bill, SB 454 would mandate employers to follow specific accrual and use ordinances. Since this bill would not preempt, limit or otherwise impact sick leave policies that provide greater use of sick time, the bill will not impact the two cities who have already taken the step to provide paid leave to employees who work within the city limits. Portland and Eugene both passed city ordinances related to paid leave for employees. OSBA has been advocating for an exemption for school districts due to the existing statute that governs school personnel (ORS 332.507). If this bill passes, the implementation of two conflicting statutes would create a dual path for paid leave, bringing complications as well as additional fiscal impacts for school districts having to calculate and monitor the dual paths for paid leave. SB 454 was passed out of the Senate Workforce Committee and on to the joint Ways and Means Committee to wait for further action.

Senate Bill 470 would allow non-instructional staff to apply for unemployment benefits during summer and holiday breaks. The bill would eliminate ORS 757.221, the statute that defines who is not eligible for unemployment benefits within educational institutions. Initial estimates completed by both large and small school districts show the financial impact of providing these additional unemployment benefits as ranging from \$500,000 to \$5 million for the biennium. The impact on school districts would include cost-cutting measures like reducing program offerings, staff and classroom instructional days. The bill was scheduled to be heard this week, but it was not heard and has not been rescheduled at this time.

Contact Lori Sattenspiel at [lsattenspiel@osba.org](mailto:lsattenspiel@osba.org) with any questions.

View the bills here:

SB 414:

[www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0414&c=50&key=SB 04140&ptadd=: SB 414 Details](http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0414&c=50&key=SB 04140&ptadd=: SB 414 Details)

SB 454:

[www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0454&c=50&key=SB 04540&ptadd=: SB 454 Details](http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0454&c=50&key=SB 04540&ptadd=: SB 454 Details)

SB 470:

[www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0470&c=50&key=SB 04700&ptadd=: SB 470 Details](http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0470&c=50&key=SB 04700&ptadd=: SB 470 Details)

### Education Roundup: OEIB workgroup seeks proposals; Outdoor School funding headed to Ways and Means; student discipline bills advance to full Senate

Senate Education Committee Chair Arnie Roblan (D-Coos Bay) has convened a large group of stakeholders from across the P-20 education spectrum to discuss the future of the Oregon Education Investment Board (OEIB). At their March 24 meeting, Sen. Roblan asked participants to share their thoughts on potential changes to OEIB and the current governance structure.

OSBA worked with representatives from COSA to submit the following recommendations to the workgroup:

- Eliminate the OEIB Board immediately.
- Rebrand and restructure the current OEIB agency to be called the Office of the Chief Education Officer.
- Keep the current sunset (March 2016) on the rest of the OEIB activities, and establish an interim workgroup to propose governance changes during the 2016 legislative session.
- Freeze all OEIB strategic investments at current levels.
- Create a job description for the Chief Education Officer that includes a primary focus of creating a seamless P-20 education system.

Contact Morgan Allen ([mallen@osba.org](mailto:mallen@osba.org)) if you have questions or comments about the OEIB workgroup.

On March 26, the Senate Education Committee voted unanimously to send **Senate Bill 439** to the Ways and Means Committee for consideration. As drafted, the bill would provide \$44 million to pay for Outdoor School programs in every school district in Oregon. The funding would require programs to include opportunities to learn about:

- Soil, water, plants and animals;
- The role of timber, agriculture and other natural resources in Oregon's economy;

- The interrelationship of nature, natural resources, economic development and career opportunities in this state; and
- The importance of preserving this state's environment and natural resources.

While there is broad, bipartisan support for Outdoor School programs in the Legislature, the bill faces a new hurdle of securing funding in a resource-challenged environment. The co-chairs of Ways and Means have set aside \$60 million in funding for new investments in the PreK-12 system. At last count, there are over \$250 million in requests and proposals to fund new education programs or increase funding for current education initiatives.

The Senate Education Committee also took action on several bills related to student discipline.

**Senate Bill 556** is simple and straightforward: it would prohibit school districts from expelling students for being truant. The unanimous committee vote reflected the consensus that this practice is counterproductive and a poor tool for addressing the root cause of a student's poor attendance.

**Senate Bill 553**, with amendments OSBA requested in order to support the bill, would impose limits on the use of out-of-school suspension and expulsion for students in grades K-5. A young student could still face out-of-school suspension or expulsion in instances when:

- The student causes serious physical harm to a student or school employee;
- An administrator determines, from observation or staff reports, that a student's behavior poses a direct threat to the health or safety of students or school employees; or
- When required by law (such as federal statute related to firearms).

Sponsors of the bill made compelling arguments that suspending a young child for being insubordinate to school staff, for example, is not conducive to addressing inappropriate behavior. The bill also standardizes the definitions for what constitutes a "half-day" versus a "full-day" when calculating the length of a suspension.

View the bills here:

SB 439:

[www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0439&c=50&key=SB 04390&ptadd=: SB 439 Details](http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0439&c=50&key=SB 04390&ptadd=: SB 439 Details)

SB 556:

[www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0556&c=50&key=SB 05560&ptadd=: SB 556 Details](http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0556&c=50&key=SB 05560&ptadd=: SB 556 Details)

SB 553:

[www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0553&c=50&key=SB 05530&ptadd=: SB 553 Details](http://www.osba.org/Resources/Article/Legislative/BillTracking.aspx?s=15&t=&r=&q=sb 0553&c=50&key=SB 05530&ptadd=: SB 553 Details)

SB 553 Amendments:

[olis.leg.state.or.us/liz/2015R1/Downloads/ProposedAmendment/4809](http://olis.leg.state.or.us/liz/2015R1/Downloads/ProposedAmendment/4809)