

OSBA Legislative Highlights



the Promise
OF OREGON

June 5, 2015

OSBA Action Alert: Contact your legislator for additional funding NOW

As we begin to make the final run toward adjournment of the 2015 legislative session, we have also reached a critical time in our advocacy for a higher level of K-12 funding for the 2015-17 biennium.

Over the next week or so, decisions will be made by legislative leadership about how to divide the few remaining available state dollars for the 2015-17 biennium. Legislators will face budgetary decisions among a variety of competing interests from human services, public safety and corrections, higher education and K-12 education. We have recently heard there is a growing sentiment among some legislators that, because a few districts don't have to make budget cuts at the current \$7.36 billion level, funding for schools is "just fine" right where it is.

We know that Oregon schools have nowhere near the resources they had before the 2008 recession. We also know that most districts need at least \$7.5 billion in 2015-17 to implement full-day kindergarten without reducing programs and services for students in grades 1-12. We also know that Oregon continues to rank near the bottom in class size, instructional time, graduation rates and education investment (see Betsy Hammond's article in *The Oregonian*:

www.oregonlive.com/education/index.ssf/2015/06/underachieving_oregon_state_ra.html#incart_m-rpt-1). We need your help to make sure legislators are reminded of that, too.

As school board members, you have been through your recent budget processes and you know where your district stands at the current funding level, and the difference reaching \$7.5 billion will make for your students. Over the next few days, legislators again need to hear from you about what a minimum K-12 investment of \$7.5 billion will mean for your students. We know you have done this already, more than once – and your continued efforts throughout this session are appreciated and **have made a difference!**

As locally elected officials, you are one of the most trusted voices when it comes to convincing legislators of the impact additional resources can make in a student's life. Contact your legislator immediately and tell him or her your story and what your district could do for students and the community with additional resources. This is the foundation of our OSBA campaign on "The Promise of Oregon" (www.promiseoregon.org) – ensuring that we

invest in our students so they can reach their potential. Reinforce with your legislator that school districts are still trying to climb out of the cuts that were forced upon us by the economic downturn – and we have not reached the necessary funding level of \$7.5 billion to provide the educational opportunities that all Oregon students deserve!

This is a critical time. PLEASE CONTACT YOUR LEGISLATOR RIGHT AWAY!

How to contact your legislator

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

www.oregonlegislature.gov/FindYourLegislator/leg-districts.html

Enter your address, or click on your district on the map, then:

- For representatives – click the House tab
- For senators – click the Senate tab

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

Data privacy, sick leave and bargaining bills face action

Three bills with significant school interests are among those still moving through the legislative process. OSBA is asking that members contact legislators to urge a "no" vote on two of them – paid sick leave and expedited bargaining.

Senate Bill 187A, the student data privacy bill, would prohibit online educational sites, services and applications from compiling, sharing or disclosing student personal information for any purpose other than for school purposes. The bill also prohibits using students' information to facilitate marketing or advertising to them. It places a duty on educational online operators to have reasonable security measures and to delete student information upon request by the school.

While the bill had minor modifications in the Senate before arriving in the House Education Committee, negotiations began again that were focused on "consent." Parents granting consent would allow their student access to additional recommended applications that would permit a vendor to have a student's information. The student's

information could then potentially be disclosed to a third party and possibly sold to other vendors for marketing purposes. School districts might also be required to track and monitor which student has access to which curriculum based on parent consent. District staff noted that parental consent would be a nightmare to monitor, and would hinder the use of online classroom curriculum.

OSBA remains in support of the legislation, stating the need for “added protections for school districts entering into contracts as well as guidance for vendors to ensure data collected is used appropriately.”

The bill was voted out of the House Education Committee, with no additional amendments, and will be on the House floor as early as next week.

Senate Bill 454, relating to paid sick leave, was voted out of the Joint Ways and Means Subcommittee on Human Services this week. After being amended, the bill still creates a very rigid process to allow employees paid sick leave if they work in Oregon under certain conditions. The bill also requires school districts to allow paid sick leave to temporary workers who have not earned this benefit under current law.

Currently, many school district employees already earn a sick leave benefit under ORS 332.507. However, SB 454 would add a mechanism for temporary workers (such as substitute teachers and coaches) in school districts to obtain an hour of paid sick leave for every 30 work hours accumulated. Districts would be required to track these temporary workers to comply with the proposed law change.

The Oregon Association of School Business Officials estimates the bill would cost school districts roughly \$20 million over the next biennium to provide and monitor paid sick leave to employees who don't already have the benefit under current law.

The bill was voted out of the full Ways and Means Committee on Friday (today) and will head to the floor of the Senate and House as soon as next week.

Please contact your legislator asking him or her to vote NO on this bill.

House Bill 2544, the expedited bargaining bill, was further amended before being voted out of committee and sent on to the Senate Rules Committee. The Senate Workforce Committee removed binding arbitration, but added mandatory mediation and two timelines for when expedited bargaining can be used.

In schools, the best example of using interim bargaining is when a change in high school class schedules for instructional, budgetary or other reasons is implemented. A change in schedules almost always triggers the need to bargain over a change in working conditions for represented employees, and implementation is usually needed within a period of a few months. Full bargaining with its various timelines can often take up to eight months or more to complete. This timeline is burdensome for implementing modest changes in working conditions such as a class schedule change for the upcoming fall semester. The current form of interim

bargaining can often be completed in three months, allowing for timely resolution and implementation.

While the amended bill removes binding arbitration, the timelines still hamper a district's ability to be flexible. OSBA continues to encourage superintendents and board members to contact their senator and let him or her know the impact of passing this legislation, asking for a NO vote.

Contact Lori Sattenspiel at lsattenspiel@osba.org for more information.

View SB 187A:

www.osba.org/Resources/Article/Legislative/BillTracking.aspx?key=SB_01870&ptadd=:%20SB_01870%20Details

View SB 454:

www.osba.org/Resources/Article/Legislative/BillTracking.aspx?key=SB_04540&ptadd=:%20SB_04540%20Details

View HB 2544:

www.osba.org/Resources/Article/Legislative/BillTracking.aspx?key=HB_25440&ptadd=:%20HB_25440%20Details

House endorses improvements to interdistrict transfer law

On Thursday, the House of Representatives passed **Senate Bill 709-B** on a 46-4 vote. The bill improves the current interdistrict transfer statute by creating more transfer options and providing better continuity to students.

The legislation stems from a Confederation of Oregon School Administrators (COSA) work group that began meeting in 2014 to address the transfer issue; OSBA Legislative Specialist Morgan Allen provided staffing for the work group. The consensus view today is that there is still confusion for students, parents and districts about the interdistrict transfer process, and changes need to be made.

The bill currently includes language that:

- Allows students who move over the summer to stay for the next school year. This is similar to the “mid-year” move provision already allowed.
- Clarifies that districts may revoke transfers for not meeting behavior requirements or attendance standards, but not for academic reasons.
- Clarifies that a student whose transfer has been revoked may not apply for a transfer to the same district for the next academic year. Under the current law, if a district revokes a transfer the student can immediately reapply and the district must accept the student.
- Changes the law so that a student does not need to get a new transfer to keep attending the same district if his or her family makes subsequent moves. If a student lives in district A, transfers to B and subsequently moves to C, he or she won't need a new transfer between B and C. Current law requires a new transfer between B and C.

- Clarifies that districts can ask for sibling information and school preference on interdistrict transfer application forms.
- Allows the Oregon Department of Education to clarify what constitutes a “hardship” transfer to give districts more latitude to deal with situations as they arise with individual student circumstances.
- Districts will be allowed to give preference for interdistrict transfer slots to students who move during the school year or over the summer in their lotteries. For example, Sally Smith’s family moves in August and has missed the transfer window for the upcoming school year. The bill would allow her to stay for the next school year AND if she wants to apply for a transfer when the window opens, the receiving district may give her preference if there are more applicants than slots available.
- There would be a ban on using State School Fund dollars for out-of-district marketing such as buying ads/billboards or distributing direct mailers into neighboring districts for interdistrict transfers. This would be similar to the prohibition on these activities for open enrollment.
- Allows districts to give preference for interdistrict transfer slots to students who have attended charter schools in their district for at least three consecutive years and finished the highest grade at the charter school, if they have not started school in another district in their lotteries.
- Allows districts to give the same preferences for outgoing lotteries as they are allowed to do for incoming lotteries. Currently, any preferences are only allowed for incoming student lotteries.

SB 709 was drafted by Sen. Sara Gelser (D-Corvallis) at the request of OSBA and COSA. OSBA believes the bill introduces some common sense answers to the sometimes confusing issue of student transfers and will make the interdistrict transfer system work better for students, families and school districts.

The bill will head back to the Senate for a concurrence vote before heading to Gov. Brown’s desk to be signed into law. The changes will become effective immediately and districts may begin to use these improvements soon (likely sometime in late June/early July).

Contact Morgan Allen at mallen@osba.org for more information.

View SB 709:

www.osba.org/Resources/Article/Legislative/BillTracking.aspx?key=SB_07090&ptadd=:%20SB_07090%20Details

Questions about legislative issues?

Contact the OSBA Legislative Services Team:

800-578-6722 or 503-588-2800

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For more information about OSBA’s 2015 Summer Board Conference and to register:

www.osba.org/Calendar/Events/Summer_board_conference-2015.aspx



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

<http://promiseoregon.org/petition>