

STATE BOARD OF EDUCATION – TOPIC SUMMARY

Topic: Legislative Update

Date: 6/25/15

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Action Requested: Information only Policy Adoption Policy Adoption/Consent Calendar

ISSUE BEFORE THE BOARD: Update on 2015 Legislature.

BACKGROUND: As session nears the end, we are having a better sense of how we will spend the time until the next session: staffing task forces and writing reports.

Task Forces

- HB 2016: Directs ODE to form advisory group to advise regarding development and implementation of African-American education plan, grant awards, and rulemaking.
- HB 2650: Directs ODE and State Library to convene work group to review summer education programs in the state and how best to distribute grants to summer education programs.
- HB 2680: Directs Superintendent of Public Instruction to convene work group related to statewide summative assessments.
- HB 2968: Directs ODE to convene work group on the reporting of district SSF poverty weight expenditures.
- HB 3151: Establishes Task Force on Virtual Public Charter Schools.
- HB 3499: Directs ODE to convene advisory group to develop uniform budget coding requirements and uniform reporting requirements for students enrolled in EL programs.
- HB 3499: Directs ODE to convene work group to determine criteria for whether school district is meeting EL learning objectives and whether they need targeted assistance.
- SB 698: Establishes Task Force on School Nursing.

Reports:

- HB 3319: Directs ODE to produce report that describes best practices used by school districts to reduce dropout rates.
- Plus, the task forces above will likely produce reports.

Deadlines:

- April 21: First chamber bills must be voted out of committee. ODE was tracking 372 bills. After the deadline, ODE is tracking 197 bills.
- May 22: bills must be scheduled for a work session or they are dead.
- June 5: Bills must be voted out of (most) committees or they are dead.
- June 26: Target adjournment date.
- July 11: Constitutional adjournment date.

2015 Legislative Session: Bills with Impact on K-12 Education

Key Bills Highlighted

OEIB Related Bills			
<i>Bill #</i>	<i>Summary</i>	<i>Status</i>	<i>Implications for School Districts</i>
SB 215 Nancy	Renames OEIB to Office of Chief Education Officer, eliminates OEIB <u>Board</u> , extends OEIB as an agency through 2019, directs Chief Education Office to coordinate with Early Learning Council, State Board of Ed, Youth Development Council, HECC, & TSPC; refines agenda for Chief Education Office to: eliminates student barriers, provides equity in opportunity, and facilitates seamless transitions		No specific action
SB 216 Nancy	ESDs and Tribe eligible to receive network funding, allows nonprofits to assist in admin of Collaboration Grant, requires OEIB to establish a Network Advisory, sets priorities for mentoring dollars and designates at least 75 to 90 contact hour		Watch for revised rules around requirements related to state funded mentoring opportunities
SB 217	Requires OEIB to identify and make recommendations to legislature about programs that make strategic investments. Requires ODE to distribute moneys received for strategic investments. Modifies purposes for which moneys may be distributed for Oregon Early Reading Program, Guidance and Support for Post-Secondary Aspirations Program, and Connecting to the World of Work Program.	W&M	Grants available to Districts will be fewer in number but will be for larger amounts of money and have a deeper focus.
Assessment			
<i>Bill #</i>	<i>Summary</i>	<i>Status</i>	<i>Implications for School Districts</i>
HB 2680 Rob	Prohibits use of results of statewide summative assessment developed by state-led consortium to establish summative ratings of schools or to make summative evaluations of teachers or administrators.	Signed by Governor	School districts will not be allowed to use the results of the 2014-15 Smarter-Balanced tests to evaluate teachers and administrators. Schools and school districts will not receive summative ratings (report card ratings) from the Dept of Education based on the results. Report cards will say, "not rated." Internally, ODE will keep the school at the prior year's rating.
HB 2655 Rob	Provides that parents have right to excuse student (opt out) from statewide standardized summative assessment and that school districts must provide 2 notices of that right to parents		Schools will need to direct parents to ODE-created form to opt their students out of testing. Schools must notify parents of the option to not have their student take the Smarter-Balanced test two times each year: at the beginning of the school year and 30 days before the beginning of the testing period. Schools must provide supervised study time for students excused from the test. If the USDOE withholds funding, schools may see a reduction in funds or a requirement that federal funds be used in a certain way.
Equity			
<i>Bill #</i>	<i>Summary</i>	<i>Status</i>	<i>Implications for School Districts</i>
HB 2016	Directs Dept of Education to develop and implement statewide education plan for early childhood through post-secondary education students who are black or African-		<ul style="list-style-type: none"> • Watch for grant opportunities

Rob	American or not covered by existing statewide education plan and have experienced disproportionate education results.		
HB 3499 Rob	Appropriates \$12.5 million to implement statewide ELL plan to support ELL students.		<ul style="list-style-type: none"> • Watch for new State Board rules on uniform budget coding in Jan 2016 • Prepare annual report to state on funds spent on ELL programs, progress in meeting program objectives, demographics on students enrolled in programs
HB 3375 Nancy	Revises and renames the Minority Teacher Act to become the Oregon Educator Equity Report, provides annual report to legislators on progress of state, districts, and educator prep programs on achieving a more culturally and linguistically diverse workforce mirroring demographics of student population in district	Signed by Governor	<ul style="list-style-type: none"> • Review recommendations in July 2015 report relative to recruitment, hiring, and retention of culturally and linguistically diverse educators • Align work in diversifying workforce with new reporting for Federal Plan: Access to Excellent Educators
SB 820 Nancy	Allows public charter schools to use weighted lottery to give preference to historically underserved students.		<ul style="list-style-type: none"> • Districts will need to determine how they apply this weight.
Age 3 to Grade 3			
Bill #	Summary	Status	Implications for School Districts
SB 214 Nancy	Establishes Age 3 Through Grade 3 Reading Initiative within Department of Education.		<ul style="list-style-type: none"> • Watch for extended learning grants in 15-16 to implement early reading programs involving local community based organizations • Watch for professional development grants in 15-16 to support early reading program
SB 321 Nancy	Compulsory school age lowered from 7 to 6	Signed by Governor	<ul style="list-style-type: none"> • Goes into effect July 1, 2016
SB 612 Nancy	Creates Dyslexia Specialist position in ODE with responsibility for developing and implementing statewide plan for screening kindergarten and first grade students for dyslexia. Districts required to have one teacher at every K-5 school trained relating to dyslexia.		<ul style="list-style-type: none"> • Insure that at least one kindergarten through grade five teacher in each kindergarten through grade five school has received training related to dyslexia • Develop a list of training opportunities that satisfy the requirements
Grades K-12			
Bill #	Summary	Status	Implications for School Districts
HB 3319 Nancy	Requires school districts to report to Oregon Department of Education (ODE) on strategies and activities used to increase high school graduation rates or reduce chronic absenteeism. Requires ODE to report to Legislative Assembly each even-numbered year.		<ul style="list-style-type: none"> • Submit report by June 30 in even numbered years on strategies or activities used by the school district to reduce dropout rates, including strategies or activities to increase district high school graduation rates or reduce chronic absenteeism.
Grades 11-14			
Bill #	Summary	Status	Implications for School Districts

SB 418 Nancy	Establishes statewide standards and funding mechanisms for accelerated college credit programs for high school students. Proposed amendments would place moratorium on future 5 th year programs.		<ul style="list-style-type: none"> Depending on version of amendments, may provide additional funding to support college going culture, alignment of curriculum and funding to cover high school students' tuition for college courses OR may initiate recommendations for a work group and a moratorium on new 5th year programs
HB 2681 Nancy	Directs Higher Ed Coordinating Commission and State Board of Education to oversee work group to examine and recommend effective processes and strategies for placing students in courses at community colleges.	Signed by Governor	<ul style="list-style-type: none"> May ease student pathways to college and affirm use of SBAC scores to waiver placement
Career and Technical Education			
Bill #	Summary	Status	Implications for School Districts
SB 674 Nancy	Appropriates moneys to Department of Education to be expended for purpose of awarding grants under Career and Technical Education Revitalization Grant Program.		Funds awarded via Career and Technical Education Revitalization Grant Program
HB 2624 Nancy	Requires Teacher Standards and Practices Commission (TSPC) to establish and regularly update requirements for preparation for CTE teachers. Requires Oregon Education Investment Board (OEIB) to collaborate with ODE to develop and maintain website on CTE teaching career preparation and openings.		No specific action. May increase pool of available CTE instructors.
HB 3058 Nancy	Permits retired Tier One and Tier Two member of Public Employees Retirement System to work for school district or education service district as a teacher of career and technical education for unlimited hours without loss of retirement benefits.		No specific action. May increase pool of available CTE instructors.
HB 3166 Nancy	Establishes teacher authorization pilot program for purpose of determining effectiveness of alternative requirements for teachers of noncore (CTE) courses.		No specific action. May increase pool of available CTE instructors.
School Discipline			
Bill #	Summary	Status	Implications for School Districts
SB 554 Nancy	Sets forth school discipline goals for schools: decrease the time students are excluded from the classroom; decrease rates of suspension and expulsion; reduce disparities in discipline rates among student groups. Directs Department of Education to assist school districts in achieving specified goals related to school discipline.		<ul style="list-style-type: none"> If passed, ODE will issue contracts to provide training and consultation for districts and issue grants for implementation
K-12 Funding			
Bill #	Summary	Status	Implications for School Districts
HB 2927 Nancy	Increases High Cost Disabilities Grant from \$18m to \$35m.	Headed to Governor for signature	Districts will have approximately 80% of their high cost disabilities expenses covered (was 40%) now that the grant amount has doubled.
SB 667 Rob	Extends the additional funding small school districts receive under the Small School District Supplement Fund until 7-1-2020.	Headed to Governor for signature	Small school districts will automatically get the add'l funding.
HB 2657	Directs State Board of Education to not consider days pupil is absent when determining aggregate days membership for purposes of distributions from State		Districts would need to change how they report student ADM by detailing how many hours of instruction each

Rob	School Fund. Aggregate days membership to be calculated based on number of hours of instruction pupil receives during school year.		student was receiving. This will likely require reprogramming. They would be paid for those hours the students are actually receiving instruction.
HB 5016 Rob	ODE Budget: Proposes funding for a variety of programs		
SB 447 Rob	Establishes grant program that provides matching fund grants to school districts for capital costs. Dept of Education will administer the program. Grants will be between \$4m and \$8m. \$50 million expected to be appropriated.		School districts will be incentivized to pass local levies for new schools.

Charter Schools

Bill #	Summary	Status	Implications for School Districts
SB 819 Nancy	Sends more funding to charter schools. Instead of 80-95% of sponsoring school district it will be 95%. Charter schools will also be entitled to any local, state, or federal moneys received by a sponsoring school district.		Districts should be aware of change in percentage when negotiating charter contracts.
SB 820 Nancy	Allows charter school to use weighted lottery to give admission preference for historically underserved students; provision sunsets in 2020-21. Requires consideration of two or more factors in determining underserved status.		Districts should work with legal counsel to determine how to implement weighted lottery.
HB 3045 Rob	Removes requirement that sponsoring school district of a charter school send money to district from which the student resides.	Signed by Governor	Eliminates requirement that school district send a portion of the out-of-district student ADMw back to the sending district. Currently, a school district receives 100% of per student funding for a charter school student. Then, depending on the contract between the district and school, passes 80-100% of that funding to the charter school. The school district then splits what remains (20%-0%) with the district that sent the student (where the student resides). (Example: Portland sends student to Scio's Connections Academy. Scio's contract with ORCA is that ORCA gets 95% of funding. ORCA keeps 2.5% of that 5% and sends 2.5% to Portland.) Proponents testified that this is an administrative burden on sponsoring districts; results in little funding to the sending district; the sending district often does not know why it is receiving the money; the sending district usually does little regarding the student and therefore has few overhead costs.

Additional Bills Either of Interest or Still in Process

Assessment

Bill #	Summary	Status	Implications for School District
HB 2713	Directs Secretary of State to conduct audit of use of statewide summative assessment in public schools in this state.		The Secretary of State's audits team may be contacting schools and interviewing them about the fiscal, administrative, and educational impact of the Smarter-

			Balanced assessment.
HB 2715	Prohibits school district employee or volunteer from posting personally identifiable information relating to assessment results.	Signed by Governor	Districts will need to emphasize to its schools existing FERPA law which prohibits posting assessment results in a public setting.
Grades K-12			
Bill #	Summary	Status	Implications for School District
SB 709	<p>Refines changes in the interdistrict transfer law. There have been many changes to interdistrict transfer law since open enrollment became law in 2011. SB 709 does the following:</p> <ul style="list-style-type: none"> • Allows students who move over the summer to stay for the next school year. • Clarifies that districts may revoke transfers for not meeting behavior requirements or attendance standards, but may not revoke transfers 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. • Changes the law such 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 District B and subsequently moves to District C, he or she won't need a new transfer between B and C. • Clarifies that districts can ask for sibling information and school preference on interdistrict transfer application forms. • Allows ODE 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. • Bans using SSF dollars for out-of-district marketing. • 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. 		Districts will need to review and adjust their interdistrict policies to align with the law.
HB 2928	Establishes Task Force on Class Sizes to determine appropriate class sizes of students, identify methods to reduce class sizes and determine cost for methods to reduce class sizes.		FYI
Student Privacy			
Bill #	Summary	Status	Implications for School District
SB 187	Establishes Oregon Student Information Protection Act		Provides a template for contracts between school districts and software vendors.

Career and Technical Education			
Bill #	Summary	Status	Implications for School District
HB 2623	Directs Department of Education to administer pilot program to increase students' exposure and access to career and technical education (CTE) including high school, community college, apprenticeship and on-the-job training programs. Sunsets pilot program on January 2, 2018		If passed, will award three grants to school districts to fund pilot programs
School Health & Safety			
Bill #	Summary	Status	Implications for School District
SB 521	Permits coach to allow member of school athletic team and non-school athletic team to participate in athletic event or training at any time after athletic trainer determines that member has not suffered concussion.		ODE will revise current rules, regulations, policies and procedures.
SB 660	Directs Oregon Health Authority to screen and provide dental sealants to "appropriate" student populations who attend an elementary school or a middle school in which at least 40% of all students attending the school are eligible to receive free or reduced lunches.		Watch for rules to be developed by OHA.
SB 790	Directs ODE to provide school districts with posters in both English and Spanish containing information regarding domestic violence and at least one toll-free hotline telephone number. Requires each school district board to adopt policies requiring posting of posters in clearly visible locations on school campuses.	Headed to Governor for signature	Requires each school district board to adopt policies requiring posting of posters in clearly visible locations on school campuses.
SB 856	Requires each school district board to adopt child sexual abuse prevention instructional program for students in kindergarten to grade 12.		ODE will develop administrative rules and provide training and guidance for districts.
SB 895	Requires schools to report annually on the number of children in the school with incomplete immunizations. Requires schools to make immunization data by disease available at main office, online, or through electronic communication. Requires immunization information be included in school district report cards..		ODE will amend applicable administrative rules. ODE will include in school report card district information relating to immunizations.
HB 2465	Replaces requirement that applicants under 18 years of age provide proof of enrollment from school with the requirement that parent or guardian certify that applicant is enrolled in school, except in cases where the applicant's privileges have been suspended for withdrawal from school.		Will require some communication between school districts and DMV.
HB 2661	Provides that school drills and instruction on safety threats include lockdown, lockout, shelter in place, and evacuation procedures.	Headed to Governor for signature	<ul style="list-style-type: none"> Add this information to school drills
HB 2972	Requires dental director to develop guidelines for dental screenings in schools. Schools must provide dental screening data to ODE for the previous school year.		Schools must track and provide to ODE dental screening data for the previous school year. ODE will provide a summary of the school level data regarding dental screenings to interim legislative committees. ODE with OHA will develop administrative rules to implement the dental screening program.
HB 3035	Allows flashing lights in school zones from 7am to 5 pm on a day when school is in session if the school has a parking lot located across the street from the school and the street has a speed limit of under 45 mph.	Signed by Governor	FYI
HB 3041	Directs school districts to allow students to wear sun-protective clothing and	Signed by	ODE will revise applicable administrative rules.

	nonprescription sunscreen.	Governor	
HB 3371	Prohibits retaliation by educational program against student who makes good faith report of possible violation of state or federal law, rule, or regulation.	Headed to Governor for signature	May require new policies adopted by local school board.
School Discipline			
Bill #	Summary	Status	Implications for School District
HB 2597	Requires that notice of truancy must state that parent has the right to request an IEP evaluation meeting or an IEP review for student already on an IEP.	Headed to Governor for signature	<ul style="list-style-type: none"> Adjust school attendance policies related to truancy and parent rights
SB 553	Imposes limits on instances when student in fifth grade or lower may be subjected to out-of-school suspension or expulsion from school.	Signed by Governor	<ul style="list-style-type: none"> Adjust school discipline policies that include consideration of the age of a student and the past pattern of behavior of a student prior to imposing the suspension or expulsion of a student.
SB 556	Prohibits use of expulsion to address truancy.	Signed by Governor	<ul style="list-style-type: none"> Adjust district rules to prohibit use of expulsion to address truancy.
School Nutrition			
Bill #	Summary	Status	Implications for School District
HB 2404	Aligns some Oregon nutrition standards that school districts have to follow for snacks and meal entrees with federal standards	Headed to Governor for signature	Reducing the conflicts between state and federal law should make food selections easier for school districts.
HB 2545	Requires school district to provide lunch free of charge to students who are eligible for reduced price lunches. Directs Dept of Education to reimburse school district for actual amount student would have been required to pay.		ODE will develop administrative rules and provide training and guidance for districts. Districts will likely want to inform parents of new free lunch policy.
HB 2602	Modifies criteria to qualify for grant to be used to provide instructional time during summer program. Appropriates money.		If passed becomes effective July 1, 2015, adds criteria of significant achievement gap between historically underserved student groups and other student groups. Continues availability of some grant funds to some schools.
HB 2762	Requires school district, by 7-1-21, to eliminate use of polystyrene foam plates, trays, food containers, or food packaging in service of breakfast or lunch at school site unless school district participates in recycling program for polystyrene foam. Requires Dept of Education to provide extension to school districts that are able to show financial hardship for complying.	Headed to Governor for signature	Requires districts that use polystyrene in service of meals during 2014-15 school year to establish plan to eliminate use of polystyrene or participate in recycling program for polystyrene by 2021
HB 2846	Provides that 15 minutes spent by students consuming breakfast is considered instructional time in certain circumstances. Also known as “breakfast after the bell.”		ODE will develop administrative rules and provide training and guidance for districts. Districts have greater flexibility in offering breakfast to students.
K-12 Funding			
Bill #	Summary	Status	Implications for School District

HB 2150	Prevents some double counting of students (those enrolled in charter schools and those enrolled in school district) for extended ADMw funding purposes. Allows school district that sponsored a charter school that ceases to operate in that school district to keep 5-8% of the extended ADMw that would have otherwise been generated for closing costs.		ODE will develop administrative rules and provide training and guidance for districts.
HB 2626	Authorizes State Treasurer to issue lottery bonds to finance \$4 million in grants from Dept of Education to school districts to pay for acquisition, construction, or improvement of school-based health centers.		School districts may have assistance to finance school-based health centers.
HB 2650	Directs state library to distribute grants to school districts for early reading programs provided during summer.		School districts may wish to apply for funding. Those awarded funding may offer summer literacy program in school library that includes serving lunch.
HB 2858	Includes transit pass costs as approved transportation costs for purpose of State School Fund distributions.		ODE will develop administrative rules and provide training and guidance for districts.
HB 3336	Authorizes State Treasurer to issue Article XI-P general obligation bonds to provide matching funds to school districts for improvements to school security infrastructure.		FYI
HB 3493	Prohibits Superintendent of Public Instruction and State Board of Education from making or authorizing certain calculations related to aggregate days membership and weighted average daily membership except as specified by statute. As currently written, could shift \$350 million of SSF dollars among districts.		FYI
HB 3497	Increases minimum general services grant for ESDs to \$1.165 million for the 2015-16 school year. Specifies that minimum grant should mirror growth of ESD's revenue in SSF distribution in future school years.	Headed to Governor for signature.	FYI. Should assist districts when developing agreements with ESD.
HB 5017	State School Fund: Appropriates \$6.912.9 million from the General Fund and \$342.1 million from Lottery revenues for the State School Fund. NOTE: \$105 million was added by separate action. Not clear if \$105 will be for both years or second year.	Signed by Governor	Schools will be able to set budgets based on this amount.
SB 667	Extends the additional funding small school districts receive under the Small School District Supplement Fund until 7-1-2020.	Headed to Governor for signature	Small school districts will automatically get the add'l funding.
Charter Schools			
Bill #	Summary	Status	Implications for School District
SB 588	Allows school district and charter school to be considered single legal entity for purpose of charter school law if charter school is only school in school district and other conditions are met.	Signed by Governor	Should reduce some audit paperwork for those 17 charter schools that are located in districts where they are the only schools
HB 3044	Requires charter school to notify district school board of other school district and of sponsor school district if charter school uses real property in other school district.	Signed by Governor	Charter schools will be able to open facilities within the boundaries of a non-sponsoring district.