

Senate Bill 38

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates Task Force on Kindergarten through Grade 12 Fiscal Reform.
Directs Superintendent of Public Instruction to contract with consultant to facilitate work of task force.
Creates Joint Legislative Education Fiscal Reform Interim Committee.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to school finance; and declaring an emergency.

3 Whereas the funding level for kindergarten through grade 12 public education for the 2005-2007
4 biennium is unlikely to increase from the prior biennium; and

5 Whereas the likely funding level for the 2005-2007 biennium will not meet the increased cost of
6 providing kindergarten through grade 12 public education; and

7 Whereas the likely funding level for the 2005-2007 biennium will result in less money for class-
8 room instruction; and

9 Whereas less money for classroom instruction results in fewer teachers, larger classes, reduced
10 class offerings and diminished classroom resources; and

11 Whereas classroom instruction, which is the ultimate point of service in the kindergarten
12 through grade 12 public school system, is the most important of all spending priorities; and

13 Whereas of the total dollars allocated to kindergarten through grade 12 public education, op-
14 portunities exist to redirect funds to increase the percentage allocated to classroom instruction; and

15 Whereas the kindergarten through grade 12 public school system includes the Department of
16 Education, school districts and education service districts; now, therefore;

17 **Be It Enacted by the People of the State of Oregon:**

18 **SECTION 1.** (1) **In consultation with the Governor, the President of the Senate and the**
19 **Speaker of the House of Representatives, the Superintendent of Public Instruction shall**
20 **contract with a consultant to facilitate the work of the Task Force on Kindergarten through**
21 **Grade 12 Fiscal Reform created in section 2 of this 2005 Act.**

22 (2) **The consultant shall have expertise as a facilitator and as an initiator of change in**
23 **systems, procedures and organizational structures.**

24 **SECTION 2.** (1) **There is created the Task Force on Kindergarten through Grade 12 Fiscal**
25 **Reform consisting of 13 members appointed as follows:**

26 (a) **The Superintendent of Public Instruction shall appoint one representative from each**
27 **of the following:**

28 (A) **Public school teachers;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

- 1 (B) Classified school district employees;
- 2 (C) School district boards;
- 3 (D) Public school administrators;
- 4 (E) The business community; and
- 5 (F) The Department of Education.

6 (b) In addition to the members appointed under paragraph (a) of this subsection, the su-
 7 perintendent shall appoint two additional members.

8 (c) The Governor shall appoint a representative of the office of the Governor to the task
 9 force.

10 (d) The President of the Senate shall appoint:

- 11 (A) One member of the Senate who is a Democrat.
- 12 (B) One member of the Senate who is a Republican.

13 (e) The Speaker of the House of Representatives shall appoint:

- 14 (A) One member of the House of Representatives who is a Democrat.
- 15 (B) One member of the House of Representatives who is a Republican.

16 (2) The task force shall:

17 (a) Study the entire kindergarten through grade 12 public school system, including the
 18 Department of Education, school districts and education service districts;

19 (b) Identify all barriers within the system that diminish resources available to the
 20 classroom;

21 (c) Identify statutes and rules relating to kindergarten through grade 12 public education
 22 that create barriers to providing additional resources to the classroom;

23 (d) Recommend solutions for providing additional resources to the classroom; and

24 (e) Recommend how any additional resources could be gained from the elimination of
 25 barriers or the amendment or repeal of statutes or rules and how these additional resources
 26 could be directed or redirected toward:

- 27 (A) Reducing class size;
- 28 (B) Increasing the number of classroom teachers;
- 29 (C) Making available additional classroom support materials; and
- 30 (D) Increasing the number of courses offered to students.

31 (3) A majority of the members of the task force constitutes a quorum for the transaction
 32 of business.

33 (4) Official action by the task force requires the approval of a majority of the members
 34 of the task force.

35 (5) The task force shall elect one of its members to serve as chairperson.

36 (6) If there is a vacancy for any cause, the appointing authority shall make an appoint-
 37 ment to become immediately effective.

38 (7) The task force shall meet at times and places specified by the call of the chairperson
 39 or of a majority of the members of the task force.

40 (8)(a) The task force or the consultant described in section 1 of this 2005 Act shall report
 41 on the progress of the task force to the Joint Legislative Education Fiscal Reform Interim
 42 Committee created in section 3 of this 2005 Act as directed by the interim committee.

43 (b) The task force or the consultant shall submit a final report that contains the rec-
 44 ommendations and solutions of the task force, to the Joint Legislative Education Fiscal Re-
 45 form Interim Committee no later than October 1, 2006.

1 (9) The Department of Education shall provide staff support to the task force.

2 (10) Members of the task force who are not members of the Legislative Assembly are not
 3 entitled to compensation, but may be reimbursed for actual and necessary travel and other
 4 expenses incurred by them in the performance of their official duties in the manner and
 5 amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions
 6 of the task force shall be paid out of funds appropriated to the Department of Education for
 7 that purpose.

8 (11) All agencies of state government, as defined in ORS 174.111, school districts and ed-
 9 ucation service districts are directed to assist the task force in the performance of its duties
 10 and, to the extent permitted by laws relating to confidentiality, to furnish such information
 11 and advice as the members of the task force consider necessary to perform their duties.

12 **SECTION 3. (1) There is created the Joint Legislative Education Fiscal Reform Interim**
 13 **Committee consisting of the following members:**

14 (a) The President of the Senate or the designee of the President.

15 (b) The chairperson or a Senate member of the following committees, appointed by the
 16 President:

17 (A) The Senate Interim Committee on Education;

18 (B) The Emergency Board subcommittee on education; and

19 (C) The Senate Interim Committee on Revenue.

20 (c) The Speaker of the House of Representatives or the designee of the Speaker.

21 (d) The chairperson or a House member of the following committees, appointed by the
 22 Speaker:

23 (A) The House Interim Committee on Education;

24 (B) The Emergency Board subcommittee on education; and

25 (C) The House Interim Committee on Revenue.

26 (e) Any additional members, appointed by the President and the Speaker for the purposes
 27 of making the appointments to the Joint Legislative Education Fiscal Reform Interim Com-
 28 mittee from each house bipartisan.

29 (2) The President and the Speaker or their designees shall serve as joint chairpersons of
 30 the interim committee.

31 (3) The interim committee shall provide input and direction to the Task Force on
 32 Kindergarten through Grade 12 Fiscal Reform created in section 2 of this 2005 Act.

33 (4) The interim committee may request information and periodic reports from the task
 34 force and from the consultant described in section 1 of this 2005 Act.

35 (5) A majority of the members of the interim committee constitutes a quorum for the
 36 transaction of business.

37 (6) Official action by the interim committee requires the approval of a majority of the
 38 members of the interim committee.

39 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-
 40 ment to become immediately effective.

41 (8) The interim committee shall meet at times and places specified by the call of a
 42 chairperson or of a majority of the members of the interim committee.

43 (9) The interim committee may adopt rules necessary for the operation of the interim
 44 committee.

45 (10) The interim committee shall report to the Legislative Assembly in the manner pro-

1 vided in ORS 192.245 at any time within 30 days after its final meeting or at such later time
2 as the President and Speaker may designate.

3 (11) The Legislative Fiscal Office and the Legislative Revenue Office shall provide staff
4 support to the committee.

5 (12) All agencies of state government, as defined in ORS 174.111, school districts and ed-
6 ucation service districts are directed to assist the interim committee in the performance of
7 its duties and, to the extent permitted by laws relating to confidentiality, to furnish such
8 information and advice as the members of the interim committee consider necessary to
9 perform their duties.

10 SECTION 4. Sections 1 to 3 of this 2005 Act are repealed on the date of the convening
11 of the next regular biennial legislative session.

12 SECTION 5. This 2005 Act being necessary for the immediate preservation of the public
13 peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect
14 on its passage.