

B-Engrossed
Senate Bill 216

Ordered by the House May 28
Including Senate Amendments dated April 23 and House Amendments
dated May 28

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Oregon Education Investment Board)

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.

Allows education service districts to receive funding from Department of Education to accomplish purposes of Network of Quality Teaching and Learning. Modifies purposes for which department may distribute funding.

Allows department to enter into contract with nonprofit entity to administer School District Collaboration Grant Program and to award additional grant amounts in certain circumstances.

Directs department to award grants competitively based on priorities addressed by grant moneys and small school district or rural community status.

Adjusts time requirement for beginning teacher and administrator mentorship program.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to quality teaching; amending ORS 329.800, 329.805, 329.820, 329.838 and 342.950; and de-
3 clarating an emergency.

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

5 **SECTION 1.** ORS 342.950 is amended to read:

6 342.950. (1) The Network of Quality Teaching and Learning is established. The network consists
7 of the Oregon Education Investment Board, the Department of Education and public and private
8 entities that receive funding as provided by this section to accomplish the purposes of the network
9 described in subsection (2) of this section.

10 (2) The purposes of the network are the following:

11 (a) To enhance a culture of leadership and collaborative responsibility for advancing the pro-
12 fession of teaching among providers of early learning services, teachers and administrators in
13 kindergarten through grade 12, education service districts and teacher education institutions.

14 (b) To strengthen and enhance existing evidence-based practices that improve student achieve-
15 ment, including practices advanced by or described in ORS 329.788 to 329.820, 329.822, 329.824,
16 329.838, 342.433 to 342.449 and 342.805 to 342.937.

17 (c) To improve recruitment, preparation, induction, career advancement opportunities and sup-
18 port of educators.

19 (3) To accomplish the purposes of the network described in subsection (2) of this section, the
20 Department of Education, subject to the direction and control of the Chief Education Officer, shall
21 distribute funding as follows:

22 (a) To **schools**, school districts, [*schools*], **education service districts**, nonprofit organizations,

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 post-secondary institutions and consortiums that are any combination of those entities for the pur-
 2 pose of supporting the implementation [*of common core state standards*] **and delivery of common**
 3 **core state standards and other state standards that indicate whether a student is prepared**
 4 **for college.**

5 (b) To school districts, **education service districts** and nonprofit organizations for the [*pur-*
 6 *poses of complying*] **purpose of providing teacher and administrator evaluations and aligned**
 7 **professional development in a manner that complies** with the core teaching standards adopted
 8 as provided by ORS 342.856 and [*complying*] with related standards prescribed by federal law.

9 (c) To school districts and nonprofit organizations for the purpose of providing teachers with
 10 opportunities for professional collaboration and professional development and for the pursuit of ca-
 11 reer pathways in a manner that is consistent with the School District Collaboration Grant Program
 12 described in ORS 329.838.

13 (d) To school districts, **education service districts** and nonprofit organizations for the purpose
 14 of providing beginning teachers and administrators with mentors in a manner that is consistent with
 15 the beginning teacher and administrator mentorship program described in ORS 329.788 to 329.820.

16 [*(e) To school districts for the purposes of obtaining assessments and developing professional de-*
 17 *velopment plans to meet school improvement objectives and educator needs.*]

18 [(f)] (e) To school districts, **education service districts**, nonprofit organizations, [*and*] post-
 19 secondary institutions **and the tribes of this state** for the purpose of closing achievement gaps by
 20 providing and improving the effectiveness of **instruction and** professional development, implement-
 21 ing data-driven decision making, supporting practice communities and implementing culturally com-
 22 petent practices.

23 [(g) *To school districts and nonprofit organizations for the purposes of developing and engaging*
 24 *in proficiency-based or student-centered learning practices and assessments.*]

25 [(h)] (f) To school districts, nonprofit organizations and post-secondary institutions for the pur-
 26 poses of:

27 (A) Strengthening educator [*preparation*] programs **for educators at all levels to improve ed-**
 28 **ucator preparation, recruitment and leadership.** [*and*]

29 (B) Supporting the development and sustainability of partnerships between providers of early
 30 learning services, public schools with any grades from kindergarten through grade 12 and post-
 31 secondary institutions.

32 [(i) *To providers of early learning services, nonprofit organizations and post-secondary institutions*
 33 *for the purposes of providing professional development and supporting providers of early learning*
 34 *services with opportunities for professional collaboration and advancement.*]

35 (4) The Oregon Education Investment Board shall [*support*] **provide strategic direction to** the
 36 network by:

37 (a) Conducting and coordinating research to determine best practices and evidence-based mod-
 38 els.

39 (b) **Convening an advisory group to guide network activities and expand the implemen-**
 40 **tation of effective practices.**

41 [(b)] (c) Working with educator [*preparation*] programs to ensure ongoing collaboration with
 42 education providers.

43 [(c)] (d) Supporting programs that help to achieve the [*goal*] **purposes** of the Minority Teacher
 44 Act of 1991 [*as described in ORS 342.437*].

45 [(d)] (e) Creating and supporting a statewide plan for increasing the successful recruitment of

1 high-ability and culturally diverse candidates to work in high-need communities and fields.

2 (5) The Department of Education shall support the network by:

3 (a) Developing a system that ensures statewide dissemination of best practices and evidence-
4 based models.

5 (b) Supporting the development and implementation of standards-based curriculum, high-leverage
6 practices and assessments that promote student learning and improve outcomes for students learning
7 English as a second language and for students with disabilities.

8 (c) Administering the distribution of funding as described in subsection (3) of this section.

9 (6) The Oregon Education Investment Board shall develop processes to establish the network
10 and ensure the accountability of the network. The processes must ensure that the network:

11 (a) Gives preference to entities that have demonstrated success in improving student outcomes.

12 (b) Delivers services for the benefit of all regions of this state.

13 (c) Is accountable for improving education outcomes identified by the Oregon Education Invest-
14 ment Board, contained in achievement compacts or set forth in ORS 351.009.

15 (d) Includes and connects education providers and leaders from pre-kindergarten through post-
16 secondary education.

17 (7) No more than two percent of all moneys received for the purposes of this section may be
18 expended by the Oregon Education Investment Board or the Department of Education for adminis-
19 trative costs incurred under this section. For the purpose of this subsection, [*technical assistance and*
20 *direct program services provided to school districts and nonprofit organizations*] **the following** are not
21 considered administrative costs[.]:

22 (a) **Technical assistance and direct program services provided to school districts and**
23 **nonprofit organizations; and**

24 (b) **Any administrative costs incurred under ORS 329.838 related to the administration**
25 **of the School District Collaboration Grant Program.**

26 (8) The State Board of Education may adopt any rules necessary for the Department of Educa-
27 tion to support the network and perform any duties assigned to the department under this section
28 or assigned to the department by the Oregon Education Investment Board. Any rules adopted by the
29 State Board of Education must be consistent with this section and with actions taken by the Oregon
30 Education Investment Board to implement this section.

31 **SECTION 2.** ORS 342.950, as amended by section 2, chapter 661, Oregon Laws 2013, is amended
32 to read:

33 342.950. (1) The Network of Quality Teaching and Learning is established. The network consists
34 of the Department of Education and public and private entities that receive funding as provided by
35 this section to accomplish the purposes of the network described in subsection (2) of this section.

36 (2) The purposes of the network are the following:

37 (a) To enhance a culture of leadership and collaborative responsibility for advancing the pro-
38 fession of teaching among providers of early learning services, teachers and administrators in
39 kindergarten through grade 12, education service districts and teacher education institutions.

40 (b) To strengthen and enhance existing evidence-based practices that improve student achieve-
41 ment, including practices advanced by or described in ORS 329.788 to 329.820, 329.822, 329.824,
42 329.838, 342.433 to 342.449 and 342.805 to 342.937.

43 (c) To improve recruitment, preparation, induction, career advancement opportunities and sup-
44 port of educators.

45 (3) To accomplish the purposes of the network described in subsection (2) of this section, the

1 Department of Education, subject to the direction and control of the Superintendent of Public In-
2 struction, shall distribute funding as follows:

3 (a) To **schools**, school districts, *[schools,]* **education service districts**, nonprofit organizations,
4 post-secondary institutions and consortiums that are any combination of those entities for the pur-
5 pose of supporting the implementation *[of common core state standards]* **and delivery of common**
6 **core state standards and other state standards that indicate whether a student is prepared**
7 **for college.**

8 (b) To school districts, **education service districts** and nonprofit organizations for the *[pur-*
9 *poses of complying]* **purpose of providing teacher and administrator evaluations and aligned**
10 **professional development in a manner that complies** with the core teaching standards adopted
11 as provided by ORS 342.856 and *[complying]* with related standards prescribed by federal law.

12 (c) To school districts and nonprofit organizations for the purpose of providing teachers with
13 opportunities for professional collaboration and professional development and for the pursuit of ca-
14 reer pathways in a manner that is consistent with the School District Collaboration Grant Program
15 described in ORS 329.838.

16 (d) To school districts, **education service districts** and nonprofit organizations for the purpose
17 of providing beginning teachers and administrators with mentors in a manner that is consistent with
18 the beginning teacher and administrator mentorship program described in ORS 329.788 to 329.820.

19 *[(e) To school districts for the purposes of obtaining assessments and developing professional de-*
20 *velopment plans to meet school improvement objectives and educator needs.]*

21 *[(f)]* (e) To school districts, **education service districts**, nonprofit organizations, *[and]* post-
22 secondary institutions **and the tribes of this state** for the purpose of closing achievement gaps by
23 providing and improving the effectiveness of **instruction and** professional development, implement-
24 ing data-driven decision making, supporting practice communities and implementing culturally com-
25 petent practices.

26 *[(g) To school districts and nonprofit organizations for the purposes of developing and engaging*
27 *in proficiency-based or student-centered learning practices and assessments.]*

28 *[(h)]* (f) To school districts, nonprofit organizations and post-secondary institutions for the pur-
29 poses of:

30 (A) Strengthening educator *[preparation]* programs **for educators at all levels to improve ed-**
31 **ucator preparation, recruitment and leadership.** *[and]*

32 (B) Supporting the development and sustainability of partnerships between providers of early
33 learning services, public schools with any grades from kindergarten through grade 12 and post-
34 secondary institutions.

35 *[(i) To providers of early learning services, nonprofit organizations and post-secondary institutions*
36 *for the purposes of providing professional development and supporting providers of early learning*
37 *services with opportunities for professional collaboration and advancement.]*

38 (4) The Department of Education shall *[support]* **provide strategic direction** to the network by:

39 (a) Conducting and coordinating research to determine best practices and evidence-based mod-
40 els.

41 (b) **Convening an advisory group to guide network activities and expand the implemen-**
42 **tation of effective practices.**

43 *[(b)]* (c) Working with educator *[preparation]* programs to ensure ongoing collaboration with
44 education providers.

45 *[(c)]* (d) Supporting programs that help to achieve the *[goal]* **purposes** of the Minority Teacher

1 Act of 1991 [as described in ORS 342.437].

2 [(d)] (e) Creating and supporting a statewide plan for increasing the successful recruitment of
3 high-ability and culturally diverse candidates to work in high-need communities and fields.

4 [(e)] (f) Developing a system that ensures statewide dissemination of best practices and
5 evidence-based models.

6 [(f)] (g) Supporting the development and implementation of standards-based curriculum, high-
7 leverage practices and assessments that promote student learning and improve outcomes for stu-
8 dents learning English as a second language and for students with disabilities.

9 [(g)] (h) Administering the distribution of funding as described in subsection (3) of this section.

10 (5) The State Board of Education shall develop processes to establish the network and ensure
11 the accountability of the network. The processes must ensure that the network:

12 (a) Gives preference to entities that have demonstrated success in improving student outcomes.

13 (b) Delivers services for the benefit of all regions of this state.

14 (c) Is accountable for improving education outcomes identified by the State Board of Education,
15 contained in achievement compacts or set forth in ORS 351.009.

16 (d) Includes and connects education providers and leaders from pre-kindergarten through post-
17 secondary education.

18 (6) No more than two percent of all moneys received for the purposes of this section may be
19 expended by the Department of Education for administrative costs incurred under this section. For
20 the purpose of this subsection, [technical assistance and direct program services provided to school
21 districts and nonprofit organizations] **the following** are not considered administrative costs[.]:

22 (a) **Technical assistance and direct program services provided to school districts and**
23 **nonprofit organizations; and**

24 (b) **Any administrative costs incurred under ORS 329.838 related to the administration**
25 **of the School District Collaboration Grant Program.**

26 (7) The State Board of Education may adopt any rules necessary for the Department of Educa-
27 tion to support the network and perform any duties assigned to the department under this section.
28 Any rules adopted by the State Board of Education must be consistent with this section.

29 **SECTION 3.** ORS 329.838 is amended to read:

30 329.838. (1) The School District Collaboration Grant Program is established to provide funding
31 for school districts to improve student achievement through the voluntary collaboration of teachers
32 and administrators to design and implement new approaches to:

33 (a) Career pathways for teachers and administrators;

34 (b) Evaluation processes for teachers and administrators;

35 (c) Compensation models for teachers and administrators; and

36 (d) Enhanced professional development opportunities for teachers and administrators.

37 (2)(a) The Department of Education shall [administer] **ensure that** the grant program estab-
38 lished by this section **is administered** and may provide technical expertise to school districts ap-
39 plying for or receiving a grant under this section.

40 (b) **For the purpose of ensuring that the grant program is administered, the department**
41 **may directly administer the grant program or may enter into a contract with a nonprofit**
42 **entity to administer the grant program.**

43 [(b)] (c) For the purpose of providing technical expertise, the department may enter into con-
44 tracts with nonprofit entities that have experience in designing and implementing approaches that
45 are similar to the approaches described in subsection (1) of this section.

1 *[(c) The department may expend no more than five percent of the amount appropriated to the de-*
2 *partment for the grant program to pay for the administrative costs incurred by the department under*
3 *this section, not including any costs related to contracts described in paragraph (b) of this*
4 *subsection.]*

5 (3) Each school district may apply *[to the department]* for a grant under this section. Applications
6 may be for the design or for the implementation of an approach identified in subsection (1) of this
7 section.

8 (4) Prior to applying for a grant, the school district must receive the approval to apply for the
9 grant from:

10 (a) The exclusive bargaining representative for the teachers of the school district or, if the
11 teachers are not represented by an exclusive bargaining representative, from the teachers of the
12 school district;

13 (b) The chairperson of the school district board; and

14 (c) The superintendent of the school district.

15 (5) Funding for the grant program established by this section shall be provided through the
16 School District Collaboration Grant Account established by ORS 329.839.

17 (6) The amount of each grant shall be determined as follows:

18 (a) For grants that are for the design of an approach identified in subsection (1) of this section,
19 the amount determined by the *[department]* **administrator of the grant program** based on:

20 (A) The application submitted by the school district *[to the department]*;

21 (B) The portion of the total funds available for grants that are for the design of an approach;
22 and

23 (C) Any other **criteria or** limitations established by the State Board of Education by rule, which
24 may include a minimum amount or a maximum amount for a grant.

25 (b)(A) For grants that are for the implementation of an approach identified in subsection (1) of
26 this section, the Grant Amount = School district ADMw × (the total amount available for distrib-
27 ution for an implementation grant in a fiscal year through the School District Collaboration Grant
28 Program ÷ the total ADMw of the school districts that receive an implementation grant for the
29 fiscal year through the School District Collaboration Grant Program). For the purpose of the cal-
30 culation made under this paragraph, ADMw shall be calculated as provided by ORS 327.013, 338.155
31 (1) and 338.165 (3).

32 (B) **Notwithstanding subparagraph (A) of this paragraph, a school district may receive a**
33 **grant for an amount that is 10 percent more than the amount calculated under subparagraph**
34 **(A) of this paragraph if the grant program administrator approves a school district's sup-**
35 **plemental plan to design and implement new approaches to improve student achievement**
36 **that are in addition to the approaches identified in subsection (1) of this section and that are**
37 **research-based best practices.**

38 (C) **In addition to any amounts received under subparagraphs (A) and (B) of this para-**
39 **graph, a school district that has an average daily membership of less than 1,500 may receive**
40 **a supplemental amount of up to \$50,000 if:**

41 (i) **The supplemental amount is used for expenses incurred in relation to a grant manager**
42 **who:**

43 (I) **Manages the use of a grant received under this paragraph;**

44 (II) **Supports the school district's committees related to the grant;**

45 (III) **Monitors and measures the implementation of new approaches funded by the grant;**

- 1 **(IV) Ensures timely and accurate communications with educators in the school district;**
- 2 **(V) Completes all Department of Education requirements related to the grant; and**
- 3 **(VI) Attends meetings and collaborates with other school districts; and**

4 **(ii) The total of the implementation grant and the supplemental amount does not exceed**
5 **\$150,000.**

6 (7) *[The department shall award]* Grants **shall be awarded** based on:

7 (a) The application submitted by the school district *[to the department]*;

8 (b) Other funds received by a school district for a purpose identified in subsection (1) of this
9 section; and

10 (c) Any other criteria established by the State Board of Education by rule.

11 (8) Moneys received by a school district under this section must be separately accounted for and
12 may be used only to provide funding for the purposes described in the application submitted by the
13 school district.

14 (9) The department shall accumulate, evaluate and publish student achievement results of school
15 districts receiving grants under this section to determine the effectiveness of the approaches de-
16 signed and implemented by the school districts under the grant program.

17 (10)(a) Except as provided by paragraph (b) of this subsection, the State Board of Education may
18 adopt any rules necessary for the implementation of the grant program established by this section.

19 (b) The board may not adopt any rules that establish statewide standards for the design and
20 implementation of the approaches described in subsection (1) of this section.

21 **SECTION 4.** ORS 329.805 is amended to read:

22 329.805. (1) Subject to ORS 291.232 to 291.260, the Department of Education shall distribute
23 grants-in-aid to qualifying school districts to offset the costs of beginning teacher and administrator
24 mentorship programs. A qualifying district shall receive annually an amount that is aligned with
25 evidence-based best practices.

26 (2) If the funds are insufficient for all eligible proposals, the Department of Education shall
27 award grants on a competitive basis, taking into consideration *[geographic and demographic diver-*
28 *sity.]*:

29 **(a) The priorities to be addressed by moneys received by a school district, including ef-**
30 **forts related to:**

31 **(A) Increasing the number of culturally and linguistically diverse educators hired; and**

32 **(B) Reflecting the demographics of the students of the school district with the demo-**
33 **graphics of the educators of the school district; and**

34 **(b) Whether the school district is a small school district or serves a rural community.**

35 (3) The State Board of Education may adopt such rules as it considers appropriate for the dis-
36 tribution of grants-in-aid under this section.

37 (4) A district that is determined by the Department of Education to be in violation of one or
38 more of the requirements of ORS 329.788 to 329.820 may be required to refund all grants-in-aid
39 moneys distributed under ORS 329.788 to 329.820. The amount of penalty shall be determined by the
40 State Board of Education.

41 **SECTION 5.** ORS 329.800 is amended to read:

42 329.800. (1) Each school district that wishes to participate in the beginning teacher and admin-
43 istrator mentorship program shall submit a formal application to the Department of Education. The
44 application shall include:

45 **(a) A description of the priorities to be addressed by moneys received by a school district**

1 **for the mentorship program, as described in ORS 329.805 (2);**

2 [(a)] (b) The names of all eligible beginning teachers and administrators employed by the school
3 district and a description of their assignments; and

4 [(b)] (c) A description of the proposed mentorship program, which must provide **at least 75-90**
5 **hours of** frequent contact[, *totaling a minimum of 90 hours,*] between the mentors and beginning
6 teachers and administrators throughout the school year.

7 (2) The school district shall certify in the application that no eligible beginning professional
8 educators are or may be under a conditional license, except as provided in rules of the Teacher
9 Standards and Practices Commission.

10 **SECTION 6.** ORS 329.820 is amended to read:

11 329.820. (1) The Department of Education shall be responsible for the regular and ongoing
12 evaluation of **implementation and administration of** programs under ORS 329.788 to 329.820 and
13 may contract for such evaluation. The department may not expend in a biennium more than 2.5
14 percent of the total amount of moneys available for the programs on the evaluation of the programs.
15 The evaluation may include assessments of the following:

16 (a) The effectiveness of the mentorship program in the retention of beginning teachers and ad-
17 ministrators in the school district and in the profession; and

18 (b) Student performance on statewide and other assessments.

19 (2) The department may accept contributions of moneys and assistance for the purpose of the
20 evaluation of programs from any source, public or private, and agree to conditions placed on the
21 moneys not inconsistent with ORS 329.788 to 329.820. All moneys received by the department under
22 this subsection shall be deposited into the Department of Education Account to be used for the
23 evaluation of programs conducted under this section.

24 **SECTION 7. This 2015 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
26 **on its passage.**

27