

TITLE 30

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Chapter 326

1991 EDITION

State Administration of Elementary and Secondary Education

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326.005 [1961 c.624 §1; repealed by 1965 c.100 §456]
 326.010 [Repealed by 1961 c.624 §8 and 1965 c.519 §15]

LEGISLATIVE INTENT FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

326.003 Legislative intent in maintaining system of public elementary and secondary schools. It is the intent of the Legislative Assembly to maintain a system of public elementary and secondary schools that has the following characteristics:

(1) Provides equal and open access and educational opportunities for all students in the state regardless of their linguistic background, culture, gender, capability or geographic location;

(2) Assumes that all students can learn and establishes high, specific skill and knowledge expectations appropriate to the students' assessed learning rates at all instructional levels;

(3) Provides special education, compensatory education, linguistically and culturally appropriate education and other specialized programs to all students who need those services;

(4) Provides students with a solid foundation in the skills of reading, writing, problem solving, listening, speaking and critical thinking;

(5) Provides for a high degree of mastery in mathematics and science;

(6) Provides students with a background in social studies, the arts and humanities to the end that they will function successfully and tolerantly in a participatory democracy and a multicultural nation and world;

(7) Provides students with the knowledge and skills that will provide the opportunities to succeed in the world of work, as members of families and as citizens of a participatory democracy;

(8) Provides students with the knowledge and skills to take responsibility for their decisions and to make appropriate choices;

(9) Provides opportunities for students to learn through a variety of teaching strategies that focus on an individual student's learning profile including but not limited to assessed strengths, weaknesses, learning styles and interests, with appropriate intervention services;

(10) Emphasizes involvement of parents and the community in the total education of students;

(11) Transports children safely to and from school;

(12) Assures the funds allocated to schools reflect the uncontrollable differences in costs facing each district; and

(13) Assures local schools have adequate control of how funds are spent to best meet the needs of students in their communities. [1991 c.780 §]

Note: 326.003 Becomes operative on June 30, 1992. See section 38, chapter 780, Oregon Laws 1991.

STATE BOARD OF EDUCATION

326.011 Policy. In establishing policy for the administration and operation of the public elementary and secondary schools and public community colleges in the State of Oregon and in carrying out its duties as prescribed by law, the State Board of Education shall consider the goals of modern education, the requirements of a sound, comprehensive curriculum best suited to the needs of the students and the public and any other factors consistent with the maintenance of a modern and efficient elementary and secondary school system and community college program. [1965 c.100 §1; 1971 c.513 §8]

326.020 [Amended by 1961 c.624 §2; 1963 c.544 §15; repealed by 1965 c.100 §456]

326.021 State Board of Education; members; confirmation; terms; reappointment; qualifications; removal. (1) The State Board of Education shall consist of seven members, appointed by the Governor for a term of four years beginning July 1 of the year of appointment, subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. No person may be appointed after December 31, 1971, to serve consecutively more than two full terms as a board member.

(2) In making appointments under subsection (1) of this section, the Governor shall select from residents of Oregon one member from each congressional district and the remainder from the state at large. No member shall be engaged in teaching or participate in the administration or operation of any school.

(3) The Governor may remove members of the State Board of Education for cause at any time after notice and public hearing. [1965 c.100 §3 (enacted in lieu of 326.060); 1969 c.695 §4; 1971 c.485 §1; 1985 c.565 §56]

326.030 [Amended by 1961 c.624 §3; renumbered 326.095]

326.031 Vacancies. Appointments made to fill vacancies occurring prior to expiration of a term shall be for the remainder of the unexpired term. When a vacancy occurs in an appointment made from a congressional district, the successor shall be appointed from the congressional district for which the vacancy exists. [1965 c.100 §4; 1985 c.565 §57]

326.040 [Amended by 1957 c.124 §1; repealed by 1965 c.100 §456]

326.041 Meetings; election and term of chairman; compensation and expenses. (1) The State Board of Education shall meet in the state capital in March, June, September and December of each year on a date determined, and at such other places and times as may be designated by the chairman agreeable to a majority of the board, or at the call of a majority of the board members.

(2) Each June the board shall elect one of its members to serve as chairman of the board for one year commencing July 1. In case the chairmanship of the board is permanently vacated for any reason, the board may elect a new chairman to serve until the June 30 next following.

(3) A member is entitled to compensation and expenses as provided in ORS 292.495. [1965 c.100 §5; 1967 c.507 §3; 1969 c.314 §21; 1971 c.656 §1]

Note: The amendments to 326.041 by section 1, chapter 474, Oregon Laws 1987, are repealed June 30, 1993. See section 14, chapter 474, Oregon Laws 1987, as amended by section 8, chapter 757, Oregon Laws 1991. The text is set forth for the user's convenience.

326.041. (1) The State Board of Education shall meet at least six times each year on dates determined by the board, and at such other times as may be designated by the chairman agreeable to a majority of the board, or at the call of a majority of the board members.

(2) Each June the board shall elect one of its members to serve as chairman of the board for one year commencing July 1. In case the chairmanship of the board is permanently vacated for any reason, the board may elect a new chairman to serve until the June 30 next following.

(3) A member is entitled to compensation and expenses as provided in ORS 292.495.

326.050 [Repealed by 1957 c.124 §3]

326.051 Board functions. Subject to ORS 417.300 and 417.305:

(1) In addition to such other duties as are prescribed by law and pursuant to the requirement of ORS 183.310 to 183.550, the State Board of Education shall:

(a) Establish state standards for public kindergartens and public elementary and secondary schools, considering first the goals of modern education and the requirements of a sound comprehensive curriculum with particular emphasis on establishment of the highest practical scholarship standards and, in secondary schools, establishment of programs and academic standards necessary to enable students to attend community colleges, institutions of higher education and vocational and technical programs and to enter employment both within and without the State of Oregon, and considering also the health, safety, and scholastic needs of the students, the population, climate, economy and geography of the school districts and any

other factors necessary to the maintenance of a modern and efficient school system.

(b) Adopt rules for the general governance of public kindergartens and public elementary and secondary schools and public community colleges.

(c) Prescribe required or minimum courses of study.

(d) Adopt rules regarding school and interscholastic activities in accordance with standards established pursuant to ORS 326.058 (1).

(e) Adopt rules that provide that no public elementary or secondary school shall discriminate as to sex, race, marital status, religion or national origin in determining participation in interscholastic activities. Discrimination is as defined in ORS 659.150.

(2) The State Board of Education may:

(a) Consistent with the laws of this state, accept money or property not otherwise provided for under paragraph (b) of this subsection, which is donated for the use or benefit of the public kindergartens and public elementary and secondary schools and public community colleges and use such money or property for the purpose for which it was donated. Until it is used, the board shall deposit any money received under this paragraph in a special fund with the State Treasurer as provided in ORS 293.265 to 293.275.

(b) Apply for federal funds and accept and enter into any contracts or agreements in behalf of the state for the receipt of such funds from the Federal Government or its agencies for educational purposes, including but not limited to any funds available for the school lunch program, for career education purposes, for vocational educational purposes, for adult education, for manpower programs and any grants available to the state or its political subdivisions for general federal aid for public kindergartens and public elementary and secondary schools and public community colleges and their auxiliary services, improvement of teacher preparation, teacher salaries, construction of school buildings, administration of the Department of Education and any other educational activities under the jurisdiction of the State Board of Education.

(c) Administer the state program provided for in Public Law 90-302 (82 Stat. 117). [1965 c.100 §6; 1965 c.519 §14; 1967 c.67 §24; 1969 c.284 §1; 1971 c.513 §9; 1973 c.707 §1; 1975 c.459 §1; 1975 c.605 §17a; 1981 c.91 §1; 1987 c.404 §2; 1989 c.834 §12]

Note: The amendments to 326.051 by section 2, chapter 474, Oregon Laws 1987, and section 13, chapter 834, Oregon Laws 1989, are repealed June 30, 1993. See section 14, chapter 474, Oregon Laws 1987, as amended by section 8, chapter 757, Oregon Laws 1991. The text is set forth for the user's convenience.

326.051. Subject to ORS 417.300 and 417.305:

(1) In addition to such other duties as are prescribed by law and pursuant to the requirement of ORS 183.310 to 183.550, the State Board of Education shall:

(a) Establish state standards for public kindergartens and public elementary and secondary schools, considering first the goals of modern education and the requirements of a sound comprehensive curriculum with particular emphasis on establishment of the highest practical scholarship standards and, in secondary schools, establishment of programs and academic standards necessary to enable students to attend community colleges, institutions of higher education and vocational and technical programs and to enter employment both within and without the State of Oregon, and considering also the health, safety, and scholastic needs of the students, the population, climate, economy and geography of the school districts and any other factors necessary to the maintenance of a modern and efficient school system.

(b) Adopt rules for the general governance of public kindergartens and public elementary and secondary schools and public community colleges.

(c) Prescribe required or minimum courses of study.

(d) Adopt rules regarding school and interscholastic activities in accordance with standards established pursuant to ORS 326.058 (1).

(e) Adopt rules that provide that no public elementary or secondary school shall discriminate as to sex, race, marital status, religion or national origin in determining participation in interscholastic activities. Discrimination is as defined in ORS 659.150.

(2) The State Board of Education may:

(a) Consistent with the laws of this state, accept money or property not otherwise provided for under paragraph (b) of this subsection, which is donated for the use or benefit of the public kindergartens and public elementary and secondary schools and public community colleges and use such money or property for the purpose for which it was donated. Until it is used, the board shall deposit any money received under this paragraph in a special fund with the State Treasurer as provided in ORS 293.265 to 293.275.

(b) Apply for federal funds and accept and enter into any contracts or agreements in behalf of the state for the receipt of such funds from the Federal Government or its agencies for educational purposes, including but not limited to any funds available for the school lunch program, for career education purposes, for vocational educational purposes, for adult education, for manpower programs and any grants available to the state or its political subdivisions for general federal aid for public kindergartens and public elementary and secondary schools and public community colleges and their auxiliary services, improvement of teacher preparation, teacher salaries, construction of school buildings, administration of the Department of Education and any other educational activities under the jurisdiction of the State Board of Education.

(c) Administer the state program provided for in Public Law 90-302 (82 Stat. 117).

(3) The State Board of Education shall provide a separate, identifiable place on its agenda six times a year for community college issues. The state board may also consider matters affecting community colleges at any regular or special meeting.

Note: Section 3, chapter 474, Oregon Laws 1987, is repealed on June 30, 1993. See section 14, chapter 474, Oregon Laws 1987, as amended by section 8, chapter 757, Oregon Laws 1991. The text, as amended by section 2, chapter 757, Oregon Laws 1991, is set forth for the user's convenience.

Sec. 3. (1) The State Board of Education shall appoint a Commissioner for Community College Services who shall serve at the pleasure of the board.

(2) The commissioner shall be a person who by training and experience is well qualified to perform the duties of the office and to assist in carrying out the functions of the board under chapter 474, Oregon Laws 1987.

(3) Notwithstanding ORS 326.310 (1) and (2), the commissioner shall:

(a) Be the executive head of the Office of Community College Services;

(b) Direct and supervise all activities of the Office of Community College Services;

(c) Hire staff, as authorized by the State Board of Education to assist in carrying out the duties of the commissioner. The staff shall be considered employees of the Office of Community College Services for purposes of ORS chapters 240 and 243; and

(d) Be responsible directly to the State Board of Education for those duties enumerated in ORS 341.005 to 341.950.

(4) The commissioner, with approval of the State Board of Education, shall be responsible for the representation of community college interests to the Governor, the Legislative Assembly, state agencies and others. The commissioner, with the approval of the state board, shall be responsible for submitting community college budget requests and budget reports for the Office of Community College Services to the Legislative Assembly. The state board shall insure that the budget request for community colleges and for the Office of Community College Services are separate and distinct from its other requests to the Legislative Assembly. [1987 c.474 §3; 1991 c.757 §2]

326.054 [1953 c.78 §1(1); repealed by 1965 c.100 §456]

326.056 [1953 c.78 §1(2); repealed by 1965 c.100 §456]

326.058 Administration of interscholastic activities; voluntary organizations; standards; appeal. (1) The State Board of Education shall adopt standards applicable to voluntary organizations that administer interscholastic activities.

(2) Voluntary organizations that desire to administer interscholastic activities shall apply to the state board for approval. The state board shall review the rules and bylaws of the voluntary organization to determine that they do not conflict with state law or rules of the state board. If an organization meets the standards established under subsection (1) of this section and its rules and bylaws do not conflict with state law or rules of the state board, the state board shall approve the organization. An approved voluntary organization is qualified to administer interscholastic activities.

(3) The state board may suspend or revoke its approval if an approved organization is found to have violated state law or rules of the state board. If an organization is not approved or its approval is suspended or revoked, it may appeal the denial, suspension or revocation as a contested case under ORS 183.310 to 183.550.

(4) A voluntary organization's decisions concerning interscholastic activities may be

appealed to the state board, which may hear the matter or by rule may delegate authority to a hearings officer to hear the matter and enter a final order pursuant to ORS 183.464 (1). Such decisions may be appealed to the Court of Appeals. [1987 c.404 §1]

Note: 326.058 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 326 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

326.060 [Repealed by 1965 c.100 §2 (326.021 enacted in lieu of 326.060)]

326.061 Questions and disputes submitted to board by superintendent. The Superintendent of Public Instruction may submit any question referred under ORS 326.310 (3) to the State Board of Education which shall then decide the question pursuant to the provisions of ORS 183.310 to 183.550. [1965 c.100 §8]

326.063 [Repealed by 1965 c.100 §456]

326.065 [Amended by 1961 c.167 §40; repealed by 1965 c.100 §456]

326.070 [Amended by 1959 c.422 §1; repealed by 1965 c.100 §456]

326.071 [Formerly 326.120; repealed by 1977 c.306 §1]

326.075 Cooperation with the Oregon Office of Educational Policy and Planning; compliance with office decisions. The State Board of Education shall cooperate with the Oregon Office of Educational Policy and Planning in the development of a state comprehensive education plan including elementary, secondary and community college education and in review of the board's programs and budget as provided in ORS 348.705 to 348.825. The board shall submit in timely fashion to the office such data as is appropriate in a form prescribed by the office. The board shall comply with the decisions of the office regarding proposed new post-secondary programs and proposed new post-secondary locations determined by the office to have a significantly adverse impact on one or more segments of education other than elementary, secondary and community college education. [1975 c.553 §8]

326.080 [Repealed by 1965 c.100 §456]

326.081 [1971 c.656 §2; repealed by 1985 c.388 §3]

326.090 [Amended by 1959 c.422 §2; 1963 c.483 §8; repealed by 1965 c.100 §456]

326.095 [Formerly 326.030; repealed by 1965 c.100 §456]

326.100 [Repealed by 1961 c.624 §8 and 1965 c.519 §15]

326.102 [1953 c.266 §1; renumbered 326.520]

326.104 [1953 c.266 §2; renumbered 326.530]

326.106 [1953 c.266 §3; renumbered 326.540]

326.110 [Repealed by 1965 c.100 §456]

DEPARTMENT OF EDUCATION

326.111 Department of Education; composition; functions. (1) The Department of Education shall function under the direction and control of the State Board of Education with the Superintendent of Public Instruction serving as an administrative officer for public school matters and the Commissioner for Community College Services serving as an administrative officer for community college matters.

(2) The Department of Education shall consist of:

- (a) The State Board of Education;
- (b) The State Textbook Commission;
- (c) The Office of Community College Services;
- (d) Such other agencies and officers as are added by law to the Department of Education; and
- (e) The administrative organizations and staffs required for the performance of the department's functions.

(3) All administrative functions of the State Board of Education shall be exercised through the Department of Education, and the department shall exercise all administrative functions of the state relating to supervision, management and control of schools and community colleges not conferred by law on some other agency. [1965 c.100 §10; 1967 c.552 §2; 1989 c.491 §2]

Note: The amendments to 326.111 by section 1, chapter 757, Oregon Laws 1991, are repealed June 30, 1993. See section 14, chapter 474, Oregon Laws 1987, as amended by section 8, chapter 757, Oregon Laws 1991. The text, including amendments by section 2, chapter 886, Oregon Laws 1991, is set forth for the user's convenience.

326.111. (1) The Department of Education shall function under the direction and control of the State Board of Education with the Superintendent of Public Instruction serving as an administrative officer for public school matters and the Commissioner for Community College Services serving as an administrative officer for community college matters.

(2) The Department of Education shall consist of:

- (a) The State Board of Education;
- (b) The Office of Community College Services which shall have authority to negotiate with the Federal Government on federal funds for community colleges, to possess an agency accounting number separate from that for other department activities, to reimburse the department for such central services as the office desires to use and to pay such personnel assessments, rent and utility costs and other costs as may be attributable to the office and separable from expenses and costs for other activities of the Department of Education;

(c) Such other agencies and officers as are added by law to the Department of Education; and

(d) The administrative organizations and staffs required for the performance of the department's functions.

(3) All administrative functions of the State Board of Education shall be exercised through the Department of Education, and the department shall exercise all administrative functions of the state relating to supervision, management and control of schools and community colleges not conferred by law on some other agency.

Note: The amendments to 326.111 by section 2, chapter 886, Oregon Laws 1991, are repealed January 1, 1996. See section 16, chapter 886, Oregon Laws 1991. The text, as amended, is set forth for the user's convenience.

326.111. (1) The Department of Education shall function under the direction and control of the State Board of Education with the Superintendent of Public Instruction serving as an administrative officer for public school matters and the Commissioner for Community College Services serving as an administrative officer for community college matters.

(2) The Department of Education shall consist of:

(a) The State Board of Education;

(b) The Office of Community College Services;

(c) Such other agencies and officers as are added by law to the Department of Education; and

(d) The administrative organizations and staffs required for the performance of the department's functions.

(3) All administrative functions of the State Board of Education shall be exercised through the Department of Education, and the department shall exercise all administrative functions of the state relating to supervision, management and control of schools and community colleges not conferred by law on some other agency.

326.120 [Amended by 1965 c.100 §9; renumbered 326.071]

326.130 [Repealed by 1965 c.100 §456]

326.140 [Amended by 1959 c.121 §1; 1961 c.624 §4; repealed by 1965 c.100 §456]

326.150 [Repealed by 1961 c.624 §8 and 1965 c.519 §15]

SUPERINTENDENT OF PUBLIC INSTRUCTION

326.305 Term of Superintendent of Public Instruction. The Superintendent of Public Instruction shall be elected for a term of four years. [1979 c.190 §397]

326.310 Superintendent's educational duties. Except as provided by chapter 474, Oregon Laws 1987, the Superintendent of Public Instruction shall exercise, under the direction of the State Board of Education, a general superintendence of school officers and the public schools. In carrying out the duties of office, the Superintendent of Public Instruction shall:

(1) Act as administrative officer of the State Board of Education.

(2) Act as executive head of the Department of Education and direct and supervise all activities of the department.

(3) Assist all district school boards, education service district boards and county school boards in answering questions concerning the proper administration of the school laws, the rules of the State Board of

Education and the ministerial duties of school officers and teachers. The decision of the superintendent or, if the superintendent submits the question to the state board under ORS 326.061, the decision of the state board shall guide school officers and teachers in the performance of their duties relating to the matters decided.

(4) Obtain and compile such statistical information relative to the condition and operation of the public schools as the superintendent or the state board may consider advisable for the advancement of education and for the information of the state board.

(5) Appoint, subject to the State Personnel Relations Law and with the approval of the State Board of Education, such personnel as may be necessary for the performance of the duties of the office of the superintendent. The Superintendent of Public Instruction may designate one or more suitable persons to sign or countersign warrants, vouchers, certificates or other papers and documents requiring the signature of the superintendent.

(6) Administer and supervise adult education programs in the public elementary and secondary schools.

(7) Perform such other functions as may be necessary to the performance of the duties of the superintendent. [1965 c.100 §11; 1989 c.491 §3]

326.320 Publications; fees; accounting. The Superintendent of Public Instruction shall:

(1) Prepare and distribute to the various school officers materials necessary for the administration of the school laws and cause to be printed materials necessary for the information of school officers and teachers.

(2) Annotate and compile all school laws ordered published by the State Board of Education.

(3) Except as otherwise provided by law or by rules of the State Board of Education, establish and collect fees for supplies and publications compiled and furnished by the Department of Education and distributed or sold to other persons or groups. Such charges shall not exceed costs of production plus mailing and other distribution costs.

(4) Deposit all moneys received under subsection (3) of this section in the State Treasury. Such moneys shall be credited to the Department of Education Education Cash Account and are continuously appropriated. The Department of Education shall keep a record of all moneys deposited in such account. The record shall indicate by separate cumulative accounts the source from which the moneys are derived and the individual

activity against which each withdrawal is charged. [1965 c.100 §12; 1979 c.570 §1]

326.330 Deputy Superintendents of Public Instruction; appointment; powers.

(1) The Superintendent of Public Instruction may appoint Deputy Superintendents of Public Instruction, for whose acts the superintendent shall be responsible. A deputy may perform any act or duty of the office of Superintendent of Public Instruction designated by the superintendent.

(2) Notice of the appointment of a deputy and the duties designated for the deputy shall be filed with the Secretary of State. [1965 c.100 §13; 1991 c.887 §1]

326.340 Disposition of conference fees by superintendent; disbursement of fees.

(1) When the Superintendent of Public Instruction has possession or control of conference fees that are made available for training programs sponsored in whole or in part by the Department of Education, the fees shall be deposited with the State Treasurer in the Education Training Revolving Account which is established and which shall be separate and distinct from the General Fund. Interest earned by the account shall be credited to the account.

(2) Disbursements from the account to persons lawfully entitled thereto may be made by the Superintendent of Public Instruction or designee, by checks or orders drawn upon the State Treasurer. [1989 c.966 §76]

326.350 Authority for department staff to serve on education related organizations; Educational Organizations Fund; disbursements.

(1) The Superintendent of Public Instruction may authorize staff members of the Department of Education to serve as executive directors of educational related organizations and in so doing manage the funds of those organizations.

(2) The Educational Organizations Fund is established. Moneys received under this section shall be deposited with the State Treasurer in the Educational Organizations Fund which shall be separate and distinct from the General Fund. Interest earned by the account shall be credited to the account.

(3) Disbursements from the account to persons lawfully entitled thereto may be made by the Superintendent of Public Instruction or designee, by checks or orders drawn upon the State Treasurer. [1989 c.966 §77]

ESSENTIAL LEARNING SKILLS PROGRAM

326.400 Policy statement. (1) Because schooling and public education are fundamental needs for preparing each generation

for its future, as well as the future of Oregon and the nation, it is essential that all elementary and secondary students in Oregon have access to an educational program that provides the essential learning skills and knowledge which all adults commonly need for personal fulfillment, self-sufficiency and career success and which enable them to enter community colleges, institutions of higher education, vocational and technical programs or full-time employment upon completion of high school programs.

(2) It is also essential that all Oregon citizens share equitably in making the required educational program accessible to all elementary and secondary students in Oregon. [1989 c.968 §1]

326.410 Board of Education duties; program contents. To assist with developing the educational program and related funding system described in ORS 326.400, the State Board of Education shall:

(1) Define by rule a basic education program to be available to all elementary and secondary students in the public schools in this state. The program shall include but is not limited to:

(a) Language arts, emphasizing reading, listening, speaking, written or alternative communication skills and instruction in foreign language.

(b) Mathematics, emphasizing fundamental numerical concepts, computational skills, problem solving, spatial concepts, measurement and statistics.

(c) Science, emphasizing basic scientific knowledge, principles, concepts and processes.

(d) Economics and social studies, emphasizing the history, geography, cultures and governments of Oregon, the United States and the world.

(e) Health and physical education.

(f) Music and visual arts programs, emphasizing knowledge and appreciation of the arts and developing basic skills therein.

(g) Career and vocational education, emphasizing a body of knowledge and skills pertaining directly to preparation for employment, family roles and applied academics.

(h) Education programs mandated by state or federal law.

(2) Recommend those services required to support the basic education program described in subsection (1) of this section.

(3) Develop state-wide accounting procedures to permit identification of the actual costs in each school district for providing the basic education program and each required support service. [1989 c.968 §2]

326.510 [Formerly 343.950; 1973 c.708 §1; renumbered 343.960]

INTELLECTUAL PROPERTY

326.520 Acquisition of intellectual property by board. The State Board of Education may acquire intellectual property of any kind, whether patentable or copyrightable or not, including patents, copyrights, inventions, discoveries, processes and ideas. Such property may be acquired:

- (1) By gift.
- (2) By outright purchase with money in the Board of Education Invention Fund or otherwise made available for such purpose.
- (3) By assignment pursuant to a contract whereby the board undertakes to aid in the development of the assigned property and to pay the assignor a share of any money received on account of its ownership or management thereof. [Formerly 326.102]

326.530 Management, development and disposition of intellectual property. (1) The State Board of Education may manage, develop or dispose of property acquired under ORS 326.520 in any manner deemed by the board to be in the public interest. The board may contract with any person regarding such management, development or disposition.

(2) The board may determine the terms and conditions of any transaction authorized by ORS 326.520 to 326.540 and need not require competitive bids in connection therewith. No formal publicity or advertising is required regarding property for the development of which the board wishes to contract, but the board shall make reasonable efforts to disseminate pertinent information in appropriate research and industrial circles.

(3) If the board deems it inadvisable to proceed with the development or management of property acquired under ORS 326.520, it may reassign such property to the person from whom it was acquired upon being compensated for any expenditure made on account of such property. [Formerly 326.104]

326.540 Revenue from intellectual property; Board of Education Invention Fund; purpose. (1) Money received by the State Board of Education as a result of ownership or management of property acquired under ORS 326.520 or of transactions regarding such property shall be deposited in the State Treasury and credited to a special fund separate and distinct from the General Fund and designated "Board of Education Invention Fund."

(2) The moneys in the Board of Education Invention Fund hereby are appropriated to the board for the following purposes:

(a) To pay the agreed share of an assignor of intellectual property.

(b) For the advancement of research in an institution under its control.

(c) For the acquisition, management or development of intellectual property. [Formerly 326.106]

EQUIVALENCY CERTIFICATES

326.550 Equivalency certificates; how fee determined; accounting. (1) The Commissioner for Community College Services may issue appropriate certificates evidencing equivalency to persons who demonstrate, by satisfactory performance in tests prescribed under subsection (2) of this section or by meeting the requirements of any prescribed evaluative procedure, educational achievement equivalent to that ordinarily attained upon completion of the eighth grade or of the twelfth grade and payment of the prescribed fee, if any.

(2) The State Board of Education by rule may prescribe tests and other appropriate evaluation procedures for the purposes of subsection (1) of this section and may establish age, residence and other relevant qualifications for applicants.

(3) The Office of Community College Services may utilize its personnel and facilities for the administration of this section, and the State Board of Education may establish by rule a nonrefundable application fee. The fee may be waived by the State Board of Education in case of hardship.

(4) Subject to prior approval of the Executive Department and a report to the Emergency Board prior to adopting the fee, the fee established under subsection (3) of this section shall not exceed the cost of administering the program, as authorized by the Legislative Assembly within the board's budget, as the budget may be modified by the Emergency Board.

(5) All moneys received under this section shall be deposited in the State Treasury to the credit of the Office of Community College Services and shall be used exclusively for administration of this section. The Office of Community College Services shall keep a record of all moneys deposited in such account. The record shall indicate by separate cumulative accounts the source from which the moneys are derived and the individual activity against which each withdrawal is charged.

(6) The Commissioner for Community College Services shall consult with the Superintendent of Public Instruction on all matters related to evaluation procedures used to measure equivalent achievement under this section. The superintendent is au-

thorized to make independent recommendations on evaluation procedures to the State Board of Education in those cases where the superintendent's judgment differs from that of the commissioner. [Amended by 1967 c.571 §1; 1979 c.386 §1; 1979 c.570 §2; 1983 c.159 §1; 1989 c.491 §4; 1991 c.703 §5]

FEDERAL FUNDS

326.560 State department as applicant for certain federal fund. The Department of Education shall be the state's applicant agency for chapter 1 of the federal Education Consolidation and Improvement Act of 1981 programs for neglected or delinquent students. [1985 c.464 §1]

PARENT-AS-TEACHER PROGRAM AND PREKINDERGARTEN PROGRAM

326.600 Definitions for ORS 326.600 to 326.625. As used in ORS 326.600 to 326.625:

(1) "Advisory committee" means the advisory committee established specifically for the two programs established by ORS 326.600 to 326.625.

(2) "Approved parent-as-teacher programs" means those programs which are recognized by the Department of Education as meeting the minimum program rules adopted by the State Board of Education and provide information and support to parents in order to enhance their ability to foster their children's cognitive, social and physical development.

(3) "Oregon prekindergartens" means those programs which are recognized by the department as meeting the minimum program rules to be adopted by the State Board of Education and provide comprehensive health, education and social services in order to maximize the potential of children three and four years of age.

(4) "Oregon prekindergarten program" means the state-wide administrative activities carried on within the Department of Education to allocate, award and monitor state funds appropriated to create or assist local Oregon prekindergartens.

(5) For purposes of ORS 326.605, "eligible child" means an at-risk child who is not a participant in a federal, state or local program providing like comprehensive services and may include children who are eligible under rules adopted by the State Board of Education. As used in this subsection, "at-risk child" means a child at least three years of age and not eligible for kindergarten whose family circumstances would qualify that child for eligibility under the federal Head Start program.

(6) For purposes of ORS 326.610, "eligible family" means any family with an at-risk

child. As used in this subsection, "at-risk child" means a child between zero and eight years of age who is assessed by multiple criteria adopted by rule of the State Board of Education as likely to experience difficulty succeeding in school.

(7) "Department" means the Department of Education. [1987 c.684 §1; 1989 c.477 §1]

326.605 Department to administer prekindergarten program; grants; eligibility; coordination with other programs.

(1) The Department of Education shall administer the Oregon prekindergarten program to assist eligible children with comprehensive services including educational, social, health and nutritional development to enhance their chances for success in school and life. Eligible children, upon request of parent or guardian, shall be admitted to approved Oregon prekindergartens to the extent that the Legislative Assembly provides funds.

(2) Nonsectarian organizations including school districts and Head Start grantees are eligible to compete for funds to establish an Oregon prekindergarten. Grant recipients shall serve children eligible according to federal Head Start guidelines and other children who meet criteria of eligibility adopted by rule by the State Board of Education. However, not more than 20 percent of the total enrollment shall consist of children who do not meet Head Start guidelines. School districts may contract with other governmental or nongovernmental nonsectarian organizations to conduct a portion of the program. Funds appropriated for the program shall be used to establish and maintain new or expanded Oregon prekindergartens and shall not be used to supplant federally supported Head Start programs. Oregon prekindergartens also may accept gifts, grants and other funds for the purposes of this section.

(3) Applicants shall identify how they will serve the target population and provide all components as specified in the federal Head Start performance standards and guidelines, including staff qualifications and training, facilities and equipment, transportation and fiscal management.

(4) Oregon prekindergartens shall coordinate with each other and with federal Head Start programs to insure efficient delivery of services and prevent overlap. They shall also work with local organizations such as local education associations serving young children and make the maximum use of local resources. [1987 c.684 §2; 1989 c.477 §2]

326.610 Program function; funding. (1)

The Department of Education shall administer the state-supported parent-as-teacher pro-

gram to help families more effectively foster their children's cognitive, social and physical development.

(2) Eligible families shall be admitted to the program to the extent that the Legislative Assembly provides funds. Families may be charged for services based on their ability to pay.

(3) Approved parent-as-teacher programs shall receive state-funded support through the department. School districts may subcontract with other governmental or nongovernmental nonsectarian organizations to conduct a portion of the state program. Persons applying to conduct the parent-as-teacher program shall identify targeted groups to be served, outreach methods to be used, program components and the qualifications of instructional and special staff. [1987 c.684 §3; 1989 c.477 §3]

326.615 Advisory committee. The Department of Education and the Office of Community College Services shall establish an advisory committee composed of interested parents and representatives from the Children's Services Division, health care profession, early childhood education and development staff preparation programs, Oregon Head Start Association, school districts, community colleges, Early Intervention Council, child care and other organizations as considered necessary by the department and the Office of Community College Services to assist with the establishment of the approved Oregon prekindergarten and parent-as-teacher programs. [1987 c.684 §4; 1989 c.477 §4]

326.620 Rules. (1) The State Board of Education shall adopt rules for the establishment of the Oregon prekindergarten and parent-as-teacher programs. Rules specifically shall require the Oregon prekindergarten programs to provide for parental involvement and performance standards at a level no less than that provided under the federal Head Start program guidelines. Federal Head Start program guidelines shall be considered as guidelines for the Oregon prekindergarten program.

(2) In developing rules for the Oregon prekindergarten and parent-as-teacher programs, the board shall consult with the advisory committee and shall consider such factors as coordination with existing programs, the preparation necessary for instructors, qualifications of instructors, training of staff, adequate space and equipment and special transportation needs.

(3) The Department of Education and the Office of Community College Services shall review applications for both the Oregon prekindergarten and parent-as-teacher pro-

grams received and designate those programs eligible to commence operation by July 1 of each year. When approving grant applications, to the extent practicable, the State Board of Education shall distribute funds regionally based on percentages of unmet needs. [1987 c.684 §5; 1989 c.477 §5]

326.625 Report on program by Superintendent of Public Instruction; department to assess program effectiveness. (1) The Superintendent of Public Instruction shall report to the Legislative Assembly on the merits of continuing and expanding the Oregon prekindergarten and parent-as-teacher programs or instituting other means of providing early childhood development assistance.

(2) The superintendent's report shall include specific recommendations on at least the following issues:

(a) The relationships of state-funded prekindergarten and parent-as-teacher programs with the common school system;

(b) The types of children and their needs that both programs should serve;

(c) The appropriate level of state support for implementing programs for all eligible children, including related projects to prepare instructors and provide facilities, equipment and transportation;

(d) The state administrative structure necessary to implement both programs; and

(e) Licensing or indorsement of early childhood teachers.

(3) The department, in consultation with the Office of Community College Services, shall examine, monitor and assess the effectiveness of Oregon prekindergarten and parent-as-teacher programs. The superintendent shall make biennial reports to the Legislative Assembly on the effectiveness of the programs. [1987 c.684 §6; 1989 c.477 §6]

OREGON EDUCATIONAL ACT FOR THE 21st CENTURY (Generally)

326.705 Department of Education as coordinating agency; legislative review. (1) ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437 shall be known as the Oregon Educational Act for the 21st Century.

(2) The Department of Education shall be the coordinating agency for furthering implementation of ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437.

ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437 shall be subject to review by the Sixty-seventh Legislative Assembly and each Legislative Assembly thereafter until the year 2001 for purposes of evaluating progress toward achieving the various mandates of ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437 and also effecting any necessary changes. [1991 c.693 §1]

Note: Section 1a, chapter 693, Oregon Laws 1991, provides:

Sec. 1a. (1) During the 1991-1992 interim, the appropriate legislative interim committee shall:

(a) Develop the form and content expected of the ongoing review described in section 1 of this Act [326.705]:

(b) Notify the appropriate agencies of expectations; and

(c) Receive and evaluate regular reports from the Department of Education and other public agencies.

(2) This review outline may be changed as needed in succeeding years. [1991 c.693 §1a]

326.710 Legislative findings and goals.

The Legislative Assembly believes that education is a major civilizing influence on the development of a humane, responsible and informed citizenry, able to adjust to and grow in a rapidly changing world. Students must be encouraged to learn of their heritage and their place in the global society. The Legislative Assembly concludes that these goals are not inconsistent with the goals to be implemented under ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437. [1991 c.693 §1b]

326.715 Legislative intent. It is the intent of the Legislative Assembly to maintain a system of public elementary and secondary schools that has the following characteristics:

(1) Provides equal and open access and educational opportunities for all students in the state regardless of their linguistic background, culture, race, gender, capability or geographic location;

(2) Assumes that all students can learn and establishes high, specific skill and knowledge expectations appropriate to the students' assessed learning rates at all instructional levels;

(3) Provides special education, compensatory education, linguistically and culturally appropriate education and other specialized programs to all students who need those services;

(4) Provides students with a solid foundation in the skills of reading, writing, problem solving, listening, speaking, critical thinking and communication, across the disciplines;

(5) Provides opportunities for students to exhibit the capacity to learn, think, reason, retrieve information and work effectively alone and in groups;

(6) Provides for a high degree of mastery in mathematics and science;

(7) Provides students with a background in social studies, foreign languages and the humanities to the end that they will function successfully and tolerantly in a participatory democracy and a multicultural nation and world;

(8) Provides students with a background in the visual, performing and literary arts as unique forms of communication, expression and cultural knowledge;

(9) Provides students with the knowledge and skills that will provide the opportunities to succeed in the world of work, as members of families and as citizens of a participatory democracy;

(10) Provides students with the knowledge and skills to take responsibility for their decisions and to make appropriate choices;

(11) Provides opportunities for students to learn through a variety of teaching strategies that focus on an individual student's learning profile including but not limited to assessed strengths, weaknesses, learning style and interests, with appropriate intervention services;

(12) Organizes instructional groupings as heterogeneously as possible to promote the attitudes and skills necessary for democratic citizenship; and

(13) Emphasizes involvement of parents and the community in the total education of students. [1991 c.693 §3]

326.720 General policy. The Legislative Assembly declares that:

(1) The State of Oregon believes that all students can learn when offered appropriate learning opportunities, held to rigorous intellectual standards and expected to succeed.

(2) Access to a quality education must be provided for all of Oregon's youth regardless of linguistic background, culture, race, gender, capability or geographic location.

(3) A restructured educational system is necessary to achieve the state's goals of the best educated citizens in the nation by the year 2000 and a work force equal to any in the world by the year 2010.

(4) Education programs and strategies that can substantiate a claim to the prevention of human and social costs are of highest priority to the state.

(5) The specific objectives of this Act and ORS 344.305 and 344.355 are:

(a) To achieve educational standards of performance and outcomes that match the highest of any in the world for all students;

(b) To establish the Certificates of Initial Mastery and Advanced Mastery as new high performance standards for all students;

(c) To establish alternative learning environments and services which offer opportunities for those experiencing difficulties in achieving the knowledge and skills necessary to obtain the Certificate of Initial Mastery;

(d) To establish early childhood programs and academic professional technical programs as part of a comprehensive educational system; and

(e) To establish partnerships among business, labor and the educational community in the development of standards for academic professional technical endorsements and provide on-the-job training and apprenticeships necessary to achieve those standards. [1991 c.693 §2]

326.725 Revision of common curriculum goals. In order to achieve the goals contained in ORS 326.715, 326.720 and 326.775, the State Board of Education regularly and periodically shall review and revise its common curriculum goals, including essential learning skills. The common curriculum goals shall reflect the knowledge and skill outcomes necessary for achieving a Certificate of Initial Mastery and a Certificate of Advanced Mastery pursuant to ORS 326.720. The review shall involve teachers and other educators, parents of students and other citizens and shall provide ample opportunity for public comment. [1991 c.693 §5]

326.730 Plans for school restructuring; purposes. The Department of Education shall study and develop plans to insure that the school restructuring efforts framed in ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437 address the unique learning and developmental needs of the middle educational levels between the early childhood education and Certificate of Initial Mastery levels detailed in ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437. This shall be done in consultation with teachers, parents and administrators from schools serving middle

level students. The Department of Education shall report to the Sixty-seventh Legislative Assembly as to agency plans and legislative considerations needed on the matter. [1991 c.693 §19g]

326.735 Extended school year; legislative review. (1) In pursuit of excellence, it is the policy of the State of Oregon to encourage and evaluate the development of extended school year programs to meet the objectives of ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437. The Department of Education shall research the feasibility, including the potential fiscal impact to school districts, of extended school year models being used in the United States and other countries to facilitate the implementation of such programs.

(2) To achieve the goals as set forth in ORS 326.715, 326.720 and 326.775, the State Board of Education shall lengthen the school year by hours equivalent to 185 days by the 1996 school year, to 200 days by the 2000 school year and to 220 days by the 2010 school year with adequate days available for staff development, home visits, parent or student conferences, or both, and other activities to insure the educational development of students, subject to review by the Legislative Assembly and subject to implementation of ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437. [1991 c.693 §31]

326.740 Funding support required. Nothing in ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437 is intended to be mandated without adequate funding support. Therefore, those features of ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437 which require significant additional funds shall not be implemented statewide until funding is available. [1991 c.693 §37]

326.745 Rules for statewide implementation of Oregon Educational Act for the 21st Century. (1) The State Board of Education shall adopt rules, as necessary for the statewide implementation of ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437. The rules shall be prepared in consultation with appropriate representatives from the educational and business and labor communities.

(2) Beginning in the 1991-1993 biennium, the Department of Education shall be responsible for coordinating research, planning and public discussion so that activities necessary to the implementation of ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437 can be achieved. Actions by the department to fulfill this responsibility may include, but are not limited to:

(a) Updating common curriculum goals to meet international standards;

(b) Developing performance-based assessment mechanisms;

(c) Establishing criteria for Certificates of Initial Mastery and Advanced Mastery, and for benchmarks at grades 3, 5, 8 and 10;

(d) Researching and developing models for nongraded primaries;

(e) Establishing criteria for early childhood improvement programs;

(f) Amending the application process for school improvement grants;

(g) Researching and developing educational choice plans;

(h) Working with the Oregon Workforce Quality Council and the Office of Community College Services to develop no fewer than six broad occupational choices for Certificates of Advanced Mastery;

(i) Establishing criteria for the selection of Distinguished Oregon Educators;

(j) Establishing criteria for learning environments that may include alternative learning centers; and

(k) Working with the Wage and Hour Commission in consultation with the Workforce Quality Council and the State Board of Higher Education to propose rules for continuation of the education of minors seeking employment during the regular school year. [1991 c.693 §38]

(Assessing Effectiveness)

326.755 On-site visits by state board or designees. (1) To facilitate the attainment and successful implementation of educational standards under ORS 326.051 (1)(a), 326.715 and 326.720, the State Board of Education or its designee shall assess the effectiveness of each public school district in an on-site visit no less than once every six years. Beginning in 1996, the on-site visits shall occur no less than once every three years.

(2) The board shall establish the standards, including standards of accessibility to educational opportunities, upon which the assessment is based.

(3) On a periodic basis, the board shall review existing standards and, after public hearings and consultation with local school officials, shall adopt by rule a revised set of standards. [1991 c.693 §7]

326.760 School district self-evaluations; local improvement plans; department's technical assistance. (1) The board shall require school districts and schools to conduct self-evaluations on a biennial basis. The self-evaluation process shall involve the public in the setting of local goals. The school districts shall insure that representatives from the demographic groups of their school population are involved in the development of local improvement plans to achieve the goals:

(2) At the request of the school district, Department of Education staff shall provide ongoing technical assistance in the development and implementation of the local improvement plan. Staff members may be accompanied on their visits by Distinguished Oregon Educators.

(3) Local goals and improvement plans shall be made available to the public.

(4) The self-evaluations shall serve as a core component in the successful implementation of standards and shall include a review of demographics, student performance, student access to and utilization of educational opportunities and staff characteristics. However, failure to complete the self-evaluation process shall not constitute grounds for withholding of state moneys. [1991 c.693 §8]

326.765 Comprehensive statewide school district and school information system; profiles; public access. (1) To assist school districts and schools in performing the duties described in ORS 326.755 and 326.760, the State Board of Education shall establish a comprehensive statewide school district and school information system to monitor outcomes, procedures and resources of public education. This system shall provide a measure of the achievement of students in the knowledge and skill areas specified in the common curriculum goals adopted by the board.

(2) The Superintendent of Public Instruction shall collect data and produce annual school district and school profiles containing information on demographics, student performance in schools, student access to educational opportunities and staff characteristics described in ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437. In addition, school district profiles shall include a concise budget report of the

school district, including revenue and expenditures of the district.

(3) The Superintendent of Public Instruction shall notify the public and the media by September 30 of each year as to the availability of school district and school profiles at school district and department offices. The superintendent shall also include notice that copies of school district and school self-evaluations can be obtained from the school districts. [1991 c.693 §9]

326.770 Oregon Report Card; purpose; comparative data. (1) By September 30, 1992, and by each September 30 thereafter, the Superintendent of Public Instruction shall issue an Oregon Report Card on the state of the public schools and progress toward achieving the goals contained in ORS 326.715 and 326.720.

(2) The purpose of the annual report on the state of the public schools is to monitor trends among school districts and Oregon's progress toward achieving the goals stated in ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437. The report on the state of the public schools shall be designed to:

(a) Allow educators to determine the success of their own school programs;

(b) Allow educators to sustain support for reforms demonstrated to be successful;

(c) Recognize schools for their progress and achievements; and

(d) Facilitate the use of educational resources and innovations in the most effective manner.

(3) The report shall contain, but need not be limited to:

(a) Demographic information on public school children in this state.

(b) Information pertaining to student achievement, including statewide assessment data, graduation rates and dropout rates, including progress toward achieving the education benchmarks established by the Oregon Progress Board, with arrangements by minority groupings where applicable.

(c) Information pertaining to student access to and utilization of educational and support services, including regular education programs, special education, compensatory education, bilingual and English as a second language programs, advanced course work, professional technical training, counseling services, library and media services and transportation and food services.

(d) Information pertaining to the characteristics of the school and school staff, in-

cluding assignment of teachers, experience of staff and the proportion of minorities and women represented on the teaching and administrative staff.

(e) Budget information, including source and disposition of school district operating funds and salary data.

(f) Available information gathered on a sampling basis, in cooperation with the Occupational Program Planning System of the Employment Division, to monitor high school students in areas such as further education and training and labor market participation.

(g) Examples of exemplary programs, promising practices or other innovations in education developing in this state.

(h) Such other information as the superintendent obtains under ORS 326.765.

(4) In the second and subsequent years that the report is issued, the report shall include a comparison between the current and previous data and an analysis of trends in public education. [1991 c.693 §10]

(Parental Participation)

326.775 Policy on parental participation. The Legislative Assembly recognizes that students in public elementary and secondary schools can only reach the levels of performance expected under the provisions of ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437 with parental participation in the education process. It is, therefore, the policy of this state to:

(1) Require school districts to provide opportunities for parents or guardians to be involved in establishing and implementing educational goals and to participate in decision-making at the school site;

(2) Expect employers to recognize the need for parents or guardians and members of the community to participate in the education process not only for their own children but for the educational system; and

(3) Encourage employers to extend appropriate leave to parents or guardians to allow greater participation in that process during school hours. [1991 c.693 §4]

(Services to Children and Families)

326.785 Definition for ORS 326.790 and 326.795. As used in ORS 326.790 and 326.795:

(1) "Families" means a group of individuals related by blood, marriage or adoption, or individuals whose functional relationships are similar to those found in such associations. The family's purpose is the security, support, nurturance, love, transmission of

values and facilitation of each member's growth and development, and is the primary social unit affecting a child's well-being.

(2) "Services" means education and all other programs and services addressing one or more of, a child's six basic needs as follows: stimulus, nutrition, health, safety, nurturance and shelter.

(3) "Young children" means children zero through eight years of age. [1991 c.693 §4c]

326.790 Policy on serving children and families. To insure that all educational and other services for young children and their families afford the maximum opportunity possible for the personal success of the child and family members, it is the policy of this state that the following principles for serving children should be observed to the maximum extent possible in all of its educational and other programs serving young children and their families:

(1) Services for young children and their families should be located as close to the child and the family's community as possible, encouraging community support and ownership of such services;

(2) Services for young children and their families should reflect the importance of integration and diversity to the maximum extent possible in regard to characteristics such as race, economics, sex, creed, capability and cultural differences;

(3) Services should be designed to support and strengthen the family and be planned in consideration of existing family values, with the primary concern being the welfare of the child;

(4) Services should be designed to assure continuity of care among care givers in a given day and among service plans from year to year;

(5) Service systems should be comprehensive in nature with the flexibility to identify and address the most urgent needs in a timely manner including health, intervention and support services; and

(6) Service providers and sources of support should be coordinated and collaborative, to reflect the knowledge that no single system can serve all of the needs of the child and family. [1991 c.693 §4a]

326.795 Process for coordination of services to children and families. (1) Education and other programs providing services to children and families, as identified in ORS 417.315 (4), shall:

(a) Evaluate the effectiveness of the program as related to the principles stated in ORS 326.715 and 417.305 in the earliest stages of the budget process;

(b) Articulate ways in which the program is an effective component of agency and state priorities, goals and strategies, such as those developed by the Oregon Progress Board, or to relevant research and professional standards;

(c) Establish plans, interagency partnerships, implementation practices and interactions with local and private sectors required by ORS 417.305 (3);

(d) Utilize the information generated by applicable state advisory groups and by the local planning process administered by the Oregon Community Children and Youth Services Commission in the program assessment of needs and decisions as to service delivery in a given community; and

(e) Identify barriers to improving program capability to serve the needs of young children and related recommendations, if any.

(2) The processes listed in subsection (1) of this section are for the purpose of generating interagency coordination described in ORS 417.305 so as to serve to the greatest extent possible young children and their families in a comprehensive and developmentally appropriate fashion. The information generated by these processes shall be considered as a contribution to subsequent budget decisions by state and local agencies, the Executive Department and Legislative Assembly, and as a contribution to the planning and coordination tasks of the Oregon Coordinating Council for Children and Families. [1991 c.693 §4b]

(Early Childhood Education)

326.810 Policy on early childhood education. It is the policy of this state to implement, at the earliest possible time, programs for early childhood education including prenatal care, parenting education, child-parent centers and extended Oregon prekindergarten programs. By 1996, funding shall be available for 50 percent of children eligible for Oregon prekindergarten programs, and, by 1998, full funding shall be available for all eligible children. The Oregon prekindergarten program shall continue to be operated in coordination with the federal Head Start program in order to avoid duplication of services and so as to insure maximum use of resources. [1991 c.693 §18]

326.813 Development of long range plan for serving children and families. (1) In consultation with the advisory committee for the Oregon prekindergarten program, the Department of Education and the Office of Community College Services shall develop a long-range plan for serving eligible children and their families and shall report to each

regular session of the Legislative Assembly on the funds necessary to implement the long-range plan, including but not limited to regular programming costs, salary enhancements and program improvement grants. The department shall determine the rate of increase in funding necessary each biennium to provide service to all children eligible for the prekindergarten program by 1998.

(2) The Department of Education and the Office of Community College Services shall include in their budget requests to the Governor, beginning with the 1993-1995 biennium, funds sufficient to implement each two-year phase of the long-range plan.

(3) Each biennial report shall include but not be limited to estimates of the number of eligible children and families to be served, projected cost of programs and evaluation of the programs. [1991 c.693 §18a]

326.815 Eligibility for state funded prekindergarten programs. When the federal Head Start program provides funding for programs for eligible children at at least the 1990-1991 per child level, as described in ORS 326.600 (3), eligibility for state funded prekindergarten programs shall be expanded to include programs for children whose family income exceeds the federal Head Start limits or who are in an underserved or unserved age category. After determining the increase in income limits or age level that would make children most in need of state programs eligible for them, the State Board of Education may direct expenditure of any unexpended or unobligated funds appropriated for the biennium for eligible children to be expended for the additional children considered to be most in need. In the following biennium, the state board shall include the cost of any added program for the children most in need in its biennial budget. [1991 c.693 §18b]

(Employment-related Education and Training)

326.830 Duties of Oregon Workforce Quality Council. (1) The Oregon Workforce Quality Council, established under section 3, chapter 667, Oregon Laws 1991, in consultation with the Department of Education, the Office of Community College Services, the Bureau of Labor and Industries, the Economic Development Department and the Department of Human Resources, shall propose policies and strategies consistent with ORS 326.705 to 326.835, 327.006, 327.103, 335.125, 335.140 to 335.180, 336.157, 336.435, 336.557, 336.705, 336.730, 336.745, 339.115, 342.017, 343.415 and 343.437.

(2) The Oregon Workforce Quality Council's policies and strategies must take into account that:

(a) The state must promote innovative thinking with respect to the curriculum and educational delivery system of Oregon public schools;

(b) The state must require of all youth a level of achievement that prepares them to pursue college, professional technical programs, apprenticeships, work-based training and school-to-work programs;

(c) Greater employer investment is essential in the ongoing training of all workers to meet work force needs;

(d) The state must encourage Oregon businesses to improve productivity by creating high performance work organizations that provide high skills and high wage opportunities for youth and adults; and

(e) All employment-related training, education and job placement services and sources of funds must be coordinated among state agencies and boards and must complement the state's overall efforts on behalf of youth and adults. [1991 c.693 §23]

326.835 Development of comprehensive education and training programs for indorsements and degrees. (1) The Department of Education, the Office of Community College Services and the Oregon State System of Higher Education in consultation with the Oregon Workforce Quality Council shall develop comprehensive education and training programs for two-year to five-year academic professional technical indorsements and associate degrees.

(2) In addition to the requirements of subsection (1) of this section, there may be established a process for industrial certification and a sequence of advanced certification that could be obtained throughout a person's career.

(3) Work groups, including teachers, community members and representatives of business and labor, may be appointed to offer specialized information concerning knowledge and skill requirements for occupations.

(4) Not later than January 1, 1994, no fewer than six broad occupational categories shall be identified, with additional categories added in future years. The education and training curriculum and achievement standards for each occupation and trade selected for students to achieve academic professional technical indorsements or associate degrees in the occupational categories selected shall be developed and available for school districts, community colleges and other training sites.

(5) The curriculum developed for indorsements and associate degrees must include, but need not be limited to, opportunities for structured work experiences, cooperative work and study programs, on-the-job training and apprenticeship programs in addition to other subjects.

(6) In considering where a student can most effectively and economically obtain the

knowledge and skills required for the indorsement or the associate degree, the Oregon Workforce Quality Council may recommend integrating 2 + 2 Programs, the Job Training Partnership Act program, apprenticeship programs and any other state or federal job training program. [1991 c.693 §28]

~~326.990~~ [Repealed by 1965 c.100 §456]
