

Chapter 329

1993 EDITION

Oregon Educational Act for the 21st Century; Educational Improvement and Reform

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CROSS REFERENCES

- Funding goal for 21st Century Schools Program, 1991 c.693 §13
- Oregon Educational Act for the 21st Century, review format, 171.645

329.905

Literacy, adult, 344.765

OREGON EDUCATIONAL ACT FOR THE 21st CENTURY

(Generally)

329.005 Oregon Educational Act for the 21st Century; duties of department; evaluation by legislature. (1) This chapter 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 this chapter. This chapter shall be subject to review by the Legislative Assembly until the year 2001 for purposes of evaluating progress toward achieving the various mandates of this chapter and also effecting any necessary changes.

(3) The appropriate legislative interim committee shall:

(a) Develop the form and content expected of the ongoing review described in this section;

(b) Notify the appropriate agencies of expectations; and

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

(4) This review outline may be changed as needed in succeeding years. [(3) and (4) enacted as 1991 c.693 §1a; 1993 c.45 §22; (1) and (2) formerly 326.705]

329.010 [Repealed by 1957 c.678 §1]

329.015 Educational 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 this chapter. [Formerly 326.710]

329.020 [Repealed by 1957 c.678 §1]

329.025 Characteristics of school system. 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, the arts 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;

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

(14) Transports children safely to and from school;

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

(16) Assures local schools have adequate control of how funds are spent to best meet the needs of students in their communities. [Formerly 326.715]

329.030 [Repealed by 1957 c.678 §1]

329.035 Findings; objectives. 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 chapter and ORS 329.900 to 329.975 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. [Formerly 326.720]

329.040 [Repealed by 1963 c.544 §52]

329.045 Revision of common curriculum goals. In order to achieve the goals contained in ORS 329.025, 329.035 and 329.125, 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 329.035. The review shall involve teachers and other educators, parents of students and other citizens and shall provide ample opportunity for public comment. [Formerly 326.725]

329.050 [Repealed by 1963 c.544 §52]

329.055 Policy of extended year programs; lengthening of school year. (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 this chapter. 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 329.025, 329.035 and 329.125, 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 this chapter. [Formerly 326.735]

329.060 [Repealed by 1963 c.544 §52]

329.065 Adequate funding required. Nothing in this chapter is intended to be mandated without adequate funding support. Therefore, those features of this chapter which require significant additional funds shall not be implemented statewide until funding is available. [Formerly 326.740]

329.070 [Repealed by 1963 c.544 §52]

329.075 Statewide implementation; rules; duties of department. (1) The State Board of Education shall adopt rules, as necessary for the statewide implementation of this chapter. 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 this chapter 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. [Formerly 326.745]

329.080 [Repealed by 1963 c.544 §52]

(Assessing Effectiveness)

329.085 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), 329.025 and 329.035, 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. [Formerly 326.755]

329.090 [Repealed by 1963 c.544 §52]

329.095 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. [Formerly 326.760]

329.100 [Repealed by 1963 c.544 §52]

329.105 Comprehensive statewide information system; duties of state superintendent. (1) To assist school districts and schools in performing the duties described in ORS 329.085 and 329.095, 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 this chapter. 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. [Formerly 326.765]

329.110 [Repealed by 1963 c.544 §52]

329.115 Oregon Report Card. (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 329.025 and 329.035.

(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 this chapter. 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, including 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 Department, 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 329.105.

(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. [Formerly 326.770]

329.120 [Repealed by 1963 c.544 §52]

(Parental Participation)

329.125 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 this chapter 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. [Formerly 326.775]

329.130 [Repealed by 1963 c.544 §52]

(Services to Children and Families)

329.145 Definitions for ORS 329.150 and 329.155. As used in ORS 329.150 and 329.155:

(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. [Formerly 326.785]

329.150 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. [Formerly 326.790]

329.153 Policy on prevention and cost-effective programs and strategies. (1) It is the policy of the Legislative Assembly that programs and strategies that can substantiate a claim to prevention and cost-effectiveness be of high priority.

(2) The Legislative Assembly finds that dollars invested in quality programs, such as the Head Start program after which the Oregon prekindergarten is modeled, return the costs thereof several times over in costs saved in the areas of remedial education, corrections and human services. [Formerly 336.005]

Note: 329.153 was added to and made a part of ORS chapter 329 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

329.155 Standards for programs providing services to children and families; interagency coordination. (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 329.025 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;

(d) Utilize the information generated by applicable state advisory groups and by the local planning process administered by the State Commission on Children and Families 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 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 Oregon Department of Administrative Services and Legislative Assembly, and as a contribution to the planning tasks of the State Commission on Children and Families and the coordinating tasks of the Oregon Coordinating Council for Children and Families. [Formerly 326.795]

(Early Childhood Education)

329.160 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. [Formerly 326.810]

329.165 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 in-

crease 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. [Formerly 326.813]

329.170 Definitions for ORS 329.170 to 329.200. As used in ORS 329.170 to 329.200:

(1) "Advisory committee" means the advisory committee established specifically for the two programs established by ORS 329.170 to 329.200.

(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 329.175, "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 329.180, "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. [Formerly 326.600]

329.175 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. [Formerly 326.605]

329.180 Program function; funding. (1) The Department of Education shall administer the state-supported parent-as-teacher program 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. [Formerly 326.610]

329.185 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 329.170 (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. [Formerly 326.815]

Note: 329.185 was added to and made a part of ORS chapter 329 by legislative action but was not added to 329.170 to 329.200. See Preface to Oregon Revised Statutes for further explanation.

329.190 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 State Commission on Children and Families, 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. [Formerly 326.615]

329.195 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 programs 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. [Formerly 326.620]

329.200 Report on program by state superintendent; 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 Leg-

islative Assembly on the effectiveness of the programs. [Formerly 326.625]

329.210 [Repealed by 1953 c.306 §18]

(Early Childhood Improvement Program)

329.215 Definitions for ORS 329.215 to 329.235. As used in ORS 329.215 to 329.235:

(1) "Approved program" means an early childhood education program approved by the Department of Education.

(2) "At-risk children" means children who may have difficulty achieving in school and who meet criteria established by the State Board of Education by rule.

(3) "Early childhood education" means educational programs that conform to the standards adopted by the State Board of Education by rule and that are designed for the education and training of children who are at least three years of age but have not passed their ninth birthday, and includes all special educational programs established and operated under this chapter.

(4) "Early Childhood Improvement Program" means those programs meeting the criteria included in ORS 329.237 and complying with rules adopted by the State Board of Education.

(5) "Extended day services" means programs that serve young children and operate during hours beyond regular school time. [Formerly 343.415]

329.220 [Repealed by 1953 c.306 §18]

329.225 Operating guides for programs. (1) The Department of Education shall prepare operating guides for early childhood education programs applicable to programs under ORS 329.215 to 329.235 that are consistent with requirements imposed by the State Board of Education by rule for kindergarten through grade three.

(2) The Department of Education shall review applications for approval of early childhood education programs and may approve those prekindergarten programs after considering:

(a) The educational adequacy and type of program.

(b) The number of children who will be served by the program.

(c) The availability of trained personnel and facilities.

(d) The need for the program in the applying district. [Formerly 343.425]

329.230 [Repealed by 1953 c.306 §18]

329.235 How district may provide early childhood education. Subject to the approval of the Superintendent of Public Instruction:

(1) The district school board of any school district in which there are resident children who are three years of age or older but who have not attained compulsory attendance age and who are not enrolled in a kindergarten of the district may:

(a) Provide early childhood education for such children as part of the district's educational program; or

(b) When the board considers a contract to be economically feasible and in the interests of the learning opportunities of eligible children, contract for instruction of such children in a school district operating an approved early childhood education program, subject to such reimbursement as the districts may agree.

(2) An education service district may operate an approved early childhood education program in the same manner as programs are provided under ORS 334.175 or 334.185. [Formerly 343.435]

329.237 Administration; program design; components. (1) The Department of Education shall administer the Early Childhood Improvement Program to assist public school districts in providing programs designed to improve educational services for children enrolled in kindergarten through grade three. Programs shall be based on research and proven successful practices in programs such as Head Start.

(2) The programs shall include the following planned components:

(a) Targeted services for "at-risk" children and families, which may include but are not limited to remedial and alternative academic programs, child care, parent participation and child development services.

(b) Efforts to improve the kindergarten through third grade curriculum and educational practices so that they:

(A) Are consistent with research findings on how children learn;

(B) Are sensitive to individual differences such as cultural background and learning styles; and

(C) Encourage parent participation. Such efforts may include but are not limited to adapting curricula and training administrators and other staff in early childhood education and child development.

(c) Comprehensive education, health care and social services for children to be provided through interagency agreements among school districts, health care and social service providers.

(d) Evaluation of programs by goals set by the district for the program.

(e) Planned transition from prekindergarten programs to kindergarten through grade three.

(3) In addition to the components listed in subsection (4) of this section, Early Childhood Improvement Programs may include but are not limited to the following components:

(a) Extended day services for school age children who need care or enrichment opportunities; and

(b) Programs designed to improve the adult to child ratios in kindergarten through grade three.

(4) The district application shall include:

(a) Plans developed by 21st Century Schools Councils at the school building level as described in ORS 329.705; and

(b) Demonstrated consistency with the local assessments and plans resulting from ORS 417.705 to 417.790 and 419A.170.

(5) Funds shall be available to districts with approved applications on a per child basis for the district's children enrolled in kindergarten through grade three. Funds not allocated shall be prorated to the districts with approved applications not later than the end of the fiscal year for which the allocation is made.

(6) If the district plan proposes use of innovative instructional materials, the State Board of Education, pursuant to ORS 337.050, may waive the use of such instructional materials as might otherwise have been required. [Formerly 336.435]

Note: Legislative Counsel has substituted "ORS 417.705 to 417.790 and 419A.170" for the words "this 1993 Act" in 336.435 (renumbered 329.237) as amended by section 52, chapter 676, Oregon Laws 1993. Other specific ORS references have not been substituted, pursuant to 173.160. The range of sections for which substitutions would be required yields ORS references too numerous to be useful. These sections may be determined by referring to the 1993 Comparative Section Table located in Volume 15 of ORS.

329.240 [Repealed by 1953 c.306 §18]

329.245 Rules. (1) The State Board of Education shall adopt rules for the establishment of the Early Childhood Improvement Program. Rules shall require school districts to include in their applications cooperative efforts with other programs for young children.

(2) The Department of Education shall review and approve applications by July 1 of each year. [Formerly 336.437]

329.250 [Repealed by 1953 c.306 §18]

(Child Development and Student-Parent Programs)

329.255 Child development specialist's services required. (1) The district school board of every school district operating any

elementary schools may make the services of a child development specialist available to the pupils enrolled in the elementary schools and their families.

(2) A child development specialist shall provide primary prevention services directly or in cooperation with others in settings in addition to the school setting:

(a) To pupils enrolled in the elementary school, with priority given at the primary level, including kindergarten, to assist them in developing positive attitudes toward themselves and others in relation to life career roles and to assure that developmentally appropriate assessment and screening procedures are provided for the early identification of talents and strengths on which to base a positive learning experience for each child.

(b) To the professional staff of the elementary school to assist them in early identification of pupils enrolled therein with learning or developmental problems.

(c) To parents of pupils enrolled in elementary schools to assist them in understanding their children's unique aptitudes and needs and to aid in relating home, school and neighborhood experiences.

(d) To refer pupils enrolled in the elementary school and their families to appropriate state or local agencies for additional assistance as needed.

(e) To coordinate resources available through the community and the school.

(3) The district school board of every school district operating any elementary schools may make the services of a child development specialist, as described in subsection (2) of this section available to children four years of age or younger and their families residing in its district. If such children need assessment, the child development specialist shall assure that developmentally appropriate assessment and screening procedures are provided for early identification of barriers or needs that prevent successful transition to early education programs.

(4) School districts may provide the services authorized or required under this section by contract with qualified state or local programs. [Formerly 343.125]

329.260 [Repealed by 1953 c.306 §18]

329.265 State reimbursement for costs.

(1) Following the close of each fiscal quarter for which reimbursement is claimed, any district making the services of a child development specialist available pursuant to ORS 329.255 in a state approved program shall file a verified claim with the Superintendent of Public Instruction for the reimbursement as

designated in the notice of allotment for the costs incurred by the district in providing the services of the child development specialist.

(2) If the Superintendent of Public Instruction approves the application for reimbursement, the superintendent shall cause the district to be reimbursed in the amount claimed in accordance with the state approved program provided in subsection (1) of this section. In no case shall the state reimbursement from funds available for the child development specialist program exceed 75 percent of the approved annual cost of the program nor shall the state's expenditure exceed the amount appropriated by the Legislative Assembly for this purpose. [Formerly 343.135]

329.275 State board guidelines; qualification for child development specialist.

(1) The State Board of Education by rule shall establish guidelines for implementation of ORS 329.255 and 329.265, including but not limited to qualifications for child development specialists and procedures for community coordination of efforts. Such qualifications and procedures shall not be limited to traditional treatment oriented disciplines or the various disciplines requiring certification.

(2) Exceptions to the qualifications established by the state board may be made if the state board determines after a hearing that an individual is capable of performing the required functions. [Formerly 343.145]

329.280 [Repealed by 1953 c.306 §18]

329.290 [Repealed by 1953 c.306 §18]

329.300 [Repealed by 1953 c.306 §18]

329.310 [Repealed by 1953 c.306 §18]

329.320 [Repealed by 1953 c.306 §18]

329.330 [Repealed by 1953 c.306 §18]

329.350 [Repealed by 1953 c.306 §18]

329.360 [Repealed by 1953 c.306 §18]

329.385 Child development programs; student-parent programs; grants. (1) The Department of Education shall prepare operating guides for child development programs and for student-parent programs applicable to programs under ORS 315.234, 318.031 and this section that are consistent with requirements imposed by the State Board of Education.

(2) The Department of Education shall review applications for approval of child development programs and student-parent programs and may approve up to 20 child development and up to 20 student-parent programs after considering:

(a) The educational adequacy and type of programs.

(b) The number of students and children who are to be served by the program.

(c) The availability of trained personnel and facilities.

(d) The need for the programs in the applying district.

(3) In approving applications for child development programs, the department shall require that the school district use the contributions described in ORS 315.234 and 318.031 for child development curriculum and in the formulation and initiation of onsite child development centers. Each center must be able to accommodate not more than 30 full-time equivalent spaces for children, distributed according to needs of the community.

(4) In approving applications for student-parent programs, the department shall require that the school district use the contributions described in ORS 315.234 and 318.031 for appropriate education for student-parents leading to graduation and in the formulation and development of appropriate onsite child care centers. Each center must be able to accommodate not more than 30 full-time equivalent spaces for children, distributed according to the needs of the student-parents.

(5) As used in this section:

(a) "Child development program" means an educational program that conforms to standards adopted by the State Board of Education and that consists of an education component and a day care component.

(b) "Student-parent program" means an educational program that conforms to standards adopted by the State Board of Education and that consists of education for the student-parent and day care for the student-parent's child. [Formerly 336.850]

329.390 [Repealed by 1953 c.306 §18]

329.395 Definitions for ORS 329.395 to 329.425. As used in ORS 329.395 to 329.425:

(1) "Child development program" means an educational program funded by ORS 329.395 to 329.425 that conforms to standards adopted by the State Board of Education and that consists of an education component and a day care component.

(2) "Teenage parent program" means an educational program funded by ORS 329.395 to 329.425 that conforms to standards adopted by the State Board of Education and that consists of education for the student-parent and day care for the student-parent's child. [Formerly 336.870]

329.400 [Repealed by 1953 c.306 §18]

329.405 Study of existing program. The Department of Education shall study the

child development program and the teenage parent program at Churchill High School in Eugene and other programs that provide services of a similar nature to determine how these programs could be replicated in other high schools. [Formerly 336.875]

329.415 Grant procedures for ORS 329.395 to 329.425. (1) The Department of Education shall prepare operating guides for child development programs and for teenage parent programs applicable to programs under ORS 329.395 to 329.425 that are consistent with requirements imposed by the State Board of Education.

(2) The Department of Education shall review applications for approval of child development programs and teenage parent programs and may approve those programs after considering:

(a) The educational adequacy and type of programs.

(b) The number of students and children who are to be served by the program.

(c) The availability of trained personnel and facilities.

(d) The need for the programs in the applying district.

(3) In approving applications for child development programs, the department shall require that the school district use its grant for child development curriculum and in the formulation and initiation of onsite child development centers. Each center must be able to accommodate from 15 to 30 full-time equivalent spaces for children, distributed according to needs of the community.

(4) In approving applications for teenage parent programs, the department shall require that the school district use the grant in connection with appropriate education for teenage parents leading to graduation and in the formulation and development of appropriate onsite child care centers. Each center must be able to accommodate from 15 to 30 full-time equivalent spaces for children, distributed according to the needs of the teenage student-parents.

(5) Results of the study required by ORS 329.405 shall be used as a basis for school district planning. [Formerly 336.880]

329.420 [Repealed by 1953 c.306 §18]

329.425 Grants under ORS 329.395 to 329.425. (1) An approved school district child development program shall be entitled to receive a grant not to exceed \$50,000.

(2) An approved school district teenage parent program shall be entitled to receive a grant not to exceed \$25,000.

(3) A district may receive grants under both subsections (1) and (2) of this section

but no district is entitled to receive more than \$75,000 for the grant period. [Formerly 336.885]

329.430 [Repealed by 1953 c.306 §18]

329.440 [Repealed by 1953 c.306 §18]

(Middle and High Schools; Certificates of Mastery)

329.445 Recognition of needs of middle educational levels. The Department of Education shall study and develop plans to insure that the school restructuring efforts framed in this chapter 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 this chapter. This shall be done in consultation with teachers, parents and administrators from schools serving middle level students. [Formerly 326.730]

329.450 [Repealed by 1953 c.306 §18]

329.455 Policy to encourage students to remain in school; rules applicable to student employment. (1) It is the policy of the State of Oregon to encourage students to remain in school and to earn their Certificates of Initial Mastery and Certificates of Advanced Mastery before seeking employment during the regular school year.

(2) With the advice of the Wage and Hour Commission and in consultation with the Workforce Quality Council and the State Board of Higher Education, the State Board of Education shall propose rules applicable to the continuation of education of minors who have not obtained the Certificate of Initial Mastery and the Certificate of Advanced Mastery and who seek to be employed during the regular school year. The proposed rules shall provide opportunities to participate in the employment decision-making relating to the minor, by the minor, the minor's parents or guardian, local school authorities and the potential employer.

(3) The state board shall submit its proposed rules to the Legislative Assembly for review not later than January 1, 1993.

(4) If the state board's proposed rules are approved by the Legislative Assembly, the state board's proposed rules shall take effect July 1, 1997.

(5) Nothing in this section is intended to affect the authority of the Wage and Hour Commission to regulate the employment conditions of minors under ORS 653.305 to 653.545. [Formerly 335.125]

329.460 [Repealed by 1953 c.306 §18]

329.465 Certificate of Initial Mastery.

(1) By the end of the 1996-1997 school year, every student shall have the opportunity by

16 years of age or upon completing grade 10 to obtain a Certificate of Initial Mastery.

(2) The State Board of Education shall prescribe the standards, pursuant to ORS 329.025 and 329.035, that a student must meet in order to obtain a Certificate of Initial Mastery. The Certificate of Initial Mastery shall be based on a series of performance-based assessments benchmarked to mastery levels at approximately grades 3, 5, 8 and 10 including but not limited to work samples, tests and portfolios. Students shall be allowed to collect credentials over a period of years, culminating in a project or exhibition that demonstrates attainment of the required knowledge and skills.

(3) Requirements for the Certificate of Initial Mastery shall:

(a) Assure that a student has the knowledge and skills to read, write, problem solve, think critically and communicate across the disciplines, at national levels by the year 2000 and at international levels by the year 2010; and

(b) Assure that students exhibit the capacity to learn, think, reason, retrieve information and work effectively alone and in groups.

(4) A Certificate of Initial Mastery shall be required for entry into college preparatory and academic professional technical programs leading to the appropriate indorsement.

(5) On or before January 1, 1995, each school district shall present a plan to the Department of Education setting forth the steps the district has taken to insure that its curriculum meets the requirements necessary for the students of the district to obtain Certificates of Initial Mastery. Each district's plan shall include options for achieving the certificate through alternative educational programs, including but not limited to those offered at Learning Centers established pursuant to ORS 329.860.

(6) The provisions of this section may be applied individually as appropriate to students enrolled in special education programs under ORS chapter 343.

(7) The Department of Education shall develop procedures to accommodate out-of-state students, students taught by a parent or private teachers pursuant to ORS 339.035, private school students transferring into public schools and migrant children from other states and countries. [Formerly 335.140]

329.470 [Repealed by 1953 c.306 §18]

329.475 Entitlement of student with Certificate of Initial Mastery. (1) Beginning with the 1997-1998 school year, any

student who has received a Certificate of Initial Mastery shall be entitled to attend any public educational institution that enrolls the student and provides a program leading to the achievement of a Certificate of Advanced Mastery and a college preparatory or academic professional technical indorsement, or both, and meets the requirements of the State Board of Education.

(2) In establishing the requirements for Certificates of Advanced Mastery with indorsements, the State Board of Education shall facilitate the movement between the indorsements and shall encourage choice and mobility so as to enhance a student's opportunities to maximize exposure to the full range of educational experiences.

(3) The institution shall be reimbursed for the student's tuition by the district in which the student resides pursuant to ORS 339.115 and rules of the State Board of Education, in an amount not to exceed the student's tuition or the amount the district receives for the student from state funds, whichever is less. A school district shall not receive state funds for the student in an amount that exceeds the student's tuition. Any adult who wishes to pursue an indorsement, or any student having earned the Certificate of Advanced Mastery or who has attained 19 years of age and who wishes to continue a program, may do so by paying tuition. As used in this section, "public educational institution" does not include a public school to which a student has transferred under ORS 329.485.

(4) A high school diploma issued by an accredited private or out-of-state secondary school as signifying successful completion of grade 12 shall be considered acceptable in lieu of a Certificate of Advanced Mastery for purposes of any rights or privileges that attach to the holder of a Certificate of Advanced Mastery. [Formerly 335.150]

329.480 [Repealed by 1953 c.306 §18]

329.485 Assessment system leading to initial certificate; when additional service available to student; when student transfer authorized. (1) The Department of Education shall implement an assessment system for all students, including performance-based assessment of the knowledge and skills necessary to achieve the standards for each mastery level leading to the Certificate of Initial Mastery. However, until this plan is operational, assessment shall continue at grades 3, 5, 8 and 10.

(2) The State Board of Education by rule shall establish criteria for determining whether students have demonstrated the knowledge and skills necessary to perform successfully at each level in the manner de-

scribed in ORS 329.465, beginning with the 1994-1995 school year.

(3) The resident district shall be accountable for the student's satisfactory progress, as set forth in subsection (4) of this section, or be responsible for finding alternative learning environments, with the concurrence of the student's parents or guardian.

(4) If, at any point, a student is not making satisfactory progress toward attainment of the standard at grades 3, 5, 8 and 10, including the Certificates of Initial Mastery and Advanced Mastery, the school district shall make additional services available to the student, that may include but need not be limited to:

- (a) A restructured school day;
- (b) Additional school days;
- (c) Individualized instruction and other alternative instructional practices; and
- (d) Family evaluation and social services, as appropriate.

(5) If the student to whom additional services have been made available fails to demonstrate the knowledge and skills required at the mastery level within one year after the determination under subsection (2) of this section, even though the student would be or is promoted to the next level, the student shall be allowed to transfer to another public school in the district or to a public school in another district that agrees to accept the student. The district that receives the student shall be entitled to payment. The payment shall consist of:

(a) An amount equal to the district expenses from its local revenues for each student in average daily membership, payable by the resident district in the same year; and

(b) Any state and federal funds the attending district is entitled to receive payable as provided in ORS 339.133 (2). [Formerly 335.160]

329.490 [Repealed by 1953 c.306 §18]

329.495 Certificate of Advanced Mastery. A student who has obtained a Certificate of Initial Mastery and who enrolls in a college preparatory program shall be entitled to receive a Certificate of Advanced Mastery with a college preparatory indorsement if the student meets the requirements established by rule of the State Board of Education, prepared in consultation with the State Board of Higher Education. [Formerly 335.170]

329.500 [Repealed by 1953 c.306 §18]

329.505 Programs allowing student to qualify for advanced certificate. (1) Commencing no later than September 1997, each school district shall institute programs that

allow students to qualify for a Certificate of Advanced Mastery with college preparatory and academic professional technical indorsements. Study may be undertaken in a public school, community college or public professional technical school, or any combination thereof, and must involve at least two years of study or a combination of work and study. The certificate program must include a comprehensive educational component.

(2) The student must demonstrate mastery of knowledge and skills on performance-based assessments, where possible, using work samples, tests, portfolios or other means. All courses necessary for either indorsement shall be available to students irrespective of their chosen indorsement area. [Formerly 335.180]

329.510 [Repealed by 1953 c.306 §18]

329.520 [Repealed by 1953 c.306 §18]

329.530 [Repealed by 1953 c.306 §18]

21st CENTURY SCHOOLS PROGRAM

329.535 Definitions for ORS 329.535 to 329.605. As used in ORS 329.535 to 329.605:

(1) "Administrator" includes all persons whose duties require administrative licenses.

(2) "21st Century Schools Council" means the body described in ORS 329.675.

(3) "Department" means the Department of Education.

(4) "District planning committee" means a body composed of teachers, administrators and public members, constituted under ORS 329.570, for the purpose of sponsoring programs submitted and approved under ORS 329.535 to 329.605.

(5) "School district" means a school district, an education service district, a state-operated school or any legally constituted combination of such entities that sponsors an eligible program and submits an application under ORS 329.570.

(6) "State board" means the State Board of Education.

(7) "Teacher" means all licensed employees of a school district who have direct responsibility for instruction, coordination of educational programs or supervision of teachers and who are compensated for their services from public funds. "Teacher" does not include a school nurse, as defined in ORS 342.455, or a person whose duties require an administrative license. [Formerly 336.530]

329.540 [Repealed by 1953 c.306 §18]

329.545 Policy for program. The Legislative Assembly finds that:

(1) Because American society and the American student are changing dramatically, schools and schooling must be altered signif-

icantly in order to sustain their relevance and their vitality in an increasingly challenging world;

(2) Real and fundamental change in the structure of schools and education must emerge from the school site rather than be imposed externally or unilaterally and should be based on professional knowledge and a solid foundation of research;

(3) To encourage the restructuring of schools in Oregon, the state should establish a process to allow teachers, administrators and the public to modify or waive, or both, certain statutes, rules and local policies and agreements in order to promote greater flexibility in the way schools are organized, managed and financed; and

(4) In exchange for such flexibility, teachers, administrators and the public should be held accountable to clear and measurable standards of student learning and other educational performance. [Formerly 336.535]

329.555 21st Century Schools Program established; purposes. (1) There is established a program to begin in the 1990-1991 school year known as the "21st Century Schools Program."

(2) The purposes of this program include the following:

(a) To encourage the restructuring of school operations and formal relationships among teachers, administrators, other school personnel and local citizens, including but not limited to modifications of the following:

(A) The length and structure of the school day and the school year;

(B) Curriculum requirements;

(C) Graduation requirements;

(D) The licensing, assignment and formal responsibilities of teachers, administrators and other school personnel;

(E) State statutes and rules and local policies and agreements relating to educational practices, with the exception of those that affect health, safety or constitutional rights under state or federal law;

(F) The formal and informal relationships between school districts and other entities, including community colleges, four-year colleges and universities, businesses and other institutions; and

(G) The integration of traditional services to kindergarten through grade 12 with public and privately sponsored social services, such as early childhood education, day care and assistance for teenage parents and other at-risk youth.

(b) To encourage educators, school districts and local citizens to establish measur-

able goals for educational attainment and increased expectations for student performance, including but not limited to improvement in such performance measures as:

(A) Student dropout rates;

(B) District, state and national standardized tests and other assessments of student learning and educational progress;

(C) The extent and nature of parental involvement in school activities;

(D) Student conduct and disciplinary actions;

(E) Student expectations and attitudes towards learning; and

(F) Student success in college, vocational and other post-secondary programs. [Formerly 336.540]

329.560 [Repealed by 1953 c.306 §18]

329.565 District eligibility for program.

(1) Any district school board is eligible to submit an application for the 21st Century Schools Program.

(2) Applications may be made on behalf of the following:

(a) An individual school building;

(b) Two or more school buildings within a district;

(c) All school buildings within a district; or

(d) A consortium consisting of two or more school districts. [Formerly 336.545]

329.570 Application; 21st Century Schools Councils; district planning committee. (1) To the extent practicable, the development of the application and the administration of programs under ORS 329.535 to 329.605 shall be delegated by the state and school districts to the 21st Century Schools Councils.

(2) If more than one school building is part of an application, the 21st Century Schools Councils may elect to establish a district planning committee to facilitate the development of its application. A district planning committee constituted under ORS 329.535 to 329.605 shall consist of:

(a) Administrators and at least one school board member to be chosen by the school board.

(b) Teachers, chosen by the exclusive representative, in a number equal to those appointed under paragraph (a) of this subsection.

(c) At least three public members, chosen jointly by the other members of the committee.

(3) To participate in the 21st Century Schools Program, and prior to submission of

an application by the school board, a school district shall have accomplished the following:

(a) Identified the school building or buildings and, if appropriate, the school district or districts on whose behalf the application is submitted.

(b) Established, in each school building affected by the proposal, a 21st Century Schools Council.

(c) Agreed, at the direction of the 21st Century Schools Councils and, if applicable, the district planning committee, upon the following:

(A) The major activities to be carried out as part of the project, including but not limited to the nature and extent of the restructuring of school operations and formal relationships as described in ORS 329.555 (2).

(B) The specified measures of student learning and educational outcomes, including but not limited to those described in ORS 329.555 (2) for each building affected by the application.

(C) The process by which each 21st Century Schools Council and, where applicable, the district planning committee will collect data and assess the progress and final performance of its program.

(4) The local district school board shall be responsible for submitting the application and certifying that all appropriate requirements of ORS 329.535 to 329.605 have been met. [Formerly 336.550]

Note: Section 14, chapter 693, Oregon Laws 1991, provides:

Sec. 14. Councils required. By September 1992, each school district with more than one school shall have at least one 21st Century Schools Council established pursuant to ORS 329.705. By September 1994, all school districts shall have at least one school site with a 21st Century Schools Council. Each school site shall be required to have a 21st Century Schools Council not later than September 1995. [1991 c.693 §14]

329.575 Application content. (1) All applications for the 21st Century Schools Program shall be submitted to the Department of Education, and shall contain the following:

(a) A letter of support from the school board and the exclusive representative of teachers in the buildings affected.

(b) An abstract of the nature and objectives of the project and a description of the changes projected to occur in the school or district, or any combination thereof, as a result of the proposal.

(c) A description of the goals and major activities to be carried out as part of the project, including but not limited to the nature and extent of the restructuring of school operations and formal relationships as described in ORS 329.555 (2). The application

shall also describe the process used to identify the goals and major activities of the project.

(d) A list of the major student learning and educational outcomes that are projected to occur as a result of the project, including but not limited to those outcomes described in ORS 329.555 (2).

(e) A description of all statutes and rules to be modified or waived to complete the activities of the project. For each provision, the application shall include a statement describing why the modification or waiver is warranted.

(f) A description of all district rules and agreements that are to be modified or waived. All such provisions shall be approved by a majority vote of each 21st Century Schools Council, the affirmative vote of at least two-thirds of the licensed teachers in the affected school buildings and the approval of the local district school board and the exclusive representative of the teachers.

(g) A budget plan for the project and additional anticipated sources of funding, if any, including private grants and contributions.

(h) A description of the process by which data will be collected and assessed to measure student learning and other educational performance attributable to the project.

(i) Letters expressing support and a willingness to participate from community colleges and other post-secondary institutions, where appropriate.

(j) The number of school years for which approval is sought. The period shall be no less than three years and no more than five years.

(k) A description of how the district intends to share and disseminate to other school districts those practices that prove effective.

(2) Applications shall contain all the components of subsection (1) of this section to be eligible for approval.

(3) The application may also contain written statements of support from parents, citizens, local businesses and other interested individuals and organizations. [Formerly 336.555]

329.585 District proposals. (1) In addition to the application described in ORS 329.575 for the 21st Century Schools Program or ORS 329.695 for the School Improvement and Professional Development program, a school district may submit proposals to:

(a) Modify laws, rules or policies;

(b) Establish nongraded school programs for students;

(c) Extend the school year or teacher and student contact hours for all students in the district or for a specified group of students;

(d) Integrate health and social services at the school site to meet the comprehensive needs of children and the families in which they live;

(e) Substantially modify traditional methods of delivering and monitoring educational services, including but not limited to the elimination of the 55-minute class period and graded classrooms and the promotion of such strategies as the use of team teaching, student-to-student mentoring, bilingual tutoring programs and inclusion of special needs population;

(f) Operate a team, small group model school with a team of teachers remaining with the same students over a period of several years using a variety of teaching techniques and research-based cooperative small groups;

(g) Develop public school choice plans to give parents, students and teachers more freedom to design and choose among programs with different emphasis, both among school districts and within and among schools;

(h) Restructure programs for students, including but not limited to applied academics, youth apprenticeships and other schoolwork models that involve, as a minimum, two-year programs;

(i) Develop new programs integrating technology into the curriculum, instruction and student assessment;

(j) Increase parent involvement in decision-making at the school site; and

(k) Restructure programs for middle level students, including, but not limited to, heterogeneous groups, integrated curriculum and staffing and appropriate teaching strategies.

(2) A district that applies under this section shall submit a proposal in accordance with rules adopted by the State Board of Education, including a requirement that the district form a district site committee composed of representatives from all affected school buildings.

(3) A proposal submitted under this section shall be approved by the school district board of directors and by the exclusive representatives of the teachers in the district.

(4) Notwithstanding ORS 329.675 to 329.745, the State Board of Education shall give preference to applications that involve one or more of the proposals described in subsection (1) of this section or other innovative models to meet the goals of this chapter. [Formerly 336.557]

329.595 Rules on applications; review of applications; recommendations to state board. (1) The 21st Century Schools Advisory Committee, appointed by the State Board of Education under ORS 329.700, shall propose rules, for adoption by the state board, to govern the submission and approval of applications under ORS 329.535 to 329.605.

(2) The advisory committee shall review all applications submitted under ORS 329.535 to 329.605 and recommend applications for approval by the state board including but not limited to the following criteria:

(a) The existence of significant, measurable and achievable goals based on student performance;

(b) The extent to which the district has demonstrated the need for the requested modifications and waiver of specified statutes and rules and local policies and agreements;

(c) The extent to which the application proposes significant changes in the structure of school operations and the formal relationships between teachers, administrators, other school personnel and public citizens, as described in ORS 329.555;

(d) The clarity of purpose and values underlying the proposal;

(e) Evidence of thoroughness in identifying, developing and projecting implementation of the proposed activities;

(f) Evidence of potential transferability of the proposed activities and practices that are judged to be successful;

(g) A determination that modification or waiver of statutes and rules and local policies and agreements will not be detrimental to the health, safety or constitutional rights of students, teachers, administrators, other school personnel or the public under state or federal law; and

(h) A demonstration of support and commitment from all parties to support and faithfully implement the proposal.

(3) The advisory committee may suggest modifications in submitted applications, subject to the approval of the school board, the exclusive representative of teachers and each 21st Century Schools Council involved in the project.

(4) The state board shall consider the recommendations of the advisory committee and make the final decisions on approval of the applications, using the criteria contained in subsection (2) of this section. Before making these decisions, the state board shall allow opportunity for comment by persons submitting the applications and by the public. [Formerly 336.560]

329.600 District annual report; proposed plan amendment. (1) Each district that receives approval for a project under the 21st Century Schools Program shall submit an annual report to the advisory committee appointed under ORS 329.700 and to the local community. The report shall include specific data that reflect the nature and extent of changes in student learning and other performance as described in its application.

(2) Along with its annual report, a district may submit proposed amendments to its approved program describing additional statutes, rules or local policies and agreements that it proposes to waive. Such amendments must be accompanied by a statement of support from the local school board, the exclusive representative of teachers and each 21st Century Schools Council involved in the project. The advisory committee may recommend approval of such amendments upon a finding of satisfactory progress by the district and a determination that all other provisions of ORS 329.535 to 329.605 have been met.

(3) If, based upon these annual reports, the advisory committee determines that a district's progress is unsatisfactory, the advisory committee may recommend to the state board that the district be placed on probation for a one-year period. During the probationary year, the district shall be eligible for special assistance from the Department of Education. During the probationary year, the district shall also prepare a contingency plan in the event it is ordered to terminate its project prematurely.

(4) If, after the probationary period described in subsection (3) of this section, the district's progress is still unsatisfactory in the judgment of the advisory committee, the advisory committee may recommend that the state board terminate the project and implement its plan for returning to compliance with previously waived statutes, rules and local policies and agreements.

(5) A district may terminate its application by submitting to the board a request for termination that has been approved by the school board, the exclusive representative of teachers and the 21st Century Schools Councils. [Formerly 336.565]

329.605 Department oversight function. The Department of Education shall be responsible for oversight in the implementation of approved projects. In carrying out this oversight function, the department shall:

(1) Maintain regular contact with educators, school building personnel and school district personnel through site visitations, reports and other appropriate contacts.

(2) Develop and coordinate linkages between participating school districts and other educational institutions, including community colleges, four-year colleges and universities.

(3) Regularly collect relevant information from participating educators, school building personnel and district personnel. [Formerly 336.570]

329.610 [Repealed by 1963 c.22 §2]

329.620 [Repealed by 1963 c.22 §2]

329.630 [Repealed by 1963 c.22 §2]

329.640 [Repealed by 1963 c.22 §2]

329.650 [Repealed by 1963 c.22 §2]

329.660 [Repealed by 1963 c.22 §2]

329.670 [Repealed by 1963 c.22 §2]

SCHOOL IMPROVEMENT AND PROFESSIONAL DEVELOPMENT PROGRAM

(Generally)

329.675 Definitions for ORS 329.675 to 329.745 and 329.790 to 329.820. As used in ORS 329.675 to 329.745 and 329.790 to 329.820:

(1) "Administrator" includes all persons whose duties require administrative licenses.

(2) "Beginning teacher" means a teacher who:

(a) Possesses a teaching license issued by the Teacher Standards and Practices Commission;

(b) Is employed at least half time, primarily as a classroom teacher, by a school district; and

(c) Has taught fewer than 90 consecutive days, or 180 days total, as a licensed teacher in any public, private or state-operated school.

(3) "District" means a school district or an education service district, or any legally constituted combination of such districts.

(4) "Educational goals" means a set of goals for educational performance, as formulated by the 21st Century Schools Councils and local communities, and adopted by district school boards, according to provisions of ORS 329.675 to 329.745 and 329.790 to 329.820, to encourage greater accountability between schools and the community, and better to assess the effectiveness of educational programs, including the professional growth and career opportunity programs, described in ORS 329.675 to 329.745 and 329.790 to 329.820.

(5) "Index of teaching and learning conditions" means the system for the collection and analysis of relevant educational data by schools, districts and the state for the pur-

pose of assessing the educational effectiveness of schools and programs.

(6) "Mentor teacher" means a teacher who:

(a) Possesses a basic or standard teaching personnel service or administrative license issued by the Teacher Standards and Practices Commission;

(b) Is employed at the time of selection under contract primarily as a classroom teacher by a school district in this state;

(c) Has successfully taught for three or more years as a licensed teacher in any public school;

(d) Has been selected and trained as described in ORS 329.815; and

(e) Has demonstrated mastery of teaching skills and subject matter knowledge.

(7) "Parents" means parents or guardians of students currently enrolled in a public school providing education in prekindergarten through grade 12.

(8) "School Improvement and Professional Development program" means a formal plan submitted by a school district and approved by the Department of Education according to criteria specified in ORS 329.675 to 329.745 and 329.790 to 329.820.

(9) "School district" means a school district, an education service district, a state-operated school or any legally constituted combination of such entities that submits an application under ORS 329.695.

(10) "Support program" means a program provided by a mentor teacher to a beginning teacher that includes, but is not limited to, direct classroom observation and consultation, assistance in instructional planning and preparation, support in implementation and delivery of classroom instruction, and other assistance intended to enhance the professional performance and development of the beginning teacher.

(11) "21st Century Schools Council" means a body composed of teachers, classified district employees, administrators, parents of students and others, constituted under ORS 329.705.

(12) "Teacher" means a licensed employee of a common or union high school district or an education service district who has direct responsibility for instruction, coordination of educational programs or supervision of teachers, and who is compensated for services from public funds. "Teacher" does not include a school nurse as defined in ORS 342.455 or a person whose duties require an administrative license. [Formerly 336.705]

329.680 [Repealed by 1963 c.22 §2]

329.685 Policy on school goals. (1) Further initiatives to promote educational excellence in the public schools are of vital importance in increasing student learning and strengthening Oregon's economy.

(2) The state should encourage and assist local school districts in their efforts to establish school goals through a process that involves educators and members of the community and to develop effective tools to measure progress against those goals that will increase the public accountability of educational programs.

(3) New career opportunities for professional development are desirable to recognize and reward those teachers who have demonstrated mastery of teaching skills, knowledge of their subject matter and other appropriate indicators of professional growth.

(4) The establishment of 21st Century Schools Councils for the school district and for individual schools is desirable to encourage new initiatives in school-based management and the assessment of educational progress, to provide new and expanded career opportunities for teachers and to facilitate efforts to restructure the school workplace to provide educators with greater responsibility while increasing their accountability. [Formerly 336.710]

(School Improvement and Professional Development)

329.690 School Improvement and Professional Development program established. (1) Oregon hereby establishes a School Improvement and Professional Development program to encourage the following:

(a) The development of educational goals for individual schools and school districts;

(b) The assessment of the educational progress of school programs and students;

(c) The expansion of professional growth and career opportunities for Oregon teachers; and

(d) The restructuring of the school workplace to provide teachers with responsibilities and authority commensurate with their status as professionals.

(2) All programs in ORS 329.675 to 329.745 and 329.790 to 329.820 are subject to the availability of funds appropriated therefor. [Formerly 336.715]

329.695 Grant applications; evaluation; duration of grant; representation in selection. (1) The School Improvement and Professional Development program shall be administered by the Department of Education according to rules established pursuant to ORS 329.675 to 329.745 and 329.790 to 329.820 by the State Board of Education.

(2) A school district or an education service district, or a combination of such entities, may submit an application to the Department of Education to receive a School Improvement and Professional Development grant.

(3) The Department of Education shall be responsible for evaluating district proposals according to rules and criteria established by the State Board of Education.

(4) Grants under this program shall be effective for one or two calendar years and are renewable. A district may apply to continue its grant for one or two years but in no event is the district entitled to receive more than \$1,000 for each teacher for whom a grant is received during the continuation period.

(5) In awarding grants, the Department of Education shall work to insure a representation of school districts of different sizes and in different geographical locations. [Formerly 336.720]

329.700 21st Century Schools Advisory Committee; membership; application deadlines for grants; amount; distribution. (1) The State Board of Education shall appoint a 21st Century Schools Advisory Committee to propose rules for the submission and approval of grants and programs under ORS 329.555 to 329.605, 329.675 to 329.745, 329.790 to 329.820 and 342.017.

(2)(a) The advisory committee shall include teachers; who shall constitute a majority of the 15 members, and one member from each of the following groups, at least one of whom must be a member of a minority:

- (A) School administrators;
- (B) School board members;
- (C) Education school faculty;
- (D) Classified district employees;

(E) Parents of children currently in pre-kindergarten through grade 12 of the public school system; and

(F) Members of the business and labor community.

(b) The board may appoint other citizens as considered appropriate by the board.

(3) The deadline for applications submitted by districts under ORS 329.675 to 329.745 and 329.790 to 329.820 shall be April 1 preceding the school year for which they are proposed. The Department of Education shall review all applications and shall approve or reject them no later than June 1 preceding the school year for which they are proposed.

(4) Districts that qualify for 21st Century Schools grants under ORS 329.675 to 329.745

and 329.790 to 329.820 shall receive up to \$1,000 per year for every full-time equivalent teacher deemed eligible for this program.

(5) Subject to ORS 291.232 to 291.260, the Superintendent of Public Instruction shall distribute grants-in-aid to eligible school districts so that at least three-quarters of the allocation due to each eligible district is received no later than February 1 of each fiscal year and the remainder when all required reports are filed with the Department of Education. If underpayments or overpayments result, adjustments shall be made in the following year. [Formerly 336.730]

329.705 Duties of building councils; membership. (1) To the extent practicable, the establishment of school goals, the development and use of indexes of teaching and learning conditions and the administration of grants-in-aid for the professional development of teachers and classified district employees shall be delegated to 21st Century Schools Councils that are established at the school building level.

(2) A 21st Century Schools Council established under ORS 329.675 to 329.745 and 329.790 to 329.820 shall be composed of teachers, classified district employees, building administrators and parents of students. Members of the 21st Century Schools Council shall appoint parents or guardians of children attending the school and may appoint representatives of the community at-large.

(3) Teachers, classified district employees, building administrators and any designated representatives of the district school board who serve on a 21st Century Schools Council shall be selected by the direct election of peers under the following conditions:

(a) A majority of a 21st Century Schools Council shall be active classroom teachers.

(b) The principal of a school or the principal's designee shall be a member of a 21st Century Schools Council.

(4) The duties of a 21st Century Schools Council under ORS 329.675 to 329.745 and 329.790 to 329.820 shall include but are not limited to:

(a) The development and implementation of a plan to improve the professional growth and career opportunities of a school's staff;

(b) The improvement of its instructional program; and

(c) The development and coordination of the implementation of ORS 329.005 to 329.165, 329.185, 329.215, 329.237, 329.245, 329.445 to 329.505, 329.585, 329.675, 329.700, 329.705, 329.753 and 329.850 to 329.860 at the school site.

(5) A district may establish a district site committee to assist in the administration of grants under ORS 329.675 to 329.745 and 329.790 to 329.820. Such district site committees shall be composed of teachers, classified district employees, administrators, parents of students and at least one member appointed by the school board. Teachers shall comprise one-half of such committees and shall be appointed by the certified or recognized bargaining unit, if any, for teachers in the district. Classified district employees shall be appointed by the recognized bargaining unit, if any, for classified employees in the district.

(6) Whenever the decisions of any plan of the 21st Century Schools Council conflict with a recommendation of the local school committee under ORS 330.430, 333.290, 333.305 and 335.515, the decision of the 21st Century Schools Council shall prevail. [Formerly 336.745]

329.709 Rules for grant applications.

(1) An eligible grant application must be submitted by a school district according to rules prescribed by the State Board of Education. The rules shall include, but not be limited to, the following:

(a) Except for state-operated schools, the school district in its application shall certify that its proposal has been approved by the school board and is consistent with existing district policies, rules and contracts bargained under ORS 243.650 to 243.782.

(b) The administration of grant programs under ORS 329.675 to 329.745 and 329.790 to 329.820 shall be consistent with existing district policies, rules and contracts bargained under ORS 243.650 to 243.782.

(2) Nothing in this section is intended to make grants under ORS 329.675 to 329.745 and 329.790 to 329.820 subject to collective bargaining. [Formerly 336.755]

329.710 [Amended by 1961 c.522 §1; 1963 c.282 §10; 1963 c.544 §23; renumbered 330.080]

329.715 Application content. To be eligible for funding, a district's application shall include the following:

(1) A description of a process to formulate and adopt district and individual school building educational goals so that such goals reflect input from a wide range of citizens in the community.

(2) A description of how the district will formulate and use indexes of teaching and learning conditions to measure progress according to those goals. The indexes of teaching and learning conditions may include, but are not limited to, such indicators as:

(a) Class size and teaching loads;

(b) A profile of the teaching and administrative personnel, including such characteristics as years of experience, rate of turnover and absenteeism;

(c) The frequency and nature of teacher misassignments;

(d) The socioeconomic status of the community;

(e) The ability and willingness of a school district to provide financial support for the schools;

(f) Measures of student progress as measured on school district or state assessments, or both;

(g) Attendance and drop out rates;

(h) Student conduct and disciplinary actions;

(i) Measures of student success in vocational, college and other post-secondary programs; and

(j) Student expectations and attitudes toward learning.

(3) A description of how the proposed program will address the identified needs for professional growth and career opportunities of teachers in the district.

(4) Certification by the school district that none of the moneys received through ORS 329.675 to 329.745 and 329.790 to 329.820 shall be used to replace expenditures for existing programs for professional growth and career opportunities.

(5) A description of how the district will evaluate the effectiveness of its School Improvement and Professional Development grant, using educational goals and an index of teaching and learning conditions. [Formerly 336.765]

329.720 [Amended by 1961 c.522 §2; 1963 c.544 §24; renumbered 330.085]

329.725 Professional growth and career opportunities; eligibility; grants; application. (1) To be eligible for funding, a district proposal shall define and provide a process by which eligible teachers are selected by a 21st Century Schools Council to receive additional professional growth and career opportunities which may include, but are not limited to, service as a mentor teacher, supervision and instruction of student teachers, either in the classroom or as an adjunct faculty member at a school of education, curriculum development, service on a 21st Century Schools Council, reimbursement for academic course work, opportunities for research in a teacher's field or fields, programs to encourage peer observation and assistance programs, additional sabbaticals and other programs designed to encourage professional growth.

(2) All teachers in good standing shall be eligible for advanced professional growth and career opportunities, according to criteria established by 21st Century Schools Councils. Those criteria shall include demonstration of the following:

(a) Mastery of teaching skills and subject matter knowledge;

(b) A commitment to personal and professional growth as a teacher;

(c) Active collaboration on professional matters with other faculty; and

(d) Active involvement in school and community affairs.

(3) In applying for such opportunities, teachers shall describe how such opportunities will further the goals of the schools in which the teachers are employed.

(4) Administrators may be eligible for additional professional growth and career opportunities, provided that their proposals are directly linked to enhancing their role as instructional leaders within their schools.

(5) Grants for professional growth and career opportunities may be given for a period of time not to exceed one year.

(6) A teacher approved for a professional growth and career opportunity shall be given the choice of receiving additional release time or additional compensation in exchange for assuming additional responsibilities. However, release time shall not be used if to do so increases the work load of other teachers regularly employed by the school district. [Formerly 336.775]

329.730 [Amended by 1957 c.310 §6; 1959 c.518 §1; 1961 c.522 §3; repealed by 1963 c.282 §16]

329.735 Evaluation of district programs. (1) The Department of Education shall be responsible for conducting a comprehensive evaluation of all district programs under ORS 329.675 to 329.745 and 329.790 to 329.820 and reporting to the Legislative Assembly.

(2) The evaluations shall include an assessment of the performance of district programs as measured against those requirements outlined in ORS 329.715. [Formerly 336.780]

329.740 [Renumbered 330.115]

329.745 Dedication of available funds for professional development centers. To administer ORS 329.675 to 329.745, the Department of Education shall dedicate a portion of its funds, not to exceed 10 percent of the total appropriated for the purposes of ORS 329.675 to 329.745 to provide for the establishment of professional development centers to:

(1) Assist school districts, teachers, 21st Century Schools Council members and others to formulate goals and indexes of teaching and learning conditions;

(2) Provide additional professional growth and career opportunities for teachers; and

(3) Carry out other purposes of ORS 329.675 to 329.745. [Formerly 336.785]

329.750 [Renumbered 330.125]

(Distinguished Educators)

329.753 Distinguished Oregon Educators; qualifications; duties. (1) The 21st Century Schools Advisory Committee shall propose for adoption by the State Board of Education criteria for selecting Distinguished Oregon Educators who possess special skills to assist in schools beginning with the 1992-1993 school year. The 21st Century Schools Advisory Committee shall nominate educators to the Superintendent of Public Instruction, who shall select educators who meet the criteria and who are willing to serve.

(2) With the consent of the employing school district, the educator may be assigned to assist the school districts as a member of a department team for a period not to exceed two years while retaining all rights to employment, seniority and other benefits in the educator's employing school district. During the period of the assignment, the educator or the educator's employing school district shall be compensated by the Department of Education. [Formerly 342.017]

329.755 [1955 c.22 §1; 1957 c.89 §3; renumbered 330.135]

(Teacher Corps)

329.757 Oregon Teacher Corps. (1) There is hereby created an Oregon Teacher Corps program to encourage the entry of certain qualified persons into the teaching profession through the use of forgivable student loans for those who complete three years of successful teaching in a public school in this state.

(2) All programs in ORS 329.757 to 329.780 are subject to the availability of funds appropriated therefor. [Formerly 348.120]

329.760 [Amended by 1953 c.538 §2; renumbered 330.145]

329.765 Administration of corps. (1) The State Scholarship Commission shall administer the Oregon Teacher Corps program insofar as practicable in the same manner as the loan program under ORS 348.050 is administered and make rules for the selection of qualified applicants.

(2) Eligibility for the Oregon Teacher Corps is limited to those prospective teachers

whom the State Scholarship Commission determines to have graduated, or currently rank, in the top 20 percent of their high school or college class. The commission shall assess each applicant's potential for teaching through such means as essays written by the applicant, letters of recommendations from teachers and others, descriptions of relevant teaching experiences, and other appropriate measures. Allowance shall be given for those applicants whom the commission determines to be in at least one of the following categories:

(a) Minority individuals as defined in ORS 200.005;

(b) Prospective teachers in scarce indorsement areas, as defined by the Teacher Standards and Practices Commission; or

(c) Prospective teachers who agree to teach in remote and difficult to serve school districts in this state.

(3) Recipients of loans under ORS 329.757 to 329.780 shall be enrolled at least half time in an approved teacher education program at an Oregon institution of higher education. [Formerly 348.125]

329.770 [Amended by 1953 c.513 §3; renumbered 330.155]

329.775. Loans; amounts; interest; repayment; waiver of repayment. (1) Upon approval of the loan application of an eligible student by the State Scholarship Commission, the commission may loan an amount from the Oregon Teacher Corps Account to the student in compliance with this section. The loan shall be evidenced by a written obligation but no additional security shall be required. Notwithstanding any provision in this section, the commission may require cosigners on the loans.

(2) Loans granted under this section to eligible students by the commission shall:

(a) Not exceed \$2,000 in a single academic year to an undergraduate student enrolled in a teacher education program leading to a basic license.

(b) Not exceed \$4,000 in a single academic year to a graduate student enrolled in a teacher education program leading to a basic license.

(c) Not exceed \$8,000 for all loans made to a student under this section.

(3) Borrowers are required to pay at least seven percent interest per annum on the unpaid balance from the date of the loan as provided in subsection (4) of this section.

(4)(a) Repayment of the principal and accruing and deferred interest on loans shall be commenced not later than 12 months after the student's completion of the teacher edu-

cation program or other termination of the student's education. Repayment of loans under ORS 329.765 shall be delayed for the period of time the student is teaching at least half time in a public school in this state but becomes payable under the usual terms if the student ceases teaching before completing three full years. Repayment of loans shall be delayed up to three years upon application of the borrower showing inability to locate suitable employment.

(b) Repayment shall be completed in a maximum of 120 months from the time repayment is commenced. However, nothing in this section is intended to prevent repayment without penalty at an earlier date than provided in this section or to prohibit the commission from extending the repayment period to a date other than permitted by this subsection.

(5)(a) An eligible student who receives a loan under this section, preparing to be an elementary or secondary school teacher in this state, is not required to repay a loan made under this section if the student completes:

(A) At least three years of equivalent full-time teaching in a public elementary or secondary school within the five-year period following completion of the teacher education program in this state; or

(B) At least three years of teaching under a full-time contract working at least three-fourths time in classroom teaching and no more than one-fourth time not in classroom teaching duties during regular school hours in a public elementary or secondary school within the five-year period following completion of the teacher education program in this state, as approved by the State Scholarship Commission upon written request of the borrower.

(b) Repayment of remaining principal and interest shall be waived upon the death or total and permanent disability of the borrower. [Formerly 348.130]

329.780 Oregon Teacher Corps Account; use. (1) There is established in the State Treasury separate from the General Fund an account to be known as the Oregon Teacher Corps Account into which shall be deposited all repayments of loans with interest to the State Scholarship Commission pursuant to ORS 329.775. Any interest accruing to the account shall be credited thereto.

(2) Amounts in the account established under subsection (1) of this section are continuously appropriated to the State Scholarship Commission for the purposes of ORS 329.757 to 329.780. [Formerly 348.135]

(Beginning Teacher Support Program; Mentor Teachers)

329.790 Findings on teacher support programs. The Legislative Assembly finds that:

(1) The quality of teaching in the public schools is of vital importance to the future of this state;

(2) This state has a special interest in insuring that the induction of beginning teachers into their profession is conducive to their professional growth and development; and

(3) The formal assignment of mentor teachers who have demonstrated mastery of teaching skills and subject matter knowledge should substantially improve the induction and professional growth of beginning teachers in this state, as well as provide mentor teachers with additional and valuable opportunities to enhance their own professional growth. [Formerly 342.784]

329.795 Beginning teacher support program established; district participation; use of grants. (1) The State Board of Education shall establish a beginning teacher support program to provide eligible beginning teachers in this state with a continued and sustained support program from a formally assigned mentor teacher.

(2) Any district is eligible to participate in the beginning teacher support program.

(3) Two or more districts may operate jointly a beginning teacher support program if they meet all the requirements of ORS 329.790 to 329.820.

(4) Educational consortia established for approved teacher education programs pursuant to rules of the Teacher Standards and Practices Commission are eligible to operate a beginning teacher support program to serve beginning teachers in a participating school district if:

(a) All moneys received as grants-in-aid for the beginning teacher support program are administered by the participating school district to provide direct services to beginning teachers; and

(b) All other requirements of ORS 329.790 to 329.820 are met.

(5) To the extent practicable, school districts may coordinate with institutions of higher education in the design, implementation and evaluation of mentorship programs.

(6) All programs in ORS 329.790 to 329.820 are subject to the availability of funds appropriated therefor. [Formerly 342.786]

329.800 Application; content. (1) Each district that wishes to participate in the beginning teacher support program shall sub-

mit a formal application to the Department of Education no later than October 1 of each school year, according to rules of the state board. By that date, districts shall inform the department of:

(a) The names of all eligible beginning teachers employed by the district and a description of their teaching assignments and extracurricular duties;

(b) The names of mentor teachers selected by a district and a description of their teaching assignments and the indorsement area in which they are licensed to teach;

(c) A description of the content and calendar of the proposed beginning teacher support program. The program must provide a minimum of 90 hours of direct contact between mentor teachers and beginning teachers, including observation of or assistance with classroom teaching, or both, during the school day; and

(d) A description of the amount and nature of each eligible beginning teacher's classroom and extracurricular duties and assurance that these duties are not unreasonable for a beginning teacher.

(2) The district shall certify in the application that no eligible beginning teacher is or may be misassigned outside the teacher's indorsement area, except as provided in rules of the Teacher Standards and Practices Commission. [Formerly 342.788]

329.805 Grants-in-aid; amount; distribution. (1) Subject to ORS 291.232 to 291.260, the Superintendent of Public Instruction shall distribute grants-in-aid to eligible districts to offset the costs of beginning teacher support programs. A qualifying district shall receive annually \$3,000 for each full-time equivalent beginning teacher approved for support.

(2) The Superintendent of Public Instruction shall distribute at least three-fourths of the allocation due to each eligible district no later than February 1 of each fiscal year and the remainder when all required final reports are filed with the Department of Education. If underpayments or overpayments result, adjustments shall be made in the following year.

(3) If the funds are insufficient for all eligible proposals, the department shall award grants on a competitive basis taking into consideration school district size and geographic location.

(4) Notwithstanding ORS 329.800 (1)(a), if a participating district hires a beginning teacher after its program has been approved, the district shall be eligible to receive, for each beginning teacher in addition to those named in the application, a per teacher

grant-in-aid that is prorated to the remaining length of the school year, if all other requirements of ORS 329.790 to 329.820 are met, and if funds are available.

(5) The State Board of Education may adopt such rules as it considers appropriate for the distribution of grants-in-aid under this section.

(6) A district that is determined by the Department of Education to be in violation of one or more of the requirements of ORS 329.790 to 329.820 may be required to refund all grants-in-aid moneys distributed under ORS 329.790 to 329.820. The amount of penalty shall be determined by the State Board of Education. [Formerly 342.790]

329.810 Workshops for mentor and beginning teachers. After consulting with representatives of teachers, administrators, school boards, schools of education, the Teaching Research Division of the State System of Higher Education and such others as it considers appropriate, the Department of Education shall develop or approve workshops to provide training for mentor teachers and beginning teachers in programs eligible for grants-in-aid under ORS 329.790 to 329.820. [Formerly 342.792]

329.815 Mentor teachers; selection; stipend; effect on other teachers. The selection, nature and extent of duties of mentor teachers shall be determined by the school district. The following guidelines shall apply:

(1) No teacher shall be designated as a mentor teacher unless willing to perform in that role;

(2) No mentor teacher shall participate in the evaluation of beginning teachers for purposes of actions taken under ORS 342.805 to 342.934;

(3) Each mentor teacher shall complete successfully a training workshop provided or approved by the Department of Education while participating in the beginning teacher support program;

(4) The stipend received for each beginning teacher may be used by the district to compensate teachers who act as mentor teachers in addition to their regular duties or to compensate other individuals assigned duties to provide release time for teachers acting as mentor teachers; and

(5) If a mentor teacher receives additional release time to support a beginning teacher, it is expected that the total workload of other teachers regularly employed by the school district should not increase in any substantial manner. [Formerly 342.794]

329.820 Evaluation of programs. The Department of Education shall be responsible for the regular and ongoing evaluation of

programs under ORS 329.790 to 329.820 and may contract for such evaluation. The evaluation shall include, but not be limited to, assessments of the following:

(1) A survey and follow-up of all eligible mentor teachers and beginning teachers and appropriate district officials, to assess satisfaction with and the effectiveness of the beginning teacher support program;

(2) The amount and quality of the contact time between mentor teachers and beginning teachers;

(3) The effectiveness of workshops and other training required under ORS 329.790 to 329.820;

(4) The effectiveness of the mentor program in enhancing the professional development and retention of new teachers in the district;

(5) The desirability of extending this assistance program to students participating in graduate level teacher preparation programs similar to those which have been proposed by the Department of Higher Education; and

(6) The desirability of extending this assistance program to all probationary teachers. [Formerly 342.796]

OREGON WORKFORCE QUALITY ACT

Note: Sections 1 to 7, 9 to 14 and 18, chapter 667, Oregon Laws 1991, provide:

Sec. 1. This Act shall be known as the Oregon Workforce Quality Act. [1991 c.667 §1]

Sec. 2. (1) The Legislative Assembly finds that the quality of the workforce is critical to the productivity of the state and to the competitiveness of its businesses and industries.

(2) The Legislative Assembly declares that it is the economic development policy of the state to support and promote education and training for students, workers and businesses in order to achieve the following development goals:

(a) To provide comprehensive education and training programs, especially professional and technical programs, for students and workers that equal the highest international standards for achievement;

(b) To promote continuous public and private investment in improved management practices, competitive production processes and worker training;

(c) To develop the capacity of and provide significant opportunity for business and labor to direct the development and delivery of state education and training policy, programs and standards;

(d) To coordinate the delivery of all education, training, employment, apprenticeship and related programs to eliminate needless duplication and assure the efficient and effective provision of these services;

(e) To insure the equitable distribution of quality education, training and employment services statewide, especially to distressed and rural areas, and areas serving the economically disadvantaged citizens of this state; and

(f) To achieve the benchmarks established by the Oregon Progress Board that relate to education and training.

(3) The Legislative Assembly further finds that the employment development and training activities provided for in this Act are job creation and economic development activities within the meaning of section 4 (3), Article XV of the Oregon Constitution. [1991 c.667 §2]

Sec. 3. (1) There is established the Oregon Workforce Quality Council consisting of 22 members. Fifteen members shall be appointed by the Governor, five members who represent business, five members who represent labor or community-based organizations, one member who is a state legislator who serves without vote, one member who is a local elected official, one member who is a local education representative, one member who is a local public education teacher and one member who is affiliated with a private vocational school that is licensed under ORS chapter 345. Two of the members representing business shall also be members of a private industry council. Labor representation may include laborers, as well as members of organized labor. Appointments should reflect the geographic, cultural, ethnic and gender-based diversity of the state.

(2) In addition to the members appointed by the Governor, the council shall include the following who shall be voting members:

- (a) The Governor or designee.
- (b) The Director of the Economic Development Department.
- (c) The Superintendent of Public Instruction.
- (d) The Director of the Department of Human Resources.
- (e) The Commissioner of the Bureau of Labor and Industries.
- (f) The Commissioner for Community College Services.
- (g) The Chancellor of the State System of Higher Education.

(3) The term of office of a member appointed by the Governor is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(4) The appointment of members is subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and 171.565.

(5) Members of the council are entitled to compensation and expenses under ORS 292.495, payable by the Office of Educational Policy and Planning from funds available to the office. [1991 c.667 §3; 1991 c.927 §6; 1993 c.765 §13]

Sec. 4. Notwithstanding the term of office prescribed by section 3, chapter 667, Oregon Laws 1991, of the members first appointed by the Governor to the Oregon Workforce Quality Council:

- (1) Five shall serve for terms ending two years from the date of appointment.
- (2) Five shall serve for terms ending three years from the date of appointment.
- (3) Five shall serve for terms ending four years from the date of appointment. [1991 c.667 §4; 1993 c.765 §13a]

Sec. 5. (1) The Oregon Workforce Quality Council shall select one of the business or labor members as chairperson and another business or labor member as vice chairperson for such terms and with such duties and powers necessary for the performance of those offices as the council determines appropriate.

(2) A majority of the members of the council constitutes a quorum for the transaction of business.

(3) The council may establish advisory committees and subcommittees to assist in the performance of its duties. Members of the council may serve on an advisory committee or subcommittee established by the council.

(4) The council may adopt rules necessary to the implementation of this Act. [1991 c.667 §5]

Sec. 6. The Oregon Workforce Quality Council shall oversee the implementation of the following workforce development strategies:

(1) Primary and secondary school reform as provided in chapter 693, Oregon Laws 1991, including but not limited to the following:

(a) Overseeing reform of current primary and secondary education programs as recommended by the National Center for Education and the Economy in "America's Choice: High Skill or Low Wages." Existing educational curriculum and standards should be revised to enable students to achieve a higher level of basic competency in science, math and language skills. Achievement standards for education should be benchmarked to the highest international educational standards of developed countries. Certificates of Initial Mastery should be developed and awarded to students who achieve these competencies, and primary and secondary education programs should be designed to enable students to achieve certificates by 16 years of age.

(b) Overseeing the development of learning centers, as provided in chapter 693, Oregon Laws 1991, which will provide alternative learning environments for students who have difficulty in school, drop out of school or are unable to achieve the Certificate of Initial Mastery by 16 years of age. Learning centers should offer students more individual attention and assistance with personal, health, social and family problems in addition to the education and training required to prepare them for achieving a certificate and enrolling in subsequent professional and technical or college preparatory programs.

(2) Professional and technical education reform, as provided in chapter 693, Oregon Laws 1991, and including but not limited to the following:

(a) Overseeing the development of comprehensive professional and technical education programs, also described by "America's Choice: High Skill or Low Wages," that incorporate the following elements:

(A) Programs that are responsive to the needs of the state's labor market, providing training in occupations that lead to employment with business and industry in this state.

(B) Programs that set industry accepted performance standards that are developed with and approved by business and industry.

(C) Curricula that includes significant, credited cooperative work experience and on-the-job training.

(D) Diplomas that are awarded to students who successfully complete the programs.

(b) The programs developed under paragraph (a) of this subsection shall integrate into their curriculum and degree offerings the apprenticeship programs registered with the Bureau of Labor and Industries.

(c) Overseeing the reform of secondary education programs statewide so that the programs offer students enrollment in professional and technical programs and college preparatory programs. These programs should be available to any student who has achieved a Certificate of Initial Mastery and should require no less than two years of training and education.

(3) Adult worker training investment, including but not limited to the following, adopting the benchmarks for worker training investment established by the Oregon Progress Board and develop strategies for improv-

ing the level of business and industry investment in worker training.

(4) Business, labor and education partnerships, including but not limited to promoting business and labor control of state programs to improve worker skills, business management practices and secondary and post-secondary education, especially professional and technical education. The council shall develop strategies to:

(a) Raise employer awareness of student and worker training programs; and

(b) Build the capacity of employers to assist the state in the design and delivery of training programs.

(5) Centralized delivery of employment and training services at the local level in response to local needs, including but not limited to developing a plan for centralizing state supported employment and training services at the local level. The plan shall include strategies for centralization and for improving the quality of employment assistance, counseling, listing, placement and training programs statewide.

(6) Developing goals and a comprehensive strategy for improving the quality of Oregon's workforce consistent with the Oregon Progress Board's Benchmarks for Exceptional People. [1991 c.667 §6]

Sec. 7. (1) The Oregon Workforce Quality Council shall designate regional workforce quality committees throughout the state whose purposes are to:

(a) Advise the council on issues relating to regional and local workforce development needs.

(b) Prepare annual strategic regional workforce development plans for the implementation and promotion of programs aimed at achieving the benchmarks established by the Oregon Progress Board related to education and training and adopted by the Sixty-sixth Legislative Assembly.

(c) Establish service delivery agreements between regional service providers that coordinate employment training, education and job placement services. Agreements shall be reviewed and approved by the council. Agreements should:

(A) Reduce duplication of effort, equitably distributing services regionally;

(B) Maximize efficiency and effectiveness in the delivery of services to local residents; and

(C) Describe local responsibility and accountability for services delivered. Specific responsibility for negotiating portions of the agreements is prescribed as follows:

(i) In collaboration with the private industry councils created by 29 U.S.C. 1512 and school district representatives, community colleges shall develop and propose the assessment, education and training components of the service agreement.

(ii) The private industry councils created pursuant to 29 U.S.C. 1512, in collaboration with community colleges and school district representatives, shall develop and propose the assessment and job readiness components of the service agreement.

(iii) The Employment Department, in collaboration with community colleges and the private industry councils created pursuant to 29 U.S.C. 1512, shall develop and propose the job placement component of the service agreement.

(2) The council shall establish plans and agreements for regions that are unable to reach agreements independently.

(3) The council shall appoint the initial convener for each committee. Members of the committee shall include, but not be limited to, representatives of:

(a) School districts, including professional and technical education providers;

(b) Job Training Partnership Act providers;

(c) Community colleges;

(d) The Adult and Family Services Division;

(e) The Employment Department;

(f) Community action agencies;

(g) Business and labor;

(h) Local private industry councils created by 29 U.S.C. 1512; and

(i) Local elected officials.

(4) Upon convening, a committee shall select its own chairperson from among its private sector representatives. [1991 c.667 §7]

Sec. 9. (1) The Oregon Workforce Quality Council shall review and approve the annual operating plans and review the budgets of the training and education programs of the state agencies represented by its members. All annual operating plans must be reviewed and approved before agencies may implement them. All budgets must be reviewed by the council prior to submission to the Governor. Programs subject to the authority of the council include but are not limited to programs funded by the Job Training Partnership Act, employment services funded by the Wagner-Peyser Act, displaced worker programs, professional and technical education programs funded by the Carl Perkins Act, apprenticeships, corrections and veterans training programs, adult basic education programs and secondary education, community college and vocational rehabilitation programs.

(2) The plans shall be evaluated by the council for their responsiveness to the Oregon benchmarks, Employment Department forecasts of labor market demand and state policy goals described in this Act and for duplication of services or other inefficiencies.

(3) The council shall establish common standards of accountability for training and education programs with the expectation that the standards shall be used to evaluate the effectiveness of all programs.

(4) The council shall oversee the continued development of the Occupational Program Planning System, a forecasting, planning and follow-up system for education and training programs which is currently operated by the Employment Department. Data collected by the system should be used in conjunction with the standards of accountability described in subsection (3) of this section to evaluate program performance and support recommendations for legislative and administrative changes to programs. The council shall direct the state agencies represented by its members to standardize program definitions, training program codes and information collected on education, training, and placement program performance in a manner consistent with the capabilities and needs of the Occupational Program Planning System by June 30, 1993.

(5) The council shall receive staff assistance under ORS 348.715. [1991 c.667 §9]

Sec. 10. The Oregon Workforce Quality Council may provide advice to the Economic Development Department in the department's administration of the Work Force Development Fund as established by ORS 329.970. [1991 c.667 §10].

Sec. 11. The Oregon Workforce Quality Council shall report annually to the Joint Legislative Committee on Trade and Economic Development and shall report in each regular session of the Legislative Assembly to the House and Senate Labor Committees, the House Education Committee and the Senate Committee on Revenue and School Finance. [1991 c.667 §11]

Sec. 12. The Oregon Workforce Quality Council shall create a subcommittee in accordance with section 5 (3), chapter 667, Oregon Laws 1991, which shall constitute the Oregon Job Training Coordinating Council

required under 29 U.S.C. 1532. The Oregon Workforce Quality Council shall set policy for allocating Job Training Partnership Act funds for education, training and placement programs and delivering Job Training Partnership Act services statewide. Notwithstanding section 3, chapter 667, Oregon Laws 1991, if the legislator serves on the Oregon State Job Training Coordinating Council, the legislator shall be able to vote on issues which come before the council in accordance with 29 U.S.C. 1532, 1661a and 1661b. If the council's membership or duties are inconsistent with the requirements of the Job Training Partnership Act (P.L. 97-300, as amended, 29 U.S.C. 1501 et seq.), the State Job Training Coordinating Council shall consist of the members appointed by the Governor consistent with the Job Training Partnership Act. [1991 c.667 §12; 1991 c.927 §8]

Sec. 13. (1) The Oregon Workforce Quality Council shall constitute the occupational information coordinating committee formed in accordance with Executive Order 90-08 and 20 U.S.C. 2422(b).

(2) The council shall set policy for funds made available from the federal National Occupational Information Committee for forecasting labor market trends and tracking education and job training program participants.

(3) If the Oregon Workforce Quality Council's membership or duties are inconsistent with the requirements of the national committee, the state occupational information coordinating committee shall consist of the members appointed by the Governor consistent with the requirements of the national committee. [1991 c.667 §13]

Sec. 14. The council shall seek federal support and waivers, if necessary, for implementing this Act. [1991 c.667 §14]

Sec. 18. This Act is repealed June 30, 1997. [1991 c.667 §18]

Note: Section 39, chapter 693, Oregon Laws 1991, provides:

Sec. 39. Definition of "oversee." As used in chapter 667, Oregon Laws 1991, "oversee" means general overview and coordination of effort but does not include general operating or administrative responsibility. [1991 c.693 §39]

329.850 Duties of Workforce Quality Council under chapter. (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 this chapter.

(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. [Formerly 326.830]

329.855 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, ap-

prenticeship programs and any other state or federal job training program. [Formerly 326.835]

329.860 Learning environment; Learning Centers; scope of services; outreach; advisory committee. (1) By January 1, 1995, the Department of Education in consultation with the Office of Community College Services and the Oregon Workforce Quality Council shall formulate an implementation plan for approval by the State Board of Education establishing learning environments that may include Learning Centers designed to assist students who have left school in obtaining the Certificate of Initial Mastery through the use of teaching strategies, technology and curricula that emphasize the latest research and best practice.

(2) The Learning Centers shall also provide the integration of existing local and community programs that provide any part of the services needed to assist individuals in obtaining the Certificate of Initial Mastery.

(3) The plan for the centers shall promote means of identifying, coordinating and integrating existing resources and may include:

- (a) Day care services;
- (b) After-school child care;
- (c) Parental training;
- (d) Parent and child education;
- (e) English as a second language or bilingual services for limited proficiency students;
- (f) Health services or referral to health services;
- (g) Housing assistance;
- (h) Employment counseling, training and placement;
- (i) Summer and part-time job development;
- (j) Drug and alcohol abuse counseling; and
- (k) Family crisis and mental health counseling.

(4) Education service districts, school districts or schools, or any combination thereof, shall contact any eligible elementary or secondary school student and the student's family if the student has ceased to attend school to encourage the student's enrollment at a Learning Center. If the student or the family cannot be located, the name and last known address shall be reported to the Learning Center or school nearest the address. The Learning Center shall attempt to determine if that student or family is being provided services by this state and shall seek to assist the student or family in any appropriate manner.

(5) The Department of Education shall monitor the Learning Centers and periodically report their progress to the State Board of Education and the Oregon Workforce Quality Council. The department may recommend integration of existing services if it determines that such services can be provided more effectively at the centers.

(6) The Learning Centers shall be entitled to payment by the district in which the student resides until the student reaches 21 years of age or has earned the Certificate of Initial Mastery, whichever occurs earlier, pursuant to the rules established by the State Board of Education. The payment shall be in an amount not to exceed the cost of the student's participation in the program. A school district shall not receive state funds for the student in an amount that exceeds the cost of the student's participation in the program. The payment shall consist of:

(a) An amount equal to the district expenses from its local revenues for each student in average daily membership, payable by the resident district in the same year;

(b) Any state and federal funds that the district is entitled to receive; and

(c) Any supplemental funds available to the resident district necessary to provide appropriate education services to the student consistent with any previous services provided by the resident district.

(7) Adults who wish to pursue a Certificate of Initial Mastery may attend a Learning Center and pay tuition for services.

(8) Learning centers may establish advisory committees involving representatives from the 21st Century Schools Councils in those districts, and including a majority of teachers. [Formerly 336.157]

MISCELLANEOUS

329.875 District eligibility to receive funds under chapter. (1) Public school districts or consortia of such districts with education service districts are eligible to receive funds under this chapter.

(2) The Department of Education shall evaluate the programs that receive grants under this chapter and report the results of the evaluation to the Legislative Assembly in the manner prescribed in ORS 192.245. [1993 c.45 §94a]

329.885 School-to-work transitions and work experience programs; funding; eligibility for grants. (1) It is the policy of the State of Oregon to encourage educational institutions and businesses to develop, in partnership, models for programs related to school-to-work transitions and work experience internships directed by the Oregon Ed-

ucational Act for the 21st Century as described in ORS 329.005 to 329.165, 329.185, 329.445, 329.850 and 329.855.

(2) From funds available, the Department of Education may allocate to any educational service district, school district, individual secondary school or community college grants to develop programs such as those described in subsection (1) of this section.

(3) To receive a grant to operate a program described in subsection (1) of this section, a business shall demonstrate to the satisfaction of the department that the program shall:

(a) Identify groups that have been traditionally underrepresented in the programs and internships, particularly in health care, business and high technology employment positions.

(b) Encourage students who belong to groups identified in paragraph (a) of this subsection, particularly students in secondary schools and community colleges, to apply for consideration and acceptance into a model program described in subsection (1) of this section.

(c) Promote an awareness of career opportunities in the school-to-work transition and the work experience internships among students sufficiently early in their educational careers to permit and encourage students to apply for the model programs.

(d) Promote cooperation among businesses, school districts and community colleges in working toward the goals of the Oregon Educational Act for the 21st Century.

(e) Develop academic skills, attitudes and self-confidence necessary to allow students to succeed in the work environment, including attitudes of curiosity and perseverance and the feelings of positive self-worth that result from sustained effort.

(f) Provide a variety of experiences that reinforce the attitudes needed for success in the business world.

(4) The department shall direct fund recipients to adopt rules establishing standards for approved programs under this section, including criteria for eligibility of organizations to receive grants, and standards to determine the amount of grants.

(5) The department may seek and receive gifts, grants, endowments and other funds from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of the school-to-work transition and the work experience internship programs and may expand the same or any income therefrom ac-

ording to the terms of such gifts, grants, endowments or other funds. [1993 c.765 §46]

LITERACY, EDUCATION AND PROFESSIONAL TECHNICAL JOB TRAINING

329.900 Implementation of 21st Century Act; duties of department. (1) To support implementation of the Oregon Educational Act for the 21st Century and pursuant to rules adopted by the State Board of Education, the Department of Education, in cooperation with the Office of Community College Services, shall develop programs that:

(a) Support effective implementation of the Oregon Educational Act for the 21st Century by providing pilot sites in secondary schools for education reform. The goal of the programs is to develop four America's Choice strategies within either a single or multiple school district setting by:

(A) Revising high school curricula to eliminate general studies programs after the sophomore year and replace the programs with college preparatory and professional technical education training programs.

(B) Restructuring curricula to integrate professional technical education and academic courses.

(C) Establishing the Certificate of Initial Mastery program to provide every student with an opportunity to attain mastery level at a high performance standard by approximately age 16 or grade 10.

(D) Developing professional technical education curricula, in consultation with business, labor and apprenticeship organizations and education, that offer training programs in professional technical occupations.

(E) Enrolling professional technical education students in significant structured work experiences designed to assist students in achieving job-specific competence and workplace readiness.

(F) Providing curricula that include significant outcomes in mathematics, science, language arts, history and other subjects.

(b) Develop an assessment system for the Certificate of Initial Mastery and provide training for school staff in implementation.

(c) Implement applied academic courses relevant to the six occupational strands of the Certificate of Advanced Mastery.

(d) Provide for the expansion and further development of coordinated and connected professional technical instructional programs between high schools, community colleges, and apprenticeship and other training programs.

(e) Provide student leadership training and experience to students enrolled in professional technical education programs as an integral part of the program.

(2)(a) In cooperation with the Department of Education, the State Job Training Partnership Administration shall, by rule, provide for services that implement the Oregon Educational Act for the 21st Century. Grants made under this subsection shall be used to fulfill the requirement for matching federal funds allocated for education coordination under the Job Training Partnership Act.

(b) State funds may be used to match the Job Training Partnership Act education coordination federal allocation to insure that sufficient funds are available to local programs to effectively address the Oregon Workforce Quality Council's goals and benchmarks for workforce development and education reform. This pooling of funds shall leverage other local education program funds especially work based learning programs described in ORS 344.745 to 344.753 and 344.757 and provide increased services.

(3) Each regional work force quality committee created under section 7, chapter 667, Oregon Laws 1991, shall develop a plan for the implementation of the Oregon Educational Act for the 21st Century and the expenditure of grant moneys that may be received under subsection (2) of this section that includes:

(a) Linkages between relevant education and training providers;

(b) The development of a local plan of education coordination that links the Job Training Partnership Act with other education reform efforts prior to the distribution of funds;

(c) Locally determined services and delivery;

(d) Locally determined and measurable outcomes addressing the particular needs of low income and minority students;

(e) Pooled resources using Job Training Partnership Act funds and cash match;

(f) Consolidation of administration of the program under the Department of Education; and

(g) Equitable distribution of available funds.

(4) Pursuant to rules adopted by the State Board of Education and the State Board of Higher Education, the Office of Community College Services and the State System of Higher Education shall develop programs that bring together faculty, including but not limited to counselors, from high schools, community colleges and institutions of higher education with the participation

and commitment of business to develop and promote the vision of the 21st Century workforce, to promote and provide state and regional professional development, and to provide the leadership required to implement the professional technical education components of the Educational Act for the 21st Century.

(5) The Office of Community College Services and the State System of Higher Education shall insure that programs under this section are coordinated with programs provided by the Department of Education and with any other local or state resources to avoid duplication.

(6) Pursuant to rules adopted by the Vocational Rehabilitation Division of the Department of Human Resources, in cooperation with the Commission for the Blind and the Bureau of Labor and Industries, the Vocational Rehabilitation Division shall develop models for school-to-work transition programs for students with vocationally significant disabilities. The program is to support a wide array of rehabilitation services; to include the development of work skills, job development and job coaching, independent living skills and crisis intervention; to coordinate individualized education plans, transition plans and rehabilitation plans; and to develop apprenticeship placements. The division shall leverage the maximum amount possible in federal funds.

(7) Pursuant to rules adopted by the State Board of Education, the Department of Education, in cooperation with the Business Education Compact of Washington County, the Linn-Benton Business Education Compact and the Coos County Business Education Compact, shall develop a plan and establish pilot projects to extend the Industry Initiatives for Science and Mathematics Education program statewide. [1993 c.765 §9]

Note: 329.900 to 329.975 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 329 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

329.905 Economic development policy to support literacy, education and professional technical job training; goals. (1) The Legislative Assembly finds that a highly skilled, well-educated workforce is critical to the present and future competitiveness of Oregon's economy. Curricular and institutional change throughout the educational process is imperative to achieve Oregon's economic and education reform goals. To accomplish fully education reform at the elementary and secondary levels, it is essential that Oregon's citizens gain a thorough understanding of the significant value of

professional technical education and the vital role it plays in preparing Oregon's citizens for entry into the workforce, further training or entry into higher education. The Legislative Assembly, therefore, declares that it is the economic development policy of the state to support and promote literacy, education and professional technical job training for Oregon's citizens. Further, the Legislative Assembly declares that it is the goal of the state to achieve the following by the year 2000:

(a) Measurably increase the knowledge and improve the skills of Oregon workers;

(b) Promote and sponsor effective and responsive training programs for employed and unemployed Oregonians who need literacy and other job-related training;

(c) Promote and increase youth enrollment in secondary, post-secondary and apprenticeship programs that lead to family wage jobs;

(d) Secure the active participation and full cooperation of Oregon industry leaders and business owners in developing programs to increase and improve worker education and performance;

(e) Promote and increase the coordination of Oregon's education and job training systems to more fully respond to the increasingly complex training needs of workers; and

(f) Promote and increase access to education and job training programs for all Oregonians regardless of their economic status or geographic location within the state.

(2) The Legislative Assembly declares that it is the policy of this state to integrate employment, training and development programs into its economic development efforts.

(3) The Legislative Assembly further declares that the employment development and training activities provided for in ORS 329.900 to 329.975 are job creation and economic development activities within the meaning of subsection (3), section 4, Article XV of the Oregon Constitution.

(4) The Legislative Assembly further declares that the State of Oregon must dedicate the talents, resources and energies of its people to having the best trained workforce in the United States by the year 2000 and a workforce equal to any in the world by 2010. When this workforce exists, Oregon will have a highly skilled workforce that is:

(a) Engaged by competitive, diversified industries;

(b) Supported by education and training;

(c) Supported by employment systems that are responsive to the needs of people and the labor market; and

(d) Reflective of the diversity of Oregon's population.

(5) The Legislative Assembly further declares that the role of business and industry is critical to the implementation of education reform and that the goals of ORS 329.900 to 329.975 are:

(a) Coordinated and complementary education, training and employment programs.

(b) A high performance workforce characterized by diversity, technical competence and economic self-sufficiency.

(c) Educational performance standards that match the highest in the world.

(d) Assurance of educational attention necessary for attainment of high academic standards for all students.

(e) An education and employment training system that has the capacity to meet the training needs of individuals and employers.

(f) Assurance of workforce preparedness for all students through covenants between business and education. [Formerly 285.200]

Note: See note under 329.900.

329.910 Legislative findings on partnerships. (1) The Legislative Assembly finds that, in order to build a workforce equal to any in the world by the year 2010, state organizations and local providers and decision makers must develop partnerships to make the best possible use of resources. It also finds that, to accomplish this, the state must operate as a partner that supports, reinforces and guides local efforts. The Legislative Assembly adopts seven key principles as a foundation for those partnerships:

(a) The goal of this section is to improve local economies and the state's economy by developing Oregon's workforce to meet the highest international standards;

(b) Workforce development efforts must be driven by strategy rather than by projects;

(c) Implementation funds are necessary if strategies are to be meaningful;

(d) A diverse set of services and tools is necessary to address the wide variety of local needs;

(e) Local capacity is critical to program effectiveness;

(f) The state's role is to provide the overall vision, guidelines and expected state-wide outcomes and to assist in the financing and facilitation of regional efforts; and

(g) Local authority calls for local responsibility and accountability.

(2) The Oregon Workforce Quality Council is directed to make grants, as provided in subsection (3) of this section, for the purpose of achieving progress toward benchmarks in the following areas:

(a) Percentage of students enrolled in professional technical training.

(b) Displaced workers.

(c) Skill levels of the existing workforce.

(3) The council by rule shall provide for the allocation of regional workforce investment grants to regional workforce quality committees, based on a formula that the council determines reasonably represents the needs of each region and the merits of the proposal. The factors considered in such a formula may include population, the number of persons unemployed in each region, the income level of the region, the merit of the proposal and such other factors as the council may determine.

(4) The rules adopted under subsection (3) of this section shall set out:

(a) The mission, goals and objectives of the program, the relationship between state and local objectives and the relationship between long-term and short-term outcomes;

(b) The importance of sound strategic thinking and actions as opposed to an over-emphasis on individual projects;

(c) The balance between state control and decentralization;

(d) The importance of strengthening local education and training capacity in the public school, government and private industry sectors; and

(e) The importance of professional assistance at the local level to see strategies and projects through to successful completion.

(5) To receive its allocation, a regional workforce quality committee must submit a strategic two-year workforce plan to the council for approval. Strategic plans must include but need not be limited to:

(a) An assessment of needs in the context of benchmarks designated by the council;

(b) An assessment and evaluation of public, private and other programs offered in the region;

(c) An assessment and evaluation of public, private and other resources available;

(d) A review of targeted populations;

(e) A priority list of unmet needs and the services, resources and delivery systems required to meet those needs;

(f) A definition of success and outcomes to be used in evaluation and continuous improvement of programs, including the use of

both long-term and short-term performance based evaluations;

(g) A review of client information and confidentiality issues and evidence that agreements have been reached among various provider agencies at the local level to share necessary information for follow-up and evaluation, while clients' privacy is protected; and

(h) An estimate of administrative expenses. [1993 c.765 §21]

Note: See note under 329.900.

329.915 Objectives of ORS 329.900 to 329.975. The Legislative Assembly intends that the specific objectives of ORS 329.900 to 329.975 include:

(1) Restructuring elementary and secondary schools in this state to teach a higher level of knowledge leading to more effective job skills to all students and to have students attain this knowledge earlier.

(2) Developing comprehensive, professional technical education programs for students that lead to industry certification and:

(a) Emphasize work-based learning experiences, including apprenticeships and youth apprenticeship programs;

(b) Involve business and labor in the development and delivery of such programs;

(c) Recognize and implement standards approved by industry and establish new industry approved standards, equal to the highest international standards for achievement;

(d) Provide an articulated education program carrying all students to their maximum potential and including appropriate support services for students and their families;

(e) Deliver the support those students most at risk need to succeed; and

(f) Produce the high level technical, personal and leadership skills needed by competitive businesses and industries.

(3) Helping businesses and industries transform their operations to high performance work organizations where:

(a) Frontline workers have higher skills, work in teams and are given greater responsibility for the development and production of a product or service, and receive necessary training for these purposes; and

(b) Public and private investment support improved management practices, competitive production processes and worker training.

(4) Encouraging managers and workers to play key roles in preparing and implementing state education and training policy, programs and standards, including support of

employee involvement in schools. [Formerly 285.203]

Note: See note under 329.900.

Note: Sections 4 and 6a, chapter 765, Oregon Laws 1993, provide:

Sec. 4. Program evaluation; report. (1) The workforce development programs funded under this Act shall be evaluated by the partner agencies as directed by the Oregon Workforce Quality Council. The evaluation shall be based on the priority benchmarks recognized by the Oregon Workforce Quality Council, other benchmarks developed and recognized by regional workforce quality committees as the Oregon Workforce Quality Council directs as follows:

(a) Percentage of high school students with significant involvement in professional technical programs;

(b) Percentage of employer payroll dedicated to training and education;

(c) Percentage of workforce that has received at least 20 hours of education related to work skills and knowledge within the past 12 months;

(d) Percentage of displaced workers reemployed within 24 months and earning at least 90 percent of previous income;

(e) Completion of at least one year of post-secondary education or training;

(f) Percentage of persons 25 years of age with a certificate granted in non-baccalaureate education and training programs;

(g) Prose literacy;

(h) Document literacy;

(i) Quantitative literacy; and

(j) Completions in certified apprenticeship programs.

(2) The programs funded will also be evaluated against the five interim interagency performance measures adopted by the Oregon Workforce Quality Council, as follows:

(a) Wage at placement and retention earnings.

(b) Job retention up to eight quarters.

(c) Cost per placement.

(d) Increased skill level.

(e) Customer satisfaction.

(3) Programs shall also be evaluated against individual agencies' benchmarks and performance measures. All programs shall be established with expected outcomes and means of measurement.

(4) Notwithstanding any other law, every agency or program that receives funding under sections 1 to 23 of this 1993 Act is authorized and directed to provide to the Director of the Employment Department, or the director's designee, such enrollment and participation records, including identifying information, as are necessary for the director or designee to track the employment history of program participants and report on actual program outcomes. Any information about individuals provided to the director or designee shall be maintained in strict confidence. However, the director or designee may publish and distribute aggregate statistics on program performance that do not reveal the identity of individual participants. If any agency or program fails to provide the information required under this section, the Oregon Workforce Quality Council may request the Oregon Department of Administrative Services to withhold allocation of further funds under sections 1 to 23 of this Act until such time that the information is provided. [1993 c.765 §4]

Sec. 6a. Not later than July 1, 1994, the Oregon Workforce Quality Council shall present its evaluation

and the program reports, including the recommendations of the council for program improvement, continuance or termination, to the appropriate legislative committee. Individual program reports submitted to the council shall include, but not be limited to, the following information:

(1) A description of the goals, measurable objectives and performance standards of the program;

(2) A list of the criteria used to award grants from the program, if applicable;

(3) An accounting of all sources of funds received by the program, expenditures of lottery and other funds and unexpended fund balances;

(4) A description of the achievements of the program, including the number of persons served;

(5) The strategy for and the expected time at which the program will no longer require lottery funding or other public funding; and

(6) Recommendations from program managers to improve, continue or terminate the program. [1993 c.765 §6a]

329.920 Duties of Oregon Workforce Quality Council and regional committees.

(1) The Oregon Workforce Quality Council and the regional workforce quality committees, with the advice and participation of partner agencies, are responsible for furthering the policies, goals and objectives of this state as described in ORS 329.905 and 329.915.

(2) The council and the committees shall help assure achievement of this state's goals and objectives by effective and efficient coordination and oversight of all the employment-related training, education and job placement programs of this state.

(3) The council shall prepare recommendations for the Governor and Legislative Assembly not later than January 31, 1995, concerning the most effective use of lottery funds for workforce development based on the performance of the programs funded under ORS 329.900 to 329.920, 329.930 to 329.975 and 657.337 and the goals and objectives established by the council.

(4) "Partner agencies" means those agencies that are recipients of workforce development funds under ORS 329.900 to 329.920, 329.930 to 329.975 and 657.337. [1993 c.765 §5]

Note: See note under 329.900.

329.925 Workplace training for key industries. (1) The Legislative Assembly finds that efficiency and higher productivity in all sectors of the economy are important to the maintenance of the state's economic health. The Legislative Assembly further finds that a trained, productive and flexible workforce is critical to competitiveness, efficiency and higher productivity. Therefore, the Legislative Assembly declares that it is the policy of the State of Oregon to promote the development and improvement of the work skills and basic literacy skills of employees working in all sectors of the state's economy.

(2) To implement the policy stated in subsection (1) of this section, the Key Industry Employee Training Program shall be established within the Economic Development Department. Through the program, the department shall:

(a) Provide matching grants through community colleges in partnership with employers for the purpose of providing employees with literacy or customized skills training.

(b) Restrict grant awards to training program proposals submitted by two or more firms in a single business, professional or industry sector, with preference given to programs developed in cooperation with business, professional or industry association.

(c) Require that training programs provide long-term comprehensive skills development.

(d) Award grants only to those proposals that lead to, sustain or create family wage jobs. [Former 344.319 and then 285.205]

Note: See note under 329.900.

329.930 Business, industry and education partnerships; Industrial Extension Service; duty of Office of Community College Services. (1) Pursuant to rules adopted by the Economic Development Department, a program is established to organize business, industry and education partnerships to develop the most competent workforce in America by the year 2000, specifically:

(a) To provide targeted training grants for customized training programs for new or expanding firms;

(b) To provide industry training grants to community colleges or others for training programs addressing the common needs of two or more businesses within an industry, with special emphasis on Key Industries as designated by "Oregon Shines" and the Legislative Assembly; and

(c) To provide capacity building grants to trade associations and business and labor organizations to build capacity for addressing long-term workforce and workplace training and education needs.

(2) Pursuant to rules adopted by the Economic Development Department, an Industrial Extension Service is established, using public and private expertise, to assist Oregon firms in traded sectors in adopting the appropriate technology, management techniques, work organization and workforce development strategies to remain competitive in a global economy.

(3) The Office of Community College Services shall support the Oregon Advanced

Technology Center, for the purpose of enhancing Oregon's economic competitiveness by assisting Oregon manufacturers with the adoption and implementation of modern manufacturing technologies and processes. [1993 c.765 §18]

Note: See note under 329.900.

329.935 Program structure. The Legislative Assembly finds that the national education reform model reported in America's Choice: High Skills or Low Wages provides a framework upon which to build Oregon's workforce capacity. The Legislative Assembly therefore requires that those programs and activities undertaken under ORS 315.254, 329.945, 329.960 and 329.965 operate within the structure and objectives of the five recommendations of the Commission on the Skills of the American Workforce of the National Center on Education and the Economy. [Formerly 285.207]

Note: See note under 329.900.

329.940 Duties of Adult and Family Services Division and Bureau of Labor and Industries. (1) Pursuant to rules adopted by the Assistant Director for Adult and Family Services, in cooperation with partner agencies as defined in ORS 329.920 (4), the Adult and Family Services Division shall expand the employment and training opportunities available to workers in disadvantaged families, through implementation and operation of the Family Support Act of 1988, by:

(a) Maximizing the number of participants in the job opportunities and basic skills program by encouraging mandatory and voluntary participation in the program. Participants shall be assisted through employment and training activities including barrier removal, basic skills training, job readiness and job search assistance, professional technical training, job site training and supportive services.

(b) Assisting all families receiving aid to dependent children benefits with self-sufficiency planning activities targeted at assisting families to move from public assistance into unsubsidized employment.

(c) Evaluating the jobs opportunity and basic skills program against benchmarks adopted by the Oregon Workforce Quality Council and performance measures developed by the division.

(2) Pursuant to rules adopted by the Commissioner of the Bureau of Labor and Industries, the bureau, in cooperation with partner agencies as defined in ORS 329.920 (4), shall expand the role of apprenticeship in the retraining of dislocated workers, with emphasis on dislocated timber workers but not at the exclusion of members of other in-

dustry groups experiencing severe dislocation, by:

(a) Building on skills already possessed by the worker;

(b) Developing additional employers' participation in the apprenticeship model; and

(c) Expanding and developing apprenticeship training programs in growth industries, including occupations that have not historically been a part of apprenticeship.

(3) Pursuant to rules adopted by the Vocational Rehabilitation Division of the Department of Human Resources, the division shall develop strategies to increase employment opportunities for persons with disabilities. [1993 c.765 §10]

Note: See note under 329.900.

329.945 Grants to community colleges and school districts; purpose. (1) Pursuant to rules adopted by the State Board of Education, the Office of Community College Services and the Division of Professional Technical Education may jointly make grants to community college districts and school districts for the purposes of:

(a) Supporting proposals from school districts and others to provide alternative learning centers or teaching methods to students of high school age who are at risk of not achieving a Certificate of Initial Mastery or Certificate of Advanced Mastery;

(b) Providing incentives to create skill training centers to insure high academic standards and workforce excellence; and

(c) Continuing and enhancing the programs and services provided by existing skill training centers.

(2) Skill training centers shall provide:

(a) Intensive instruction and support for youth to achieve high academic standards;

(b) Training and support services to prepare unemployed, underemployed and dislocated workers and homemakers for participation in a competitive society;

(c) Upgrading of the skills of retired workers and older adults and placement in businesses experiencing labor shortages; and

(d) Coordination and consolidation of existing community programs and services to better serve clients through well managed and jointly operated programs.

(3) Skill training centers shall provide intensive instruction and support for youth and adults in order to prepare them for participation in a competitive workforce. Centers must respond to clear and significant community workforce needs that are not adequately addressed through existing programs and provide support services that

enable at-risk youth and adults to succeed. Grants for skill training centers made under this section must be matched in substantial part with other funds available to the local community college district and the public schools. The offices shall seek additional support from Job Training Partnership Act organizations, Family Support Act organizations and other workforce training providers. Grants must be distributed on a reasonable geographic basis. [Formerly 285.213]

Note: See note under 329.900.

329.950 Statewide literacy "hotline"; duties of Office of Community College Services. (1) Pursuant to rules adopted by the State Board of Education, the Office of Community College Services shall provide for a statewide literacy "hotline" for literacy program referrals and for the statewide coordination of literacy programs pursuant to ORS 344.760 and 344.765.

(2) Gifts and grants for the support of the literacy hotline shall be deposited with and administered by a nonprofit organization selected by the Commissioner of the Office of Community College Services. The nonprofit organization that is selected must show a history of similar experience with fiduciary responsibilities.

(3) The Office of Community College Services may contract with any public body or nonprofit organization to accomplish the purposes of this section. [Formerly 285.225]

Note: See note under 329.900.

329.955 Occupational Program Planning System. (1) The Occupational Program Planning System is established as the state's official occupational information system. The system shall provide the following information:

(a) Projections of employment by occupation and by openings.

(b) Estimates of the number of unemployed by occupation.

(c) Estimates of supply of workers by occupation from education, employment and job training programs.

(d) Statistical and narrative occupational demand and supply analyses.

(e) Occupational employment patterns by industry.

(f) Occupational characteristics information.

(2) In cooperation with education, employment and job training providers and the Employment Department, the system shall provide a systematic follow-up of program providers using the Employment Department's unemployment insurance wage file. Follow-up information shall be provided an-

nually to program providers and their related state agencies.

(3) Professional technical education and other job and employment training providers shall provide to their related state agencies such information as is necessary to provide a follow-up of former participants in their programs. Information provided shall not be published so as to identify an individual.

(4) The Occupational Program Planning System shall be housed in the Research and Statistics Section of the Employment Department. Policy direction for the system shall be provided by the Oregon Occupational Information Coordinating Committee, a committee of the Oregon Workforce Quality Council, which shall forward required reports to appropriate state and local agencies.

(5) A report on the results of follow-up studies shall be submitted biennially to the Education Committees of the Legislative Assembly and to other appropriate legislative committees.

(6) The Occupational Program Planning System shall cooperate with the Interagency Shared Information System established under ORS 329.965. [Formerly 285.230]

Note: See note under 329.900.

329.960 Regional workforce investment technical assistance. (1) The Workforce Quality Council shall provide regional workforce investment technical assistance. The technical assistance staff shall be accountable for developing and maintaining necessary communication and advocacy links between the Oregon Workforce Quality Council and regional committees.

(2) The Economic Development Department shall establish additional baseline information on employer practices related to investment in employee training and education, high performance, modernization and additional workplace practices and benchmarks as identified by the council and the Oregon Progress Board.

(3) The Legislative Assembly believes that creating high skill, high wage opportunities requires the assistance of partnerships among business, labor, government and education and means that thousands of regional and local leaders must know how to be change agents in their communities, schools, workplaces and interest groups.

(4) Pursuant to rules adopted by the State Board of Education, the Department of Education shall develop a Leadership for Change Project. The Leadership for Change Project shall:

(a) Provide training and ongoing support for the regional workforce quality commit-

tees and their members to be change agents in their communities;

(b) Function as a connection between public and private sector workforce development strategies;

(c) Develop leaders across sectors prepared to act as catalysts for change in workplaces, educational institutions and public agencies; and

(d) Identify people to collaborate on change projects, provide support to people involved in change projects and encourage networking among them. [1993 c.765 §19]

Note: See note under 329.900.

329.965 Interagency Shared Information System. (1) There is established the Interagency Shared Information System. The purpose of the system is to collect and share information for the development of statistical and demographic data to facilitate the creation of strategies to improve the education, training and quality of Oregon's workforce. The system shall share aggregate information with a state agency to allow the agency to develop policy, evaluate policy and plan and measure performance.

(2) The Employment Department shall develop, implement and administer the Interagency Shared Information System. The Oregon Workforce Quality Council shall oversee the implementation and administration of the system.

(3) Every agency or program that receives funding under sections 125 and 129, chapter 765, Oregon Laws 1993, and the Department of Corrections and the Department of Consumer and Business Services shall provide information to the Interagency Shared Information System. Information shall be provided by the agency or program in a format that encodes identifying data, including the client's social security number, using a formula unique to the agency or program that shall not be disclosed to the system. The information in the system is a public record. However, the system is not the custodian of the information for purposes of ORS 192.410 to 192.505. If a state agency described in this subsection prepares or acquires a record that is confidential under federal or state law, including ORS 192.502 (2), the state agency does not violate confidentiality laws by providing the information described in this section. Notwithstanding the provisions of ORS 279.355 (3), 279.359 (3), 285.183 and 657.665, the Bureau of Labor and Industries, the State Job Training Partnership Administration of the Economic Development Department and the Employment Department are authorized to provide information to the Interagency Shared Information System for purposes of chapter 667,

Oregon Laws 1991, and chapter 765, Oregon Laws 1993.

(4) A state agency shall not allow public access to information received from the system that identifies a particular individual unless required by law. Any officer or employee of any of the participating agencies who, without proper authority, shall disclose confidential information under this section thereafter may be disqualified from holding any appointment or employment with the State of Oregon. The Employment Department shall adopt by rule procedures to prevent disclosure of confidential information submitted to the system. [1993 c.765 §19a]

Note: See note under 329.900.

Note: Legislative Counsel has substituted "chapter 765, Oregon Laws 1993," for the words "this Act" in section 19a, chapter 765, Oregon Laws 1993, compiled as 329.965. Specific ORS references have not been substituted, pursuant to 173.160. The range of sections for which substitutions would be required yields ORS references too numerous to be useful. These sections may be determined by referring to the 1993 Comparative Section Table located in Volume 15 of ORS.

329.970 Duties of council. (1) The Oregon Workforce Quality Council shall:

(a) Facilitate coordination of programs of partner agencies;

(b) Seek and consider business, industry and labor involvement; and

(c) Cooperate with other employment and training councils, commissions and boards.

(2) The council shall develop a plan that insures overall coordination with all participating agencies and with other economic development efforts and insures compliance with ORS 329.900 to 329.975.

(3) If necessary to administer the plan approved by the Workforce Quality Council, the council shall have authority with the approval of the Emergency Board, to reallocate workforce development funds among the programs described in ORS 329.900 to 329.975.

(4) To promote worker skill development and promote the coordination of programs created by ORS 329.900 to 329.975, the council is authorized to:

(a) Require regular reports from individuals and agencies responsible for the management of programs funded under ORS 329.900 to 329.975;

(b) Review and comment on proposed rules and operational guidelines that affect programs created by ORS 329.900 to 329.975; and

(c) Recommend to the Legislative Assembly, the Oregon Department of Administrative Services and state agencies procedures and policies that promote the full coordi-

nation of state-assisted education and training programs.

(5) The council shall report annually to the appropriate legislative committee on the activities created by ORS 329.900 to 329.975.

(6) The council shall require the partner agencies or organizations responsible for administering programs for which moneys are allocated under chapter 765, Oregon Laws 1993, to submit reports on individual program expenditures and achievements. Reports shall be submitted on forms to be developed by the council. The council shall review the reports and use them to evaluate the performance and accomplishments of each program. [Formerly 285.243]

Note: See note under 329.900.

Note: Legislative Counsel has substituted "chapter 765, Oregon Laws 1993," for the words "this 1993 Act" in 285.243 (renumbered 329.970) as amended by section 6, chapter 765, Oregon Laws 1993. Specific ORS references have not been substituted, pursuant to 173.160. The range of sections for which substitutions would be required yields ORS references too numerous to be useful. These sections may be determined by referring to the 1993 Comparative Section Table located in Volume 15 of ORS.

329.975 Matching grants; application.

(1) When expended for grants to programs described in ORS 329.900 (1)(d) and (3), 329.950 and 329.960 (2), grant moneys shall be matched in the manner described in subsections (2) and (3) of this section.

(2) In any biennium, each state agency administering a grant program described in ORS 329.900 (1)(d) and (3), 329.950 and 329.960 (2), shall be required to secure matching funds, on a dollar-for-dollar basis, for not less than 75 percent of the total amount reserved by law for the program for that biennium.

(3) An applicant for a grant from a program described in ORS 329.900 (1)(d) and (3), 329.950 and 329.960 (2), shall be required to match, on a dollar-for-dollar basis, the amount of the grant. However, the agency administering the program may exempt the applicant from the 100 percent matching requirement when the agency determines that the grant applicant is undergoing economic hardship and that the purposes of ORS 329.900 to 329.975 will be more readily accomplished by a lower matching requirement. In any biennium, the total amount of exemptions provided to grant applicants under this subsection shall not exceed 25 percent of the amount reserved by law for a program for that biennium.

(4) In determining whether a grant applicant is undergoing economic hardship for the purposes of this section, a state agency shall consider:

(a) An applicant's ability to match the grant amount based on both the assessed value per student, if applicable, and the actual expenditure per student;

(b) The proportion or other measure of economically disadvantaged persons residing within the district or area of the applicant; and

(c) The level of unemployment in the district or area of the applicant.

(5) A state agency shall credit an applicant's matching funds in an amount that

does not exceed 100 percent of the amount of the grant given to the applicant. Moneys of an applicant that are available to operate programs described in ORS 329.900 (1)(d) and (3), 329.950 and 329.960 (2), and that exceed 100 percent of the grant sought or given to the applicant shall not be available for use as matching funds by any other applicant. [Formerly 285.247]

Note: See note under 329.900.

329.990. [Amended by 1963 c.22 §1; renumbered as part of 330.990]
