TESTIMONY
OREGON EDUCATION INVESTMENT BOARD
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Presented By
OREGON SAVE OUR SCHOOLS
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"PLEASE OBEY THE LAW!"

Our testimony today is an official statement from the Oregon Save our Schools organization. We will address recent activity of Rudy Crew and the Oregon Education Investment Board (OEIB) regarding Achievement Compacts.

Last year, the Obama administration offered some waivers regarding No Child Left Behind performance if states would agree to certain new federal rules, which included mandating Achievement Compacts between the state and each educational unit within the state.

The Governor thus requested legislation (Senate Bill 1581) to require Achievement Compacts. This was not done because of any careful consideration of state needs/desires by you. It was done in order to comply with federal rules which govern a tiny percentage of total funding for Oregon's public education. It was done to bow down to the federal officials in their ever-increasing demands for "more accountability"

Senate Bill 1581 clearly sets forth that the OEIB is responsible for establishing the form of the Compacts as well as the specific outcomes and measures of progress. In my school district, the result was a demand that our local school board must set more than 350 performance targets and performance measures for the targets.

Senate Bill 1581 also requires that the OEIB inform districts of their actual funding level AND the funding that would be "full" funding as identified by the state's own Quality Education Model process.

Senate Bill 1581 then requires the state to place the Compacts and the funding and achievement data in the hands of each District, and requires the governing body (school board) to identify target numbers and percentages of growth AS PART OF THEIR BUDGETING PROCESS.

In this first year's rush to push through and implement the mandate: 1) OEIB had not provided the amount of QEM-level funding in time for district budgeting, and 2) Districts did not have previous years statistics from the state to benchmark their Achievement Compacts which were required by submitted by July 1.

These failures on the part of the state hampered the ability of districts to fulfill the intent and specific language of SB 1581.

Unbelievably, even with these state failures, in September Dr Rudy Crew declared that 69 districts' Achievement Compacts were not acceptable and demanded re-submittal with higher targets. He failed to state in advance what his "review standards" were for making this determination. District's discovered his "standards" only when they received their rejection letters from him. Isn't the entire purpose of "standards" to be as a guide---not a "gotcha"?

This is where Oregon Save Our Schools moves from criticizing the overall structure of the bill. We now state that Dr. Crew, under the auspices of you and the Governor, is following neither the legislative intent nor the precise language of the law. Here is the basis for our charge:

- SB 1581 does NOT provide any authority for Crew's call for re-submittals. The Law states that the responsibility of setting performance targets is solely that of the local school Board. Section 14 of the Act specifies, *"the governing body of the education entity shall set the targets for the outcomes and measures of progress it intends to achieve, and may add other measures approved by the OEIB"*

- SB 1581 further states that the direction and control authority of the Chief Education Officer is "*limited to matters related to the design and organization of the state's education system.*"

These two sections clearly show that Dr. Crew is acting outside the authority specified in Senate Bill 1581 when his recent actions override both of these sections of the Law.

Our organization has held discussions with many legislators about the Achievement compacts. They are appalled at Crew's recent rejection of 1/3 of them. It is clear to us that the legislative purpose of the mandate was to protect local control, and to provide "greater flexibility" for our school boards to act according to their unique needs. If Dr. Crew is able to act outside of the confines of the Law, these protections are lost.

This behavior cannot be allowed to stand. The Governor, OEIB and Crew must operate within the law as written. Oregon Save Our Schools urges the Governor, OEIB and its officers to immediately correct these errors and make sure this kind of over-reach doesn't happen again.

We know that the OEIB does not respond to public testimony, and the Governor never stays to listen to testimony. But we are requesting your formal assurances that you will obey the legislative intent and the specific language of the Law and

take corrective action to come into compliance with the Law. We request assurances in writing from you either now or in the near future.

We are, as always, open for discussion on these and other matters.

Thank you.