Dec. 1, 2011 Board Meeting
Agenda Item 9.b

Nov. 29, 2011

To: Members, Oregon Education Investment Board

From: Tim Nesbitt, Manager
Oregon Education Investment Project

Re: Legislative Concepts for the February 2012 Session

This is to request your approval of the legislative concepts to be submitted to the February 2012 legislative session on behalf of the Oregon Education Investment Board (OEIB). Note that the details of proposed legislation related to early childhood services will come to you from the Early Learning Council.

Background

Direction from the Legislature and the Governor is as follows.

- Section 6(1) of Senate Bill 909 requires that the OEIB submit a report to the interim legislative committees on education by Dec. 15, 2011.
- Section 6(1) of SB 909 also gives the OEIB the authority to file proposed legislative measures with the Legislative Counsel in the manner prescribed by the Legislative Assembly.
- Section 6(2) of SB 909 enumerates six policy areas that the OEIB may address in its Dec. 15, 2011 report and in legislative proposals contained therein. See below.
- The Legislature has set a deadline of Dec. 5, 2011 for the submission of legislative concepts to Legislative Counsel for the February legislative session.
- The Legislature has allotted five bills to the Governor's office for the February 2012 session.
- The Governor has reserved two of his five bills for legislation proposed by the OEIB, with the intention that one of those two bills will be reserved for proposals related to early childhood.

SB 909's Six Policy Areas

As noted above, Section 6(2) of SB 909 enumerates six policy areas that the OEIB may address in its report and in its proposed legislative measures. Given that SB 909 sets a deadline of Dec. 15, 2011 for the OEIB's initial report to the legislature, and the Legislature set a deadline of Dec. 5, 2011for legislative measures to be submitted for the February 2012 session, the OEIB may choose to include in its initial report proposals or concepts for legislation to be taken up at a later date, e.g. in the 2013 session.

With this timeline in mind, we have summarized your options for responding to the six policy areas in the following table, in which we flag legislation for 2012 as 2012-A (for the OEIB report) and 2012-B (for the Early Learning Council's portion of your report).

	Policy Area	OEIB Work to Date	Leg. Needed
(a)	Allow OEIB to carry out its duties described in Section 1: • Early childhood • Strategic investments • Statewide data base	SB 909 Outcomes-Based Investment Work Team developed recommendations for strategic investments to achieve education outcomes focused on: • Achievement compacts • Budget redesign • Further development of achievement compact model	2012-A 2013 2013
(b)	Merging, redesigning or improving the coordination of early childhood services and aligning early childhood services with child-centered outcomes	Addressed by Early Learning Council	2012-B
(c)	Implementing early childhood services by 6/30/12 that: • ensure early ID of children and families at risk; • establish family support managers; • ensuring contracts with providers require measured progress and payment based on success; • establish kindergarten readiness assessments and early learning benchmarks; • collect and evaluate data.	Addressed by Early Learning Council	2012-B
(d)	• Merging the State Board of Education and the State Board of Higher Education and transferring their duties to the OEIB by 6/30/12 • Transferring the duties of the State Comm. on Children and Families to the OEIB by 6/30/12	Under discussion. Direction is to streamline, consolidate boards and commissions and improve decision-making. See item (e). Addressed by the Early Learning Council	2012-A? 2013 2012-B
(e)	Require CC Comm., OUS Chancellor and OSAC ED to function under direction and control of CEdO	Addressed by SB 909 CEdO Selection Work Team. Still under discussion.	2012-A? 2013
(f)	Consolidating programs for youth development and training: • Oregon Youth Investment Found.; • Juvenile crime prevention services; • Oregon Youth Conservation Corps; • Youth Standing Comm. of OWIB.	Addressed by Early Learning Council	2012-B

Legislative Concepts

The components of legislation that the SB 909 Work Group and the Early Learning Council have developed for the OEIB's consideration as legislative measures for the February 2012 session include the following.

A. Achievement Compacts and Governance Changes

1) Achievement Compacts.

a. All of the following educational entities shall enter into achievement compacts as a requirement for receipt of state educational funds for the 2012-13 fiscal year and succeeding fiscal years:
   i. K-12 school districts;
   ii. education service districts;
   iii. community college districts;
   iv. the Oregon University System; and,
   v. the Oregon Health and Science University (for its health professions and graduate science programs).

b. The parties to these Achievement Compacts shall be the Oregon Education Investment Board and the governing boards of each educational entity.

c. The Oregon Education Investment Board shall establish terms for the Achievement Compacts that will enable the state and its educational entities to achieve the high school and college completion goals of Senate Bill 253 (2011).

d. The Achievement Compacts shall include the calculation of targets and projections for achieving the goals of SB 253 by 2025 for each educational entity.

e. The Achievement Compacts shall identify and incorporate outcomes and measures of progress that will allow each educational entity to quantify:
   i. completion rates for critical stages of learning and the attainment of diplomas, certificates and degrees;
   ii. validations of the quality of knowledge and skills acquired;
   iii. the relevance of the knowledge and skills acquired to the workforce, the economy and to civic society, as contained in state policy.

f. The Oregon Education Investment Board shall also specify in the Achievement Compacts the role and responsibilities of each educational entity in the state's unified public education system.

g. The Oregon Education Investment Board shall design the Achievement Compacts to will enable the comparison of outcomes and progress from year to year both within districts and between like districts (those with similar student populations by demographic and socio-economic criteria).

h. Achievement Compacts shall offer new flexibility for educational entities, beginning with a waiver of Division 22 reporting requirements in the 2012-13 fiscal year.

Note: Separate legislation to be taken up by one or more legislative policy committees is likely to address proposals for regulatory relief.

2) Governance.

Still to be determined, pending further discussions and decisions at the Dec.1 Board meeting.

B. Organization of Early Childhood Services

To be received from the Early Learning Council at the Dec. 1 Board meeting.