

Requested by Representative OWENS

**PROPOSED AMENDMENTS TO
SENATE BILL 1521**

1 On page 1 of the printed bill, line 2, after the first semicolon insert
2 “creating new provisions;” and delete “declaring an emergency” and insert
3 “prescribing an effective date”.

4 Delete lines 4 through 28 and delete page 2 and insert:

5 **“SECTION 1.** ORS 332.505 is amended to read:

6 “332.505. (1) As used in this section:

7 “(a) ‘Instructional assistant’ has the meaning given that term in ORS
8 342.120.

9 “(b) ‘Intern teacher’ means a regularly enrolled candidate of an approved
10 educator preparation provider, as defined in ORS 342.120, who teaches under
11 the supervision of the staff of the provider and of the employing district in
12 order to acquire practical experience in teaching and for which the candidate
13 receives both academic credit from the provider and financial compensation
14 from the school district or education service district.

15 “(2) A district school board may:

16 “(a) Employ a superintendent of schools and necessary assistant super-
17 intendants for the district and fix the terms and conditions of employment
18 and the compensation. The district school board shall not contract with a
19 superintendent for more than a period of three years at a time. The contract
20 shall automatically expire at the end of its term. [*However, the district school*
21 *board may elect*] **Nothing in this paragraph prevents a district school**

1 **board from:**

2 **“(A) Electing** to issue a subsequent contract for an additional three
3 years at any time.

4 **“(B) Including in the contract provisions that provide for the ter-**
5 **mination of employment of the superintendent prior to the expiration**
6 **of the contract. If the superintendent and the district school board**
7 **mutually agree to include a termination-without-cause provision in**
8 **the contract, the district school board may terminate the**
9 **superintendent’s employment, without cause, at any time during the**
10 **contract period only if the district school board provides the super-**
11 **intendent with at least six months’ notice of the termination. Nothing**
12 **in this subparagraph authorizes the district school board to make a**
13 **wrongful termination or a termination for any reason described in**
14 **subsection (3)(a) of this section.**

15 **“(b) Employ personnel, including teachers and administrators, necessary**
16 **to carry out the duties and powers of the board and fix the duties, terms and**
17 **conditions of employment and the compensation.**

18 **“(c) Compensate district employees in any form which may include, but**
19 **shall not be limited to, insurance, tuition reimbursement and salaries.**

20 **“(d) Employ instructional assistants and intern teachers subject to the**
21 **rules of the State Board of Education.**

22 **“(3)(a) A district school board may not:**

23 **“(A) Direct a superintendent to take any action that conflicts with**
24 **a state or federal law that applies to school districts or education**
25 **service districts;**

26 **“(B) Take an adverse employment action against a superintendent**
27 **for complying with a state or federal law that applies to school dis-**
28 **tricts or education service districts; or**

29 **“(C) Employ a superintendent pursuant to a contract that purports**
30 **to waive, or conflicts with, any provision or requirement of subpara-**

1 **graph (A) or (B) of this paragraph.**

2 **“(b) As used in this subsection:**

3 **“(A) ‘State or federal law’ means a state or federal directive having**
4 **the force of law, including a statute, a court decision, an administra-**
5 **tive rule or regulation, an order issued in compliance with ORS chap-**
6 **ter 183, an executive order or any other directive, declaration or**
7 **statement issued in compliance with the law as having the force of**
8 **law.**

9 **“(B) ‘Superintendent’ includes an interim superintendent.**

10 **“[(3)] (4) The district school board shall maintain written personnel poli-**
11 **cies and make the policies available for inspection by any school employee**
12 **or member of the public.**

13 **“[(4)] (5) The superintendent of the school district shall cause each em-**
14 **ployee to be specifically informed of the existence and availability of the**
15 **personnel policies.**

16 **“SECTION 2. The amendments to ORS 332.505 (2)(a)(B) by section**
17 **1 of this 2022 Act apply to contracts entered into or renewed on or af-**
18 **ter the effective date of this 2022 Act.**

19 **“SECTION 3. This 2022 Act takes effect on the 91st day after the**
20 **date on which the 2022 regular session of the Eighty-first Legislative**
21 **Assembly adjourns sine die.”.**

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