

B-Engrossed
Senate Bill 215

Ordered by the House June 28
Including Senate Amendments dated April 8 and House Amendments
dated June 28

Sponsored by Senators KRUSE, KNOPP, Representative SPRENGER; Senators CLOSE, JOHNSON (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Removes from definition of term "discrimination," for education purposes, use of Native American mascot if agreement entered into by entity using mascot and governing body of Native American tribe meets specified requirements.]

Permits district school board to enter into written agreement with federally recognized Native American tribe in Oregon that is located closest to school district with respect to name, symbol or image of mascot associated with a Native American tribe, expected behavior of students and spectators at athletic events with respect to mascot, and training on cultural diversity that athletic directors or other persons identified by school board are required to complete.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to school mascots; amending ORS 332.075; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 332.075 is amended to read:

332.075. (1) Any district school board may:

(a) Fix the days of the year and the hours of the day when schools shall be in session.

(b) Adopt textbooks and other instructional materials as provided in ORS 337.120 and 337.141 and courses of study for the use of such schools as provided in ORS 336.035.

(c) Authorize the use of the schools for purposes of training students of an approved teacher education institution, as defined in ORS 342.120, and for such purposes may enter into contracts with the approved teacher education institutions on such terms as may be agreed upon. Such contracts as they relate to student teachers shall have the same effect and be subject to the same regulations as a contract between a licensed teacher and a district school board.

(d) Develop and operate with other school districts or community college districts secondary career and technical education programs for pupils of more than one district and fix by agreement the duration of the district's obligation to continue such activity, subject to the availability of funds therefor.

(e) Authorize the school district to be a member of and pay fees, if any, to any voluntary organization that administers interscholastic activities or that facilitates the scheduling and programming of interscholastic activities.

(f) Accept money or property donated for the use or benefit of the school district and, consistent with the laws of this state, use such money or property for the purpose for which it was donated.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(g) Enter into a written agreement with the governing body of a federally recognized**
2 **Native American tribe in Oregon that is located closest to the school district to identify:**

3 **(A) The acceptable name, symbol or image of a mascot that represents, or is associated**
4 **with, a Native American tribe;**

5 **(B) The behavior expectations of students and other spectators at athletic events that**
6 **shall be enforced by the school district in relation to the mascot; and**

7 **(C) The training on cultural diversity that athletic directors or other persons identified**
8 **by the district school board shall be required to complete.**

9 (2) All contracts of the school district must be approved by the district school board before an
10 order can be drawn for payment. If a contract is made without the authority of the district school
11 board, the individual making such contract shall be personally liable.

12 (3) Notwithstanding subsection (2) of this section, a district school board may, by resolution or
13 policy, authorize its superintendent or the superintendent's designee to enter into and approve pay-
14 ment on contracts for products, materials, supplies, capital outlay, equipment and services that are
15 within appropriations made by the district school board pursuant to ORS 294.456. A district school
16 board may not authorize its superintendent or the superintendent's designee under this subsection
17 to enter into and approve payment on contracts that are collective bargaining agreements or service
18 contracts that include the provision of labor performed by employees of the school district.

19 **SECTION 2. This 2013 Act being necessary for the immediate preservation of the public**
20 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
21 **on its passage.**

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