

Enrolled Senate Bill 215

Sponsored by Senators KRUSE, KNOPP, Representative SPRENGER; Senators CLOSE, JOHNSON
(Presession filed.)

CHAPTER

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.
- (g) Enter into a written agreement with the governing body of a federally recognized Native American tribe in Oregon that is located closest to the school district to identify:**
 - (A) The acceptable name, symbol or image of a mascot that represents, or is associated with, a Native American tribe;**
 - (B) The behavior expectations of students and other spectators at athletic events that shall be enforced by the school district in relation to the mascot; and**
 - (C) The training on cultural diversity that athletic directors or other persons identified by the district school board shall be required to complete.**
- (2) All contracts of the school district must be approved by the district school board before an order can be drawn for payment. If a contract is made without the authority of the district school board, the individual making such contract shall be personally liable.

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

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

Passed by Senate April 10, 2013

Repassed by Senate July 1, 2013

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 28, 2013

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2013

Approved:

.....M.,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2013

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Kate Brown, Secretary of State