



2023 OSBA/COSA

Legislative Report

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This OSBA/COSA Legislative Report describes the bills enacted during the 2023 session of the 82nd Oregon Legislative Assembly that affect Oregon students, educators, and public schools. Prepared jointly by the Oregon School Boards Association (OSBA) and the Coalition of Oregon School Administrators (COSA) -- our ongoing collaboration ensures that the interests of students, and input of board members and school administrators, are at the forefront when state laws affecting public education are drafted and enacted.

Oregon public schools are represented full time in Salem by Morgan Allen and Parasa Chanramy from COSA and Lori Sattenspiel and Richard Donovan from OSBA.

We want to thank all the education leaders from our school districts, education service districts, charter schools, and community colleges and the education advocates and community partners around the state who work with our teams to represent the interests of Oregon public school students. Our special thanks go to those of you who contacted your lawmakers in 2023. Your effective advocacy and calls to action to secure \$10.2 billion for the State School Fund were especially impactful. Your outreach to legislators made success possible for our students and schools on several important priorities, including legislation to invest in early literacy, fully fund the Student Success Act, and ensure our schools and districts have continued access to funding for facilities.

The COVID 19 pandemic has created long term challenges for our students and our schools. We must focus on providing students with consistent educational and mental health supports needed to recover from the impacts of the pandemic, accelerate academically, and improve their well-being. We look forward to continuing to collaborate with you on ensuring student success, educational equity, and stable, adequate, and equitable funding across Oregon schools.

We look forward to supporting you during the 2023-24 school year and a successful session in 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Green".

Jim Green
Executive Director
OSBA

A handwritten signature in black ink, appearing to read "Craig Hawkins".

Craig Hawkins
Executive Director
COSA

2023 LEGISLATIVE SESSION

On Sunday, June 25, legislative leaders gaveled out the 82nd Legislative Session at 4:26 pm, the last day of Session allowed by the State Constitution.

This was an unprecedented session for many reasons: a new Governor, a new era of legislative leadership, over one-third of state lawmakers were new to serving in the Legislature; record breaking revenue forecasts and collections leading to the largest personal kicker (\$5.5 billion) and corporate kicker (\$1.82 billion) in Oregon history, the longest legislative walkout in Legislative history by Senate Republicans, the introduction of about 3,000 bills (with more than 100 bills impacting K-12 education being signed into law), and a post-COVID world where the needs of our public school students are greater than ever.

Before we provide some important highlights of the session, we want to say thank you for all of your continued support and advocacy this Session. Your advocacy helped us secure \$10.2 billion for the State School Fund, defend and increase funding for the Student Success Act, and pass policies that will help us improve outcomes for students and support our workforce.

Of significant importance, Senate Bill 819 (abbreviated school days) passed on the final day of the Session and was signed into law on July 13. The provisions of the most sweeping special education bill of the past 30 years are in place for the start of the 2023-24 school year. We urge you to familiarize yourself with the provisions of the legislation and prepare for implementation.

Here are some of the key budgets from the 2023 Session:

Key Biennial Budgets	2023-25 Appropriations
State School Fund	\$10.2 billion, a 9.75% increase over 21-23
Student Investment Account	\$1.087 billion, a 21.9% increase over 21-23
Oregon School Capital Improvement Matching (OSCIM) grants and Seismic Rehabilitation Grants	\$100 million for OSCIM \$100 million for seismic
High School Success (M98)	\$325 million
Early Literacy Success Initiative - School Grants (HB 3198)	\$90 million with a 25% match required by districts

On the policy front, COSA and OSBA partnered on bills to advance policies to help grow and diversify the educator workforce, modernize programs to support school facilities, make important changes to middle school PE requirements, and provide support for school districts to improve cybersecurity. These policies represent just a small handful that have passed this Session; there are more than 100 policy and budget bills described in detail in this report that administrators and school board members should become familiar with.

The 2023 Session was full of challenges and we have unfinished work as well. There were important budgets, like Early Intervention and Early Childhood Special Education (EI/ECSE), that will need to be shored up in the interim. The turnaround is quick for the 2024 Legislative Session - bills must be requested by November 9th and the Session begins February 5th.

As always, we encourage you to reach out to the OSBA legislative team ([Lori Sattenspiel](#) and [Richard Donovan](#)) or the COSA legislative team ([Parasa Chanramy](#) and [Morgan Allen](#)) if you have any questions or want to discuss any of the bills or budgets contained in this report..

BILL INDEX

Bill summaries are in numerical sequence, beginning with HB 2001 and ending with SB 5543. For your convenience, the following bill index is organized by category and linked to the individual bill summaries.

Individual bill summaries are hyperlinked to the corresponding Oregon Legislative Information System overview.

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BILL SUMMARIES

HB 2001 (Chapter 13)

Effective March 29, 2023

Programs

Creates new provisions; amends ORS 90.394, 94.536, 105.115, 105.124, 105.135, 105.137, 195.033, 195.036, 195.060, 195.141, 195.143, 195.145, 195.300, 197.015, 197.286, 197.290, 197.291, 197.293, 197.296, 197.297, 197.298, 197.299, 197.302, 197.303, 197.304, 197.307, 197.313, 197.319, 197.320, 197.335, 197.480, 197.522, 197.637, 197.764, 197.831, 197A.300, 197A.305, 197A.310, 197A.312, 197A.320, 215.457, 215.501, 270.005, 456.586, 458.650, 466.055 and 527.755 and section 8, chapter 420, Oregon Laws 2021, sections 1, 2 and 6, chapter 531, Oregon Laws 2021, and sections 6 and 9, chapter 552, Oregon Laws 2021; and repeals ORS 197.178, 197.766, 197A.405, 197A.407, 197A.409, 197A.411 and 197A.413.

HB 2001 is a policy package designed to help address housing and homelessness in Oregon. Of the many provisions, we highlighted two key provisions for you below that impact long range planning and student services.

- If the housing need is greater than the housing capacity in a region, the local government entity shall take one (or, both) of the following actions to accommodate housing needs for the next 20 years:
 - Amend its urban growth boundary to include sufficient buildable lands to accommodate the housing need for the next 20 years. As part of this process, the local government entity shall consider the effects of amending the urban growth boundary. The amendment must include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities must be a coordinated process between the affected public school districts and the local government entity that has the authority to approve the urban growth boundary.
 - Take any action that demonstrably increases housing capacity or produces additional needed housing. Actions under this paragraph may include amending a comprehensive plan or land use regulations to include new measures that increase the likelihood that residential development will occur to accommodate needed housing for the next 20 years without expansion of the urban growth boundary.
- The Housing and Community Services Department shall administer the Emergency Housing Account to assist homeless individuals and individuals who are at risk of becoming homeless. The Department shall utilize funding through the emergency housing assistance program and the state homeless assistance program to help provide services and assistance to school-aged children enrolled in kindergarten through grade 12, or to their families, who are homeless or at risk of becoming homeless.

HB 2002 (Chapter 228)

Effective July 13, 2023

Finance

Creates new provisions; amends ORS 15.430, 109.640, 161.005, 192.345, 192.820, 192.822, 192.826, 243.144, 243.877, 418.307, 435.215, 435.225, 436.225, 659.880, 659A.029, 675.070, 675.540, 675.745, 676.177, 677.190, 677.225, 677.320, 678.111, 685.110, 689.405, and 743A.067; and repeals ORS 109.610, 109.660, 435.200, and 435.435.

House Bill 2002 broadly updates and expands upon existing Oregon statutory rights to specific health and reproductive care, including expanding access to reproductive health services and creating an individual's enforceable right to make reproductive health decisions. The measure also requires coverage of gender-affirming treatments by the state's medical assistance program and health insurers. The bill specifically applies new requirements to health benefit plans offered by the Public Employees' Benefit Board or the Oregon Educators Benefit Board that are issued, renewed, or extended on or after January 1, 2024.

HB 2004 (Chapter 220)

Effective December 5, 2024

Operations

Creates new provisions; amends ORS 244.050, 246.200, 249.088, 249.091, 254.065, 254.145, 254.485, and 258.280; and refers a measure for a vote of the people of Oregon for the November 5, 2024, general election.

In Oregon, most elected positions are filled under a single winner via plurality vote electoral system. Ranked choice voting is an elections system that requires voters to rank candidates by preference instead of voting for just one person. If a candidate receives a majority of the first-preference votes cast, then they are declared the winner. When there is no majority winner, then the candidate with the lowest number of first-preference votes is eliminated and the second preference votes from those ballots are allocated to the remaining candidates and tabulated. This process continues until a candidate achieves a majority of the votes cast.

House Bill 2004 submits a measure to Oregon voters for approval or rejection at the next regular general election, to be held November 5, 2024. The measure would establish ranked choice voting for federal, state, and some local elected offices, potentially including school district board and education service district board elections. The measure also prescribes how to tally ballots under ranked choice voting and makes changes to elections and nominations resulting from the enactment of ranked choice voting effective on or after January 1, 2028.

HB 2009 (Chapter 298)

Effective September 24, 2023

Finance

Creates new provisions and amends ORS 276A.256, 285C.067, 285C.068, 285C.085, 285C.115, 285C.135, 285C.160, 285C.165, 285C.245, 285C.250, 285C.255, 285C.403, 285C.406, 285C.600, 285C.606, 285C.609, 285C.623, 307.123, 314.772, 316.502 and 317.850 and section 6, chapter 905, and Oregon Laws 2007.

House Bill 2009 is an omnibus bill that combines updates for certain economic development programs with the creation of a new research and development income tax credit. From 1989 through 2017, Oregon had two corporation income tax credits for qualified research activities based on the federal research activities tax

credit. The bill would reinstate those credits, with modifications. The Education Related - Enterprise Zone (EZ) and Long-Term Rural Enterprise Zone (LTREZ) programs provide property tax abatements to qualifying companies and were established in 1985 and 1997, respectively. The Strategic Investment Program provides an exemption for large-scale investments above certain value thresholds and Gain Share is a program that provides income tax reimbursements to local governments related to these investments.

For years four and five of the EZ program and years six and later for the LTREZ program, participants must pay a school support fee to their local school district. The fee is negotiated between the zone sponsor and corresponding school districts. It is set between 15% and 30% of the property taxes that would have otherwise been paid. Each fee applies for all subsequent exemption agreements.

HB 2038 (Chapter 392) Effective January, 1, 2024 **Operations**
Creates new provisions and amends ORS 244.060.

House Bill 2038 requires statements of economic interest to include certain additional information about sources of income from both the businesses in which the public official or candidate, or member of the household of a public official or candidate, is an officer or holds a directorship; and for all names under which the public official or candidate and members of their households do business.

HB 2049 (Chapter TBD) Effective July 31, 2023 **Operations; PACE**
Creates new provisions, and repeals ORS 276A.326, and 276A.329.

House Bill 2049 establishes the Oregon Cybersecurity Advisory Council within the Oregon Cybersecurity Center of Excellence. The Oregon Cybersecurity Center of Excellence is established at Portland State University and operated under the collaborative direction between Portland State University, Oregon State University, and the University of Oregon. The purpose of the Center is to coordinate, fund, and provide education, awareness, and training for public, private, and non-profit sectors. The bill also creates several grant programs focused on investing in workforce development, public awareness, and cybersecurity-related goods and services. The Council, Center, and the grants become operative October 1, 2023. Biennial reports are first due no later than December 31, 2025.

Budget items of note:

- \$2.5 million - Oregon Cybersecurity Center of Excellence Operating Fund
- \$2.1 million - Oregon Cybersecurity Workforce Development Fund
- \$250,000 - Oregon Cybersecurity Grant Program Fund

HB 2073 (Chapter 397) Effective September 24, 2023 **Finance**
Creates new provisions and amends ORS 317A.100, 317A.102, 317A.119, and 317A.137.

In 2019, as part of HB 3427, the Legislature enacted the Corporate Activity Tax to fund education investments in the Student Success Act. House Bill 2073 changes certain transactional situations and the way tax liability is accounted for under the Corporate Activity Tax (CAT). Specifically, the measure indicates that when dealers

sell specified items of precious metal, the cost paid by the dealer for the items excluded from commercial activity is subject to the CAT. The measure also creates an exclusion for agricultural commodities sold to a processor for out-of-state sale. Finally, it allows taxpayers to determine excluded commercial activity for agricultural products sold to processors based on a certificate received from the processor stating the percentage sold out-of-state or by using an industry average percentage for the commodity from the previous year.

HB 2099 (Chapter 400) Effective September 24, 2023 **Operations**

Creates new provisions; amends ORS 87.152, 153.083, 184.742, 319.520, 319.530, 319.550, 366.805, 367.081, 646A.090, 802.031, 802.600, 803.102, 803.120, 803.212, 803.530, 803.552, 805.103, 805.210, 805.250, 807.080, 807.220, 807.230, 807.310, 809.520, 819.482, 820.110, 822.015, 822.020, 822.025, 822.027, 822.030, 822.033, 822.035, 822.040, 822.045, 822.050, 822.060, 822.310, 822.315, 822.515, 822.700 and 822.990; and repeals ORS 805.117, 805.242, 822.505, 822.510, 822.520, 822.525, 822.530, and 822.535.

House Bill 2099 is the omnibus transportation bill for the 2023 Legislative Session. It makes several changes to existing transportation programs and regulations. One change relevant to schools concerns the Oregon Transportation Commission's ability to provide matching grants for the Safe Routes to Schools program. The bill expands program eligibility from a one-mile radius to a two-mile radius and expands the eligible school grades from grade 8 to grade 12.

HB 2112 (Chapter 35) Effective January 1, 2024 **Operations**

Amends ORS 7.010, 8.125, 192.001, 192.005, 192.050, 192.060, 192.105, 192.130, 260.255, and 357.825.

ORS 192.005 defines a "public record" as any information that is prepared, owned, used, or retained by a state agency or political subdivision; relates to an activity, transaction, or function of a state agency or political subdivision; and is necessary to satisfy the "legal, administrative or historical policies, requirements or needs" of the state agency or political subdivision.

ORS 192.210 applies public records requirements to school districts.

House Bill 2112 makes numerous technical fixes and updates to various statutes regarding public records laws. Notably, it updates references regarding obsolete technology, adds tribal cultural purposes to considerations in appraising records for retention, and makes the records retention purposes and values consistent across various statutes.

HB 2129 (Chapter 234) Effective January 1, 2024 **Operations; PACE**

Creates new provisions and amends ORS 165.540.

Existing Oregon law prohibits people from recording certain conversations without consent and from using illegally recorded conversations. In 2001, the Supreme Court of the United States decided that a similar federal law could not be enforced. House Bill 2129 brings Oregon law into compliance with that decision. It exempts from

prosecution a person who receives or uses an illegally recorded communication about a matter of public concern if the person did not participate in initially obtaining the recording.

[HB 2240 \(Chapter 239\)](#)

Effective July 13, 2023

Operations; PACE

Amends ORS 413.550.

House Bill 2240 is a technical adjustment to House Bill 2359 (2021) which made several changes to Oregon’s health care interpreter system that inadvertently applied to the K-12 school system. Most critically, it would have required K-12 staff who are licensed or certified by healthcare-related boards and commissions to use health care interpreters from the Oregon Health Authority registry when providing services to students whose primary language is not English. The sponsors of the legislation only meant this requirement to apply to healthcare settings like hospitals and medical offices.

House Bill 2240 creates a statutory exemption for staff who are classified as healthcare providers when they are working for or contracted to provide services for school districts, education services districts, or charter schools.

[HB 2275 \(Chapter TBD\)](#)

Effective July 31, 2023

Finance; Operations

Creates new provisions; amends ORS 327.185, 327.195, 327.362, 329.843, 340.015, 340.040, 340.050, 340.080, and 340.330; and repeals ORS 340.010, 340.020, 340.035, 340.037, 340.055, 340.060, 340.065, and 340.075.

House Bill 2275 is an omnibus technical fix bill that outlines the following changes.

Student Investment Account

- Strategic Planning - Requires applicants to consider recommendations from the Student Success Plan advisory groups. Amends the section relating to eligible public charter schools that are not virtual schools by adding “or equal to” so that it reads “greater than or equal to” when considering the percentage of students from focal student populations.
- Minimum Grant Amounts for Youth Corrections Education Program (YCEP) and Juvenile Detention Education Programs (JDEP) Providers - Adds language that would ensure that each YCEP and JDEP would receive a grant amount that is no less than the minimum grant amount provided to a school district with an ADMw of 50 or less. This amendment will first apply to grants awarded for the 2023-24 school year.

Statewide Education Plans

- Amends the American Indian/Alaska Native Student Success Plan from a grant-based model into a funding distribution model.

Expanded Options Program

- Repeals legislative declaration relating to Expanded Options Program and consolidates program statutes.

- Adds that each school district shall establish a process to identify students who have dropped out of school and give those students information about the Expanded Options Program.
- Eligible postsecondary institutions may enroll eligible students participating in the Expanded Options Program. The bill outlines that students who enroll in eligible postsecondary institutions may not enroll for more than the equivalent of two academic years. Enrollment and participation will be adjusted proportionately to the timing and length of a student’s enrollment in an Expanded Options Program. Postsecondary institutions may not charge eligible students for tuition, fees, and other required instructional costs associated with enrollment in the course.

Accelerated College Credit Grant Programs

- Allows ODE, in collaboration with the Higher Education Coordinating Commission, to determine the amount that is distributed to each program from the Accelerated College Credit Account.

Reporting Timeline Adjustment for Public Charter Schools that Received Specific Grants

- Changes the report date from November 1 of odd-numbered years to February 1 of each year for reports to the Legislature about public charter schools that received grants from the Statewide Education Initiatives Account.

Seclusion and Restraint in YCEP and JDEP Programs

- Excludes employees of YCEP or JDEP from provisions of restraint and seclusion statutes under ORS 339.285 to 339.303.

HB 2280 (Chapter 242)

Effective July 13, 2023

Operations; PACE

Creates new provisions and amends ORS 342.704.

Oregon law defines sexual harassment in statute. House Bill 2280 modifies this definition so that it will match the definition in the state’s health education standards.

HB 2281 (Chapter 243)

Effective January 1, 2024

PACE; Personnel

Amending ORS 332.505, 338.115, and 659.855.

House Bill 2281 requires school district boards to designate one or more civil rights coordinators for the school district. Coordinator(s) may be a district employee or the district can contract with an education service district to provide these services.

Minimum requirements for the position(s) include:

- Monitoring, coordinating, and overseeing school district compliance with state and federal laws prohibiting discrimination in public education;
- Overseeing investigation and resolution of complaints alleging discrimination in public education;

- Providing guidance to school and district personnel on civil rights issues in the school district, responding to questions and concerns about civil rights in the school district, and coordinating efforts to prevent civil rights violations from occurring in the school district; and
- Satisfying any training requirements for the position as prescribed by the State Board of Education.

The law will become a Division 22 requirement.

HB 2284 (Chapter 405) Effective January 1, 2024 **Finance**
Creates new provisions and amends ORS 238.465.

House Bill 2284 increases the current administrative fee from \$300 to \$1,300 for PERS to calculate and pay benefits to an alternate payee. The PERS Board is directed to adjust the fee each year to reflect increases in the Consumer Price Index (CPI) as published by the Bureau of Labor Statistics beginning January 1, 2025.

HB 2295 (Chapter TBD) Effective September 24, 2023 **Operations**
Creates new provisions and amends ORS 184.404, 200.005, 200.025, 200.045, 200.055, 200.065, 200.075, 200.090, 200.110, 200.120, 279A.105, 279A.107, 279A.110, 279C.110, 279C.537, 279C.836, 285B.740, 285B.764, 286A.615, 293.796, 353.130, 431A.400, 468A.805, and 470.560.

Under existing Oregon law, a business owned by a service-disabled veteran (SDV) may be certified for contract preferences with certain government entities, including state, county, and city governments, and likely including school districts and education service districts. Certification is based on the individual owner, rather than the size of business, and qualifying businesses must meet specific requirements, including registration with the Secretary of State. House Bill 2295 expands existing eligibility for contracting preferences to all veteran-owned businesses.

HB 2296 (Chapter 43) Effective January 1, 2024 **Finance; Personnel**
Amends section 3, chapter 499, Oregon Laws 2007; section 3, chapter 475, Oregon Laws 2015; section 4, chapter 6, Oregon Laws 2016; and sections 35, 37, and 38, chapter 355, Oregon Laws 2019.

House Bill 2296 extends the current law regarding working after retirement, until 2034. The provisions allow retired members of the Public Employees Retirement System to be reemployed by participating public employers for unlimited number of hours without reduction in pension benefits.

HB 2395 (Chapter 43) Effective August 4, 2024 **Operations**
Creates new provisions; amends ORS 146.100, 339.867, 339.869, 339.870, 339.871, 430.389, 431A.855, 431A.865, 475.525, 475.744, 689.681, 689.682, 689.684, and 689.686; and repeals section 7a, chapter ____, Oregon Laws 2023 (Enrolled House Bill 2421).

House Bill 2395 is an omnibus bill intended to help address the opioid addiction crisis and to help make opioid antagonist medications, such as naloxone, more accessible in Oregon.

The bill includes rules and requirements for specifically schools, including:

- Changing current statutory language referring to “naloxone or similar drugs” to the updated statutory definition of “short-acting opioid antagonist,” which refers to any short-acting drug approved by the Food and Drug Administration to help reverse an opioid overdose;
- School district boards are required to provide information to the parent or guardian of each minor student with information about “short-acting opioid antagonists,” including:
 - A description of “short-acting opioid antagonists and their purpose”;
 - A statement regarding the risks of administering or not administering “short-acting opioid antagonists” to an individual in an emergency situation;
 - A statement that all schools within the school district have access to “short-acting opioid antagonists” and supplies on site; and
 - School staff may administer a “short-acting opioid antagonist” in an emergency to students if they appear to be unconscious and experiencing an opioid overdose.
- The bill requires immediate notification of parents or guardians of minor students if a “short-acting opioid antagonist” is administered to the student;
- School employees may administer a “short-acting opioid antagonist” to a student who is experiencing an opioid overdose without written permission; and
- The bill provides immunity to staff from liability for administering a “short-acting opioid antagonist” except in cases of gross negligence.

The provisions of the bill related to schools go into effect January 1, 2024.

[HB 2490 \(Chapter 307\)](#)

Effective January 1, 2024

Operations; PACE

Amends ORS 192.355.

House Bill 2490 exempts the following public records from disclosure: any document, record or plan for protection relating to the existence, nature, location or function of cybersecurity devices, programs or systems designed to protect computer, information technology or communications systems against threat or attack, including, but not limited to: (a) records pertaining to devices, programs or systems that depend for their effectiveness in whole or part upon a lack of public knowledge; and (b) contractual records or insurance records that set forth cybersecurity specifications, insurance application, and coverage details.

[HB 2504 \(Chapter 308\)](#)

Effective January 1, 2024

Programs

Creates new provisions.

House Bill 2504 directs the Department of Early Learning and Care to adopt standards and processes to reduce barriers for international early childhood professionals from entering the early learning workforce in Oregon.

At a minimum, the standards and processes must:

- Simplify and eliminate administrative inefficiencies that exist within the early learning system in Oregon;
- Identify a method to determine minimum qualifications for an international early childhood professional to participate in the early learning workforce in Oregon; and
- Establish minimum qualifications for an international early childhood professional to participate in the early learning workforce in Oregon, including requirements related to professional training and academic credentials.

HB 2609 (Chapter TBD)

Effective July 31, 2023

Finance; Personnel

Creating new provisions and amends section 5, chapter 647, Oregon Laws 2021.

House Bill 2609 removes the authority of the Teacher Standards and Practices Commission (TSPC) to charge fees to educator preparation providers. The original date for sunseting TSPC's authority to charge fees was January 1, 2026. The bill also declares an emergency and moves up the operative date to immediately upon passage.

HB 2618 (Chapter TBD)

Effective July 31, 2023

Operations

Creates new provisions.

House Bill 2618 requires the Oregon Department of Education (ODE) to study the best methodology for determining the appropriate number of students on a workload for a school-based health practitioner who is a speech-language pathologist, occupational therapist, or physical therapist. The methodology must take into consideration the number of students eligible for services, the level of need, the recommended frequency of visits, the number of schools served, the amount of time spent preparing documents for an individualized education program (IEP) or participating in meetings for an IEP, and workload metrics.

In conducting the study, ODE shall:

- Examine other states' workload metrics for speech-language pathologist, occupational therapists and physical therapists; and
- Develop, or recommend the adoption of, a workload metric for speech-language pathologists, occupational therapists, and physical therapists for use in Oregon.

ODE shall submit a report, and may include recommendations for legislation, to legislative education committees no later than January 5, 2024.

HB 2649 (Chapter TBD)

Effective September 24, 2023

Finance; Personnel

Creates new provisions and amends ORS 279C.533.

House Bill 2649 expands the apprenticeship utilization requirements for some public projects in Oregon, including community college districts that use public funds for construction costs. Please note this legislation doesn't cover K-12 districts.

Requirements include mandates that contractors establish outreach plans for women, minorities, and veterans, and report information on apprentice utilization and diversity goals to the Oregon Department of Administrative Services. Violators may face penalties, with the collected funds going towards expanding apprentice training programs. Additionally, the bill increases the apprentice utilization requirement from 12 to 15 percent of all work hours.

HB 2656 (Chapter TBD)

Effective January 1, 2024

Operations

Creates new provisions in ORS 329.

House Bill 2656 requires each school district to make the following surveys available to their students:

- A survey administered by the Oregon Department of Education (ODE) that is designed to assist ODE in gathering information about the education experiences of students in Oregon, including information on learning, opportunities to learn, and school culture and climate (e.g., the Student Educational Equity Development (SEED) Survey).
- A survey administered by the Oregon Health Authority, in collaboration with ODE, designed to improve the health and well-being of all students in this state and help them to succeed (e.g., the Student Health Survey).

At least five days prior to administering the surveys, each school district must provide:

- Notice of the survey to the parents or guardians of the students to whom the survey will be administered; and
- The opportunity for parents or guardians to review the survey before it is administered.

Parents or guardians must be allowed to decline, either verbally or in writing, to have their children participate in a survey outlined in the bill. Students may decline, at any time, either verbally or in writing, to participate in a survey outlined in the bill. Students who participate in a survey may decline to answer individual questions.

The bill also requires ODE to annually review the surveys and make any revisions in the collection and distribution of data, to enable school districts to support schools in providing an environment that encourages healthy and successful learners.

The Superintendent of Public Instruction shall convene an advisory committee to explore expanding or revising Oregon's education accountability framework. The advisory committee must include representatives of school districts, teachers' unions, and postsecondary institutions. Additionally, the committee must review accountability programs in other states and make recommendations to the Superintendent on the expansion or revision of Oregon's education accountability framework.

HB 2669 (Chapter 317)

Effective January 1, 2024

Finance; Operations*Creates new provisions.*

Oregon students who are deaf, hard of hearing, or deaf-blind may qualify for specially designed instruction or accommodations under various federal and state regulations, including the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973. House Bill 2669 declares that children who are deaf, hard of hearing, or deaf-blind have the same educational rights as children who are not deaf, hard of hearing, or deaf-blind; and requires school districts to deliver similar services to these students.

HB 2696 (Chapter 414)

Effective July 27, 2023

Operations*Creates new provisions and amends ORS 676.565, 676.579, 676.590, 676.612, 676.613, 676.622, and 676.992.*

House Bill 2696 creates the state Board of Sign Language Interpreters, housed at the Health Licensing Office (HLO), and describes the board's composition, responsibilities, and service periods. It also authorizes the HLO to issue sign language interpreter licenses, including supervisory, provisional, educational, medical, and legal licenses. In addition to statutory requirements, the HLO and Oregon Department of Education are charged with creating the rules and requirements for sign language interpreters working in educational settings. Any individual without a license will be prohibited from providing sign language interpretation services as of January 1, 2024.

HB 2708 (Chapter 46)

Effective January 1, 2024

Personnel*Creates new provisions.*

House Bill 2708 establishes the first full week in March, beginning with the first Monday, as Classified School Employees Week. In recognition of Classified School Employees Week, all communities are encouraged to take time to recognize the essential, daily contributions of classified school employees.

HB 2717 (Chapter TBD)

Effective July 31, 2023

Programs*Creates new provisions and amends ORS 329A.250, 329A.280, and 329A.290.*

House Bill 2717 adds outdoor childcare programs to the definition of "child care facility." It also clarifies that outdoor childcare programs shall demonstrate to the Office of Child Care that sanitation, maintenance, food preparation, and food storage areas are in compliance with standards for certification. The bill requires the Early Learning Council to adopt rules that will govern the operations of outdoor childcare programs and increases the 2023-24 funds appropriation to the Department of Early Learning and Care for operations to cover the certification of outdoor childcare programs. The amendments become operative July 1, 2025.

HB 2727 (Chapter TBD)

Effective September 24, 2023

Personnel; Programs*Creates new provisions.*

House Bill 2727 directs the Department of Land Conservation and Development (DLCD) to convene a workgroup that will examine strategies for expanding early learning and care facilities in Oregon. To the extent practicable, the DLCD, in

consultation with the Department of Early Learning and Care, shall select the following as members:

- Representatives from five cities and counties, one of which is a city or county that finances and operates a regional early learning and care program;
- Five members who are providers of early learning and care services;
- Representatives from two advocacy or policy-making organizations that have experience working with early learning and care providers;
- Representatives from the Department of Land Conservation and Development;
- Representatives from the Department of Consumer and Business Services;
- Representatives from the Department of Early Learning and Care.

DLCD may select up to five additional members with relevant experience (e.g., work experience with early learning and care providers to expand their facilities; experience with zoning regulations, building codes, and permitting; experiences that reflect the geographic, racial, ethnic and gender diversity of Oregon).

The workgroup shall review information and research in Oregon and nationally on the impact of zoning regulations, building codes, and permitting on inhibiting or supporting the expansion of early learning and care facilities. The workgroup's report and recommendations shall be submitted to the Legislature's early childcare committees no later than December 31, 2024.

[HB 2753 \(Chapter 321\)](#) Effective July 18, 2023 **Finance; Operations; PACE**
Creates new provisions and amends ORS 332.018.

House Bill 2753 permits a district school board to offer members a stipend of up to \$500 per month and requires districts that do not provide a stipend to reimburse expenses incurred in the performance of duties. The bill also specifies that a board member who receives this stipend is not considered an employee of the school district and this stipend is not subject to the prohibition on financial gain for public officials.

[HB 2767 \(Chapter TBD\)](#) Effective July 31, 2023 **Operations**
Creates new provisions and amends ORS 294.383, 326.603, 327.254, 329.451, 329.901, 339.326, 339.347, 339.370, 419A.305, and 659.852.

Recovery schools are specifically established to enroll and support students who are in recovery from substance abuse disorders. House Bill 2757 creates state approved "recovery schools" that enter into an agreement with the Oregon Department of Education (ODE) to provide students enrolled in the school with a holistic approach to educational services for grades 9 through 12 and health care services related to recovery from substance use disorders.

Similar to other models in which ODE is allowed or required to provide education to students in special schools or programs, the Superintendent of Public Instruction will be allowed to contract with school districts, education service districts, or public charter schools to provide educational services in approved recovery schools. Funding will come from a combination of the State School Fund and the Student

Success Act – Statewide Education Initiatives Account dollars. ODE and the State Board of Education will also adopt standards and student eligibility requirements. A total of nine recovery schools are authorized, with a cap of three in the 2023-25 biennium. This total cap expires on July 1, 2029.

ODE is also required to submit a biennial report on approved recovery schools to the Legislature and convene an advisory committee to provide recommendations on implementing and monitoring approved recovery schools.

HB 2805 (Chapter 417) Effective September 24, 2023 **Operations; PACE**
Creates new provisions; amends ORS 192.610, 192.680, 192.685, 192.690, 244.255, 244.260, 244.270, 244.290, and 244.350; and repeals section 1, chapter 68, Oregon Laws 2023 (Enrolled Senate Bill 207).

House Bill 2805 makes changes to Oregon’s public meetings laws. The bill specifies that the use of serial written communication or the use of intermediaries to communicate may constitute a quorum of a governing body under certain circumstances. The bill also clarifies public meetings law does not apply to communications among members of a governing body that are: i) purely factual or educational and convey no deliberation or decision on matters that may come before the body; ii) not related to any matter that could be reasonably foreseen to come before the governing body for deliberation; or iii) non-substantive in nature.

Furthermore, the bill directs the Oregon Government Ethics Commission (OGEC) to provide annual public meeting law trainings to members of public bodies and grants OGEC the authority to conduct investigations of complaints of violations of the public meetings law.

HB 2806 (Chapter 252) Effective July 13, 2023 **Operations; PACE**
Amends ORS 192.660.

Under Oregon’s public meetings laws, when a quorum of a public body meets to discuss or consider issues under the body’s purview, then the body must properly make notice to the public and conduct open meetings. Exceptions are allowed for discussion of specific topics, including for example pending litigation, and are designated as an executive session meeting. House Bill 2806 expands the topics that qualify for public body executive sessions to include safety concerns of public body officials, staff, facilities, and cybersecurity.

HB 2865 (Chapter 325) Effective January 1, 2024 **Programs**
Amends ORS 408.290.

Currently, under ORS 408.290, public employees serving in the National Guard, Guard Reserve, or a reserve component of the Armed Forces or Public Health Service, are entitled to a 15-day leave of absence for initial or annual active-duty training. Trainings for the Oregon National Guard are commonly one weekend a month and two weeks per year. However, some trainings can run longer than two weeks, depending on military occupational specialties. House Bill 2865 expands the leave to 21 days a year.

HB 2902 (Chapter TBD)

Effective January 1, 2024

Operations

Creates new provisions and amends ORS 336.071.

House Bill 2902 encourages, but does not require, schools to instruct students, in an age-appropriate manner, on preparing for and recovering from natural disasters specific to the region where the school is located, including “any relevant weather-related events such as flooding, drought or excessive snowfall.”

It directs the Oregon Department of Education (ODE), in consultation with the Oregon Department of Emergency Management, to develop guidance for school districts and provide professional development for teachers and administrators related to any guidance issued.

The requirements for guidance and professional development for ODE are operative on July 1, 2024, and must be available for the 2024-25 school year.

HB 2905 (Chapter 328)

Effective January 1, 2024

Programs

Amends ORS 329.045 and 337.260.

ORS 329.045 requires the State Board of Education (SBE) to “regularly and periodically review and revise its Common Curriculum Goals, performance indicators and diploma requirements.” That same statute also specifically requires the SBE to “ensure that the academic content standards for history, geography, economics and civics include sufficient instruction on the histories, contributions and perspectives of individuals who: are Native American; are of African, Asian, Pacific Island, Chicano, Latino or Middle Eastern descent; are women; have disabilities; are immigrants or refugees; or are lesbian, gay, bisexual or transgender.” House Bill 2905 adds men and women “of Jewish descent” to these requirements.

HB 2955 (Chapter 329)

Effective July 18, 2023

Operations

Creates new provisions.

The Bracero Program was created by executive order in 1942, in response to the concern that World War II would bring labor shortages to low-paying agricultural jobs in the United States. The program allowed Mexican agricultural workers to sign contracts to legally work certain agricultural jobs in the United States. The program existed from 1942 to 1964. In that period of time, 4.6 million contracts were signed, with many individuals returning several times on different contracts, making it the largest U.S. contract labor program in history. House Bill 2955 designates August 4 as Bracero Program Day.

HB 2991 (Chapter TBD)

Effective July 31, 2023

Personnel

Creates new provisions.

House Bill 2991 requires the Department of Early Learning and Care (DELCC) to commission an independent study to identify barriers to a high-quality early childhood workforce. The study shall also:

- Evaluate challenges faced by current and prospective early childhood professionals;

- Review efforts that are in place, if any, that promote increased accessibility and transferability of community college credits across postsecondary institutions;
- Consider possible accreditation processes for transferring international college credits related to early childhood and child development;
- Explore career pathways, including but not limited to, community colleges and community-based organizations that have successfully reduced inefficiencies and barriers for individuals seeking apprenticeships, on-the-job training, and other professional training that lead to employment in occupations related to early childhood.

DELC shall convene a stakeholder group to review the findings from the study and provide recommendations on equitable compensation, career pathways, and administrative rules.

No later than December 31, 2025, DELC shall adopt rules that address barriers that impede entry into the early childhood workforce. At the minimum, the rules must simplify and eliminate inefficiencies that exist by:

- Establishing consistent standards for assessing professional qualifications and academic experience;
- Streamlining the process for verifying or accrediting professionals from out of state or the academic credentials of an early childhood professional to determine whether their credentials count toward the requirements that are specific to the early childhood workforce in Oregon;
- Providing language translation features within the early childhood workforce registry for professionals;
- Setting standards and processes by which an early childhood professional may provide consent to a hiring agency to access the professional’s workforce registry account to provide technical assistance to the professional.

DELC shall prepare and submit reports that may include recommendations for legislation to the legislative committees on early learning and care. The first preliminary report is due no later than September 15, 2024. The second report is due no later than December 31, 2024. This report must provide comprehensive evaluations on the study findings, an update on what rulemaking has occurred, recommendations for administrative actions and legislative proposals based on the results of the study, and recommendations for specific funding sources for implementing the recommendations.

HB 3005 (Chapter TBD)
Creates new provisions.

Effective July 31, 2023

Finance; Operations

House Bill 3005 directs the Oregon Business Development Department to provide financial assistance to eligible applications to pay for early childcare-related infrastructure costs. Eligible applicants include certified or registered family child care providers; person or nonprofit organization that operates a child care facility;

child care centers certified by the Office of Child Care; federally recognized Indian tribes in Oregon that are preschool providers participating in the Preschool Promise Program; organizations that support the expansion or establishment of child care providers; programs that serve children in publicly funded early learning and care programs (e.g., Early Childhood Equity Fund, Relief Nurseries, Employment Related Day Care, Oregon Head Start programs, and Early Intervention and Early Childhood Special Education Services); culturally specific early learning programs; and any other applicants that the department deems to be eligible via rule. The bill also establishes the Child Care Infrastructure Fund, which will be administered by the Oregon Business Development Department in consultation with the Department of Early Learning and Care.

Allowable costs include, but are not limited to, planning and design; property acquisition; repairs, improvements, and renovations; facility development and project management costs; contracting to third parties; construction costs; childcare workforce investments; and more.

The department may prioritize distribution based on an applicant's ability or demonstrated commitment to provide any of the following childcare services to families with the greatest child care needs: culturally and linguistically specific and appropriate early learning and care; child care during non-standard working hours; care for infants and toddlers; early learning and care in communities that have historically experienced a lack of accessible and affordable child care. The Department of Early Learning and Care may provide technical assistance to help eligible applicants receive funding to support the expansion of their childcare infrastructure.

HB 3014 (Chapter TBD)

Effective January 1, 2024

Finance

Creates new provisions and amends ORS 327.033 and 327.043.

The State School Fund includes provisions for providing funding for approved transportation costs through a transportation grant. Districts are evaluated and ranked by approved costs per ADM from the highest to the lowest. Transportation grants are then calculated, and districts receive between 70% and 90% for reimbursement – the higher the approved costs, the higher the reimbursement rate.

Examples

- If the district is ranked below the 80th percentile of transportation costs, the transportation grant to a school district is then 70 percent of approved costs.
- If a school district is ranked in or above the 80th percentile but below the 90th percentile, the grant is 80 percent of approved costs.
- For those districts ranked in or above the 90th percentile, the grant is 90 percent of approved costs.

The bill was brought forward by student transportation advocates who want additional, alternative methods of transportation to be eligible for reimbursement, such as walking, biking, and public transit. Without sideboards, adding additional

eligible costs for reimbursement will increase the total amount of the State School Fund paid out as transportation grants, reducing general purpose grants to school districts.

To resolve this conflict, the bill defines “active transportation” as human-powered forms of travel (walking/biking) by students who reside less than three miles from school and defines “active transportation costs” as those incurred by a school district to facilitate “active transportation” such as pedestrian or bicycle groups, crossing guards, or staff time to coordinate these activities. The bill also defines “alternative transportation” as students coming to or returning home from school via active transportation or public transportation (defined as public mass transit options).

The bill allows the State Board of Education to approve alternative transportation-related costs as approved transportation costs when the projected approved transportation costs incorporating alternative transportation are the same as or less than the school district’s projected approved transportation costs without alternative transportation, or the school district demonstrates that any excess expenses of transportation costs over the projected approved conventional transportation costs as a result of providing alternative transportation will be paid with funds other than the transportation grant from the State School Fund. These two provisions are intended to prevent an overall increase in transportation costs statewide.

To receive reimbursement for the use of alternative transportation, it must be included as part of a supplemental plan approved by the State Board of Education or part of a waiver approved by the State Board of Education. Approved alternative transportation costs for the school district are capped at 5% of approved total transportation costs. Reimbursements apply to transportation grant approved costs on or after July 1, 2024.

HB 3028 (Chapter 331)

Effective September 24, 2023

Personnel

Creates new provisions.

House Bill 3028 requires an employer to allow an employee to take leave without pay for time spent by the employee in service as an appointed member of a state board or commission as defined in ORS 292.495.

HB 3031 (Chapter TBD)

Effective January 1, 2024

Operations

Creates new provisions.

Classroom ventilation, air quality, and other environmental conditions in schools and classrooms have become a serious topic of conversation because of the COVID-19 pandemic. Proper ventilation can help mitigate the spread of communicable diseases, like COVID-19, in public schools.

In response to the potential availability of federal dollars to make improvements to HVAC systems in public schools as part of federal infrastructure legislation, House Bill 3031 creates standards and requirements related to the expenditure of federal or

state funding that is specifically dedicated to the uses outlined in the bill. This provision of the legislation does not apply to local bond or state or federal funds not specifically allocated for the purposes outlined in the bill.

For example, the bill will require HVAC assessments to be conducted, carbon dioxide monitors to be placed in classrooms, establish contracting and labor requirements for HVAC improvements (i.e., project labor agreements, apprenticeship standards), and reports to be submitted to the Oregon Department of Education on projects and improvements completed with dedicated state or federal funds.

HB 3037 (Chapter TBD)

Effective January 1, 2024

Programs

Amends ORS 327.390.

House Bill 3037 directs the Oregon Department of Education to collaborate with the Oregon State University Extension Service to identify and collect student-level data that will help inform the maintenance of outdoor school programs in Oregon. Program maintenance includes conducting program reviews and implementing revisions, making quality assessments and monitoring program quality, evaluating outputs and impacts of outdoor school programs, engaging in camp development (e.g., the selection, management, and coordination of camps), and conducting risk management.

HB 3068 (Chapter TBD)

Effective July 31, 2023

Programs

Creates new provisions.

House Bill 3068 requires the Oregon Department of Education to study the possibility of creating a high school equivalency diploma. The Department shall submit a report to the interim education committees of the Legislature no later than December 31, 2024. The report requirement sunsets on January 2, 2025. The bill also allows students ages 16 or 17 to take the high school equivalency test with their parent or legal guardian's permission.

HB 3073 (Chapter TBD)

Effective September 24, 2023

Operations

Creates new provisions and amends ORS 247.948, 249.031, 249.720, and 255.235.

Currently, under Oregon law, any person may request a list of registered voters. The list may include a registered voter's name, party affiliation, residence or mailing address, and precinct name or number. Certain information, including birth month and day, Social Security number, driver license number, and signature are exempt from disclosure. Although there is a process by which individuals whose personal or family safety may be in danger may protect their home address information from disclosure, there is no broad protection available to voters or candidates for elected office. House Bill 3073 allows candidates for public office to elect to check a box indicating that they do not want their home residence address to be publicly disclosable.

HB 3111 (Chapter 50)

Effective May 8, 2023

Operations

Amends ORS 192.355.

Under Oregon’s Public Records Law (ORS Chapter 192), “every person” has a right to inspect any nonexempt public record of a public body in Oregon. ORS 192.355 lists the public records exempt from disclosure. ORS 192.355(3) exempts the personal information of employees or volunteers of a public body contained in personnel records maintained by the public body that is the employer or recipient of the volunteer’s services. House Bill 3111 clarifies that the personal information of employees and volunteers of a public body is exempt from disclosure during a public record request, regardless of record type where the information is maintained and adds an exemption for the personal information of employees and retirees maintained in another retirement system operated by a public body.

HB 3135 (Chapter 332)

Effective January 1, 2024

Finance; Operations

Creates new provisions and amends ORS 327.077 and 327.358.

Oregon law, including ORS 330, allows school districts to voluntarily merge to form a single district. Multiple other provisions in Oregon law, including portions of ORS 327, allow for extra funding to certain schools and school districts that qualify as small and remote. House Bill 3135 allows merging districts to retain the existing extra funding for which the new district would not otherwise qualify following the merger.

HB 3144 (Chapter TBD)

Effective July 31, 2023

Finance; Programs

Creates new provisions and amends ORS 327.254, 329.841, 329.843, 329.845 and 329.847 and sections 64 and 68, chapter 631, Oregon Laws 2021.

House Bill 3144 directs the Oregon Department of Education (ODE) to develop and implement a student success plan for Native Hawaiian or Pacific Islander students. In addition, the department shall convene an advisory group to advise the development of the plan, including eligibility criteria, applicant selection process, and expectations of grant awardees. Eligible grantees include Early Learning Hubs, providers of early learning services, school districts, education service districts, post-secondary institutions of education, tribal governments, community-based organizations, or a consortium of these entities.

The Native Hawaiian or Pacific Islander Student Success Plan must address disparities experienced by Native Hawaiian or Pacific Islander students on every academic indicator, historical practices leading to disproportionate outcomes for Native Hawaiian or Pacific Islander students, the educational needs of Native Hawaiian or Pacific Islander students from early childhood through post-secondary education. The bill also requires ODE to submit a biennial progress report to the Legislature’s interim education committees during even-numbered legislative sessions.

HB 3167 (Chapter 257)

Effective July 13, 2023

Operations

Amends ORS 193.010.

ORS 193 requires for the publication of legal notices to be issued by various government entities, including newspaper publications, radio, and television broadcasts. House Bill 3167 changes statutory definitions to permit the publication of notices in both printed and digital newspapers in certain areas where the digital newspaper is the best suited publication for public access.

HB 3178 (Chapter 431)

Effective January 1, 2024

Personnel

Amends ORS 348.295.

House Bill 3178 increases the amount of the Oregon Teacher Scholars Program scholarships from \$10,000 to \$12,000 each academic year for culturally and linguistically diverse teacher candidates. Scholarship recipients may receive funding for up to two academic years. A “teacher candidate” means an individual who is preparing to be a teacher or other school professional licensed, registered or certified by the Teacher Standards and Practices Commission.

HB 3198 (Chapter TBD)

Effective July 31, 2023

Finance; Programs

Creating new provisions; amends ORS 327.254, 327.274 and 327.800; and repeals ORS 327.810 and 329.834.

House Bill 3198 establishes the Early Literacy Success Initiative. The Initiative centers the following goals: i) increasing early literacy for children from birth to third grade; ii) reducing academic disparities in early literacy progress and outcomes, especially among focal student groups that have historically experienced academic disparities; iii) partnering with families around the development of children’s early literacy skills and knowledge; and iv) improving, and expanding access, to early literacy support that is research-aligned, culturally responsive, student-centered, and family-centered.

The Initiative establishes three grants. The Oregon Department of Education (ODE) will be providing more information on how to apply for the grants later this year.

Early Literacy Success School Grants (\$90 million + 25% required local match) This \$90 million will come from the Statewide Education Initiatives Account and the 25% match is in the budget note for HB 3198.

- These non-competitive grants are available to school districts and public charter schools and require the submission of a plan with goals to ODE. Plans are updated every two years and include annual reporting. School districts with 50 ADM or less shall receive a minimum grant. Small districts are encouraged to apply in consortia or with their education service district.
- Allowable uses:
 - Professional development and coaching in research-aligned literacy strategies to teachers and administrators in early elementary grades to improve early literacy instruction;

- Extended learning programs that use research-aligned literacy strategies (e.g., home-based summer reading activities and intensive summer school program);
- High-dosage tutoring delivered by a qualified tutor using developmentally appropriate practices; and
- Adoption of curricula that uses research-aligned literacy strategies and the implementation of that curricula (e.g., culturally relevant curricula and materials, professional development and training for teachers and administrators, and literacy specialists, coaches, or interventionists).
- In 2023-24, up to 20 percent of the funds may be used in fourth and fifth grade; in 2024-25, up to 10 percent of the funds may be used in fourth and fifth grade. HB 3198 dollars used for fourth and fifth grade must be matched by the school district or public charter school.

Early Literacy Success Community Grants

- ODE shall develop a plan for the Early Literacy Success Community Grants. Once that plan is approved, the Legislature may provide up to approximately \$10 million in grant funding from the Statewide Education Initiatives Account to fund the grants.
- Administered by ODE, the purpose of this competitive grant program is to: i) expand culturally and linguistically responsive early literacy programs for children in early elementary grades; ii) develop and implement programs that engage parents and children in early elementary grades in early literacy, and that are available equitably and statewide; iii) provide high-dosage tutoring programs and training to tutors that will qualify the tutors for instruction in a manner consistent with research-aligned literacy strategies; iv) expand and develop language revitalization efforts by federally recognized Indian tribes in this state.

Birth through Five Literacy Plan and Fund (\$567,593 for DELC)

- DELC shall develop the Birth through Five Literacy Plan. Once the plan is approved, the Legislature may provide up to \$9.43 million from the Early Learning Account for the Birth through Five Fund.
- The Department of Early Learning and Care shall develop and implement the plan and the fund. The plan and fund are intended to: i) expand culturally specific early literacy programs for children from birth through five years of age; ii) promote the capacity of programs that engage parents and children from birth through five in early literacy and that are available equitably and statewide; and iii) expand and develop language revitalization efforts by federally recognized Indian tribes in this state.

HB 3199 (Chapter 433)

Effective July 27, 2023

Programs*Creates new provisions and amends ORS 329.496 and 329.498.*

In 2007, the Oregon Legislature passed House Bill 3141 which required elementary schools to provide 150 minutes of physical education per week and middle schools to provide 225 minutes of physical education per week, among other provisions. The operative date of the bill was set to begin with the 2017-18 school year. During the 2017 legislative session, Senate Bill 4 was passed to delay several of the physical education requirements and phase them in through the 2023-23 school year, among other changes.

House Bill 3199 further modifies the physical education requirements for middle school students to help alleviate some of the implementation challenges (e.g., gym space, shortage of PE teachers). The bill changes the middle school requirement from 225 minutes during each school week to an average of 150 minutes during each school week, as calculated over the duration of a school year. This allows districts to count minutes on a weekly basis or average weekly basis (e.g., 125 minutes in week 1 and 175 minutes in week 2 averages out to 150 minutes per week.) This additional flexibility will allow districts with block schedules to meet minute requirements without having to revamp middle school schedules drastically.

HB 3204 (Chapter 434)

Effective July 27, 2023

Operations*Amends ORS 338.025 and 338.125.*

House Bill 3204 creates new statutory timelines related to student enrollment in virtual charter schools outside their resident district (timelines are currently in statute and Oregon Department of Education (ODE) rules):

- School districts must provide notice of the decision to deny enrollment in a virtual charter school due to meeting or exceeding the 3% district enrollment cap within 10 calendar days of receiving notice of intent for the student to enroll in a virtual charter school outside the district;
- School districts must calculate the school district's percentage of students attending virtual public charter schools not sponsored by the district at least twice each year; and
- The State Board of Education shall respond to appeals of enrollment denial with 14 days of submission.

Additionally, the bill clarifies that a student is not required to receive approval from the school district they reside in to attend a virtual public charter school if they previously lived in another school district, enrolled in the virtual public charter school while living in the school district, and maintained continuous enrollment in the virtual public charter school. It also requires that school districts include their latest virtual charter school enrollment percentage in communications denying enrollment due to meeting or exceeding the 3% cap.

HB 3221 (Chapter TBD)

Effective July 31, 2023

Finance

Creates new provisions and amends ORS 294.060 and 327.011.

Local school revenues listed in ORS 327.011 are combined with the State School Fund (SSF) appropriation to form the pot of formula revenue, which is then equalized and distributed via the SSF formula in statute. One of the local revenue sources currently listed is federal forest reserve revenues (or Secure Rural Schools Act payments) to schools. Federal law was changed in 2018 to prohibit these funds from being considered local revenue and redistributed through state funding formulas.

House bill 3221 removes from statute federal forest reserve revenues to schools from the list of local revenue sources that are considered part of SSF formula revenue to bring Oregon in compliance with federal law.

HB 3331 (Chapter 58)

Effective September 24, 2023

Personnel

Amends ORS 657.370 and 657.380.

House Bill 3331 makes changes to the work share program. The bill amends the eligibility requirements for an employee to qualify for Work Share Benefits, removes requirement that "affected employee" must have been "continuously employed" and have worked for employer "for six months on a full-time basis or for one year on a part-time basis." The bill also expands the percentage reduction in hours the employee may work to qualify for benefits to at least ten percent and not more than 50 percent.

HB 3383 (Chapter 440)

Effective July 27, 2023

Operations

Creates new provisions and amends ORS 243.862, 326.021, 342.360, and 342.940.

House Bill 3383 makes changes to several K-12 boards and commissions to add specific representation from classified employees and reflect the addition of a sixth congressional district in Oregon. Changes to membership and composition will occur as vacancies open or terms expire after the legislation goes into effect. Changes include:

- Adding two members to the State Board of Education (for a total of nine). One member will represent Oregon's new sixth congressional district and one member must be a classified staff member;
- Removing one member of the public from the Teacher Standards and Practices Commission and adding one classified staff member;
- Adding classified staff members to the list of eligible appointees to the Education Advancement Council; and
- Removing one of the public members with health policy expertise from the Oregon Educators Benefit Board and adding one classified staff member.

HB 3409 (Chapter 442)

Effective July 27, 2023

Operations

Creates new provisions and amends ORS 352.823, 468A.210, 468A.215, 468A.220, 468A.225, 468A.230, 468A.235, 468A.240, 468A.245, 468A.250, 468A.255, 468A.260, 469.754, 469.756, 530.050, and sections 1 and 5, chapter 655, Oregon Laws 2019, and sections 2, 10, 14, 17, 21, 23, 24, and 29, chapter 86, Oregon Laws 2022.

House Bill 3409 is a broad energy efficiency bill that amends and creates various climate laws that address topics including energy use, environment, building performance, environmental justice, land use, fuels, and electric vehicles. The bill contains a requirement that the State Department of Energy work with the Oregon Department of Education to minimize costs and duplication of effort in school facility assessments.

HB 3435 (Chapter TBD)

Effective July 31, 2023

Programs

Creates new provisions; amends ORS 289.005, 305.720, 305.747, 326.425, 327.274, 329.160, 329.165, 329.172, 329.175, 329.183, 329.185, 329.195, 329.200, 329A.030, 336.211, 336.213, 336.214, 343.455, 343.499, 343.507, 417.728, 634.700, 680.020, and 680.026; and repeals ORS 329.153, and 329.170.

House Bill 3435 renames "Oregon prekindergarten program" to "Oregon Prenatal to Kindergarten Program." Oregon Prenatal to Kindergarten Program is defined as programs for which the Early Learning Division (now, the Department of Early Learning and Care) allocates, awards, and monitors state funds to provide comprehensive health, education, and social services to children and their parents (or other key family members), at any time beginning with prenatal care and continuing until the children enter kindergarten, in order to maximize the potential of those children prior to kindergarten entry.

HB 3561 (Chapter TBD)

Effective August 4, 2023

Personnel

Amends ORS 329.181.

House Bill 3561 amends ORS 329.181 in the following ways:

- Includes early childhood behavioral and mental health services in the definition of "early childhood care and education" for the purposes of administering a scholarship program for early childhood education and care professionals.
- Requires individuals who are eligible for scholarships to accept all state and federal aid grants, institutional aid grants, and scholarships made available to the person - giving the Higher Education Coordinating Commission and Department of Early Learning and Care the authority to convert the scholarship program into a last-dollar program.
- Allows the Early Learning Council to provide rules around an award methodology for scholarships that takes into consideration the state and federal aid grants and scholarship assistance that a person has received.

HB 3572 (Chapter TBD)

Effective September 24, 2023

Operations*Creates new provisions and amends ORS 279A.128.*

A “benefit company” under Oregon law is a type of corporation or limited liability company that considers societal and environmental impacts in addition to profit motivation. House Bill 3572 encourages contracting agencies, including school districts, to grant preference in procurement to a benefit company, if the majority of the regular, full-time workforce operates in Oregon at the time of bidding and only if the goods and services under procurement “are not more than five percent of the goods and services available” from a non-benefit company contractor.

HB 3584 (Chapter TBD)

Effective January 1, 2024

Operations; PACE*Creates new provisions and amends ORS 336.071.*

Oregon law includes emergency response requirements for safety threats and natural disasters. HB 3584 requires school district boards to adopt a policy for notifying parents, guardians, and school employees when a school initiates emergency procedures in response to a safety threat.

HB 5005 (Chapter TBD)

Effective August 4, 2023

Finance*Creates new provisions.*

House Bill 5005 authorizes the issuance of general obligation bonds for the 2023-25 biennium and establishes limits on the maximum amount of bonds and third-party financing agreements state agencies may issue, as well as the amount of revenue state agencies may raise from such issuance. The functions of the bill interact closely with House Bill 5006 (the Capital Construction Financing bill) and House Bill 5506 (the Budget Reconciliation Bill).

The bill authorizes several bonds for the benefit of K-12 schools and community colleges, including:

- \$100 million of Article XI-M bonds for seismic rehabilitation grants available to K-12 school districts, education service districts, and community colleges from the Seismic Rehabilitation Grant Program (SGRP) housed at Business Oregon;
- \$100 million of Article XI-P bonds to fund matching grants to school districts for capital improvements through the Oregon School Capitol Improvement Matching Program (OSCIM) housed at the Oregon Department of Education (ODE);
- Approximately \$75 million of Article XI-G bonds to finance 11 new or continuing community college projects. Funds will be distributed through the Higher Education Coordinating Commission; and
- \$3.5 million of Article XI-Q bonds to provide capital improvements at the Oregon School for the Deaf. These funds will be distributed through the Department of Administrative Services and ODE.

HB 5006 (Chapter TBD)

Effective August 4, 2023

Finance*Creates new provisions.*

House Bill 5006 is the budget bill for the finance of capital construction projects across state government. It authorizes the planning and preparation of state projects and notably includes additional capital construction expenditure limitations for a six-year period beginning July 1, 2023:

- \$3.5 million of Article XI-Q bond expenditure limitation for the Department of Education for various capital improvements at the Oregon School for the Deaf; and
- \$37.5 million for the Higher Education Coordinating Commission for distribution of Article XI-G general obligation bond proceeds to community colleges, which corresponds with the amounts for five new community college projects authorized in HB 5005.

HB 5013 (Chapter 448)

Effective July 27, 2023

Finance*Creates new provisions.*

House Bill 5013 outlines the biennial budget for the Department of Early Learning and Care. This is a new department, created to unify, coordinate, and strengthen Oregon's early learning and childcare system. The first day of operation as a new state agency was July 1, 2023. Highlights of the bill include:

- \$1.3 billion - 341 positions and 332.35 FTE (a 0.6% increase over the current service level) to help support childcare subsidies, childcare and early learning programs, and family and provider supports;
- \$365.4 million - Oregon Prenatal to Kindergarten (OPK);
- \$187.7 million - Preschool Promise;
- \$41 million - Healthy Families Oregon, including funding to add a Lincoln County site;
- \$26.6 million - the Early Childhood Equity Fund;
- \$26.1 million - Early Learning Professional Development;
- \$24.4 million - Relief Nurseries;
- \$22.9 million - Early Learning Hubs;
- \$17.6 million - Early Learning Program Supports;
- \$9.5 million - Early Learning - Kindergarten Partnership and Innovation Fund;
- \$7.9 million - Mental Health and Behavior Support;
- \$4.3 million - Early Learning Parenting Education; and
- \$600,000 - Tribal Early Learning Hubs.

To retain qualified staff for Oregon Pre-Kindergarten classrooms, Preschool Promise, and Healthy Families Oregon, DELC is instructed to allocate up to \$25.6 million of its OPK budget; \$16.7 million of its Preschool Promise budget, and \$2.8 million of its Healthy Families Oregon budget to increase provider rates by 7% over CSL for each of these programs in 2023-25.

Creates new provisions.

House Bill 5014 outlines the biennial budget for the Oregon Department of Education (ODE) and includes budget appropriations and expenditure authority for Grant-In-Aid programs, the Student Success Act, federal funds, Common School Fund distributions, and several other funding sources. It does not include the State School Fund. For the State School Fund budget, please see HB 5015. For additional early learning and care budget items, please see HB 5013.

Biennial appropriations for key programs (from all funding sources unless otherwise noted):

Specialized Service Programs (2023-25 Budget)

- \$336 million - Early Intervention/Early Childhood Special Education
- \$290.4 million - IDEA Grants
- \$67.9 million - Regional Inclusive Services
- \$45.3 million - Long Term Care and Treatment
- \$25.1 million - Youth Corrections Education Program (YCEP) and Juvenile Detention Education Program (JDEP)

Student Success Act Programs (2023-25 Budget)

- \$529.8 million - Early Learning Account (includes additional funding added from HB 5029)
- \$1.087 billion - Student Investment Account (includes additional funding added from HB 5029)
- \$557.4 million - Statewide Education Initiatives Account (includes additional funding added from HB 5029)
 - High School Success Funding - \$162.9 million (total - \$325 million - which was added to in the end of session budget bills)
 - Hunger Free Schools Program Grants - \$105.9 million
 - ESD Technical Assistance Support Grants - \$42.8 million
 - African American/Black Student Success Plan and Grants - \$19.7 million (includes additional funding from SB 5506)
 - American Indian/Alaska Native Student Success Plan and Grants - \$5.4 million
 - Latino/a/x Student Success Plan - \$6.3 million
 - LGBTQ2SIA+ Student Success Plan - \$4.2 million
 - Native Hawaiian/Pacific Islander Student Success Plan - \$2 million (via HB 3144)
 - Immigrant/Refugee Student Success Plan - \$566,572
 - Rural Schools Support Grants - \$4.7 million (for ESDs to support small, rural school districts)
 - Public Charter School Equity - \$4.7 million
 - Tribal Attendance Grants - \$1.7 million

The bill included several budget notes for ODE, including:

- YCEP/JDEP Funding Flexibility - Given the fluctuating enrollment and costs across these programs over the biennium, ODE is directed to account for YCEP and JDEP funding as a single program. In determining funding distributions, ODE shall consider the diversity of population being served; the facilities and classrooms in use; the number of students served in a program; the percentage of students qualifying for special education services; and the transition support services provided.
- Panic Alert Systems Grants - A one-time \$2.5 million General Fund allocation is appropriated for a grant program to support school districts that install electronic panic alert systems. The department may award one-time grants to school districts of up to \$2,000 per school building to assist with purchase and installation costs. The department may spend up to \$350,000 for integration with the 9-1-1 emergency system.
- School Funding Transparency - ODE is directed to research ways to make its school and district-level financial data publicly available on a website in a searchable, user-friendly format. Users should be able to query and display school and district-level expenditures and revenues at varying levels of detail and in varying visual formats. ODE shall report to the Education Subcommittee of the Joint Committee on Ways and Means during the 2024 legislative session on its research, including technologies reviewed and costs and timelines for implementation. Additionally, on an annual basis, ODE shall publish a written report on school district-level revenues and spending by each school district in Oregon. The report should display actual revenues and expenditures in a fiscal year compared with the school district's budgeted revenues and expenditures for that year, aggregated by function and by object, and including budgeted and unbudgeted ending fund balances. This written report shall be presented to the Joint Ways and Means Subcommittee on Education no later than February 28 of each year.
- Educator Advancement Council Key Report to the Legislature - The Educator Advancement Council (EAC) is directed to report to the legislature each biennium on the outcomes of its various grant programs. This report should include a description of each type of program funded by the EAC, the intended outcome from each funded program, the Regional Educator Network in which each program is funded, and the number of licensed educators and/or other quantifiable professional development outcomes produced by each program. The report should also detail the cost of the program, including its administrative costs, the cost per participant, and the cost per licensed educator produced by the program. This report is due to legislative committees on education and to the Joint Ways and Means Subcommittee on Education no later than February 15 of each odd-numbered year.

- Educator Advancement Council Key Performance Measures - The Educator Advancement Council (EAC) is directed to develop at least one new key performance measure (KPM) on the outcomes of its Grow Your Own (GYO) programs. This performance measure should provide data for decision-makers to use in evaluating the costs and benefits for each type of GYO program. The EAC and the ODE are directed to work with the Legislative Fiscal Office on the proposed KPM(s) during the 2023-25 legislative interim and complete development by June 2024 in order to propose the new KPM(s) during the 2025-27 budget process.
- State School Fund System Replacement - ODE is directed to use the joint State Chief Information Office and Legislative Fiscal Office Stage Gate process to document the project's readiness to proceed and to work with Department of Administrative Services' Enterprise Information Services to develop initiation and planning documents for a new State School Fund system. ODE is further directed to report back to the Legislature during the 2024 legislative session. The report shall, at a minimum, include project status information on project governance, management, and staffing; project scope, schedule, and budget; current or planned procurements/contracts (at the time of the report); legacy system and data conversion planning/activities; risks and challenges; and independent quality management services findings, if available.

HB 5015 (Chapter 450)

Effective July 27, 2023

Finance

Creates new provisions.

House Bill 5015 is the budget bill for the State School Fund. The measure allocates \$10.2 billion for the 2023-25 biennium. The State School Fund is the primary funding source for the general operations of school districts and educational service districts that serve Oregon students from kindergarten through twelfth grade. State resources for the State School Fund include state General Fund, Lottery Funds, Corporate Activity Tax revenues, Marijuana Tax revenues, and a small amount of State Timber tax revenues. The bill also includes new specific distributions, or “carve outs,” from the fund:

- Up to \$968,000 for 10th grade assessments;
- Up to \$1.6 million for purposes related to Oregon Digital Learning;
- \$4 million is transferred from the SSF to the Local Option Equalization Grant Account;
- \$3 million for 2023-25 for the School Safety and Emergency Management Program (This carve-out is intended to replace the School Facilities carve-out, which is no longer needed due to changes in bond law. More specific information about the policy is included in the companion bill, Senate Bill 1002.);
- \$4,268,766 for the Oregon Youth Challenge Program, which is mostly federally funded and provides educational services for youth at risk of dropping out of school. This change was necessary to comply with federal funding requirements and will replace the existing funding of a similar amount that is

passed through to the school district that administers the program. More specific information about the policy is included in the companion bill, Senate Bill 1034.

HB 5029 (Chapter TBD)

Effective August 4, 2023

Finance

Creates new provisions.

House Bill 5029 allocates projected revenues from several funds, most notably the Oregon Lottery and Fund for Student Success, for their designated uses during the 2023-25 biennium. The authorization to spend these funds is spread across multiple state agency budgets. Amounts in the bill are based on the May 2023 revenue forecasts prepared by the Department of Administrative Services Office of Economic Development and may need to be adjusted during the biennium. Projected revenues are allocated from the following funds: the Criminal Fine Account, the Oregon Marijuana Account, the Fund for Student Success, the Polychlorinated Biphenyls Remediation and Restitution Account, and the Tobacco Settlement Funds Account.

Key K-12 allocations for the 2023-25 biennium include:

- \$604 million from the Administrative Services Economic Development Fund (lottery proceeds) to the Oregon Department of Education (ODE) for the State School Fund;
- \$56.4 million from the Administrative Services Economic Development Fund (lottery proceeds) to the Outdoor School Education Fund;
- \$3.65 million from the Tobacco Settlement Funds Account to ODE for physical education grants;
- \$28.2 million from the Administrative Services Economic Development Fund (lottery proceeds) to the Public Employees Retirement System Employer Incentive Fund;
- \$40.75 million is transferred to the State School Fund from the Oregon Marijuana Account; and
- Funding for the Student Success Act from the Fund for Student Success (Student Success Act):
 - \$1.087 billion to the Student Investment Account (SIA);
 - \$557.4 million to the Statewide Education Initiatives Account (SEIA); and
 - \$529.8 million to the Early Learning Account (ELA).

HB 5030 (Chapter TBD)

Effective August 4, 2023

Finance

Creates new provisions.

House Bill 5030 authorizes the issuance of lottery revenue bonds for specified projects.

Authority to spend bond proceeds for project costs and pay for the cost of issuing bonds is included in the budget reconciliation bill (SB 5506). Lottery revenue bonds are scheduled to be issued in Spring 2024 and 2025 and debt service payments in the 2023-25 biennium are estimated to be \$13.1 million.

The education portion of the bill is for the Department of Education Broadband Connecting Oregon Schools Grants in the amount of \$15 million.

The lottery bonds issued under this section must be transferred to the Oregon Department of Education for deposit in the Connecting Oregon Schools Fund established in ORS 276A.424, for providing matching funds for federal moneys received by school districts, education service districts, public charter schools, or a consortium that consists of any combination of school districts, education service districts, and public charter schools, for the purpose of providing broadband access to eligible education facilities in this state.

SB 3 (Chapter TBD) Effective January 1, 2024 **Programs**

Creates new provisions and amends ORS 329.007, 329.025, 329.045, and 329.451.

Oregon law, including statutory law and rules issued by the State Board of Education, sets high school graduation. In 2021, Senate Bill 744 directed the Oregon Department of Education to study high school graduation requirements and submit a report to the legislature detailing potential recommended changes to graduation requirements. The “Senate Bill 744 report” issued on September 1, 2022, recommended adding a future planning credit requirement for high school graduation. Senate Bill 3 adds a half-credit higher education and career path skills requirement and a half-credit personal financial education requirement to the statutory list of credits required for high school graduation.

SB 31 (Chapter 66) Effective May 8, 2023 **Personnel**

Creates new provisions in ORS 657B.

Senate Bill 31 requires the Director of the Oregon Employment Department to determine whether the Paid Leave Oregon fund is solvent by August 11, 2023, for benefits to be claimed and grants awarded on or after September 3, 2023. The bill also provides for delay of benefit payments and grant awards if the fund is found to be insolvent and delay payments to begin December 3, 2023.

SB 168 (Chapter 268) Effective January 1, 2024 **Personnel**

Amends ORS 260.432.

Public employees are currently prohibited from campaigning while on the job. This includes promoting or opposing any political committee, working for or against a candidate for political office, or gathering signatures for an initiative, referendum, or recall petition, or working for or against a recall election.

The bill updates current law related to prohibited political activities by public employees, including:

- Explicitly prohibiting a public employee from promoting or opposing the appointment, nomination, or election of a person to public office, and from promoting or opposing the filing of an initiative, referendum, or recall petition, while on the job during working hours or while otherwise working in an official capacity;

- Clarifying that a public employee may communicate with other public employees or elected officials about the appointment of an individual to public office when communication is part of the recipient's official duties related to an appointment required by the Oregon Constitution or state statute; and
- Clarifying that the periods of time during which public employees take time off for meals or breaks, or other time off allowable by Oregon labor law, is not considered on the job during work hours.

The bill will also update language in the required public notice to be posted in a workplace regarding prohibited political and campaign activity.

SB 207 (Chapter 68)

Effective January 1, 2024

Operations

Amends ORS 192.685, 244.260, and 244.290.

Senate Bill 207 authorizes the Oregon Government Ethics Commission to proceed on its own motion, as though it received a complaint, if it has reason to believe that a violation of the executive session provisions of public meetings law exists.

SB 215 (Chapter TBD)

Effective July 31, 2023

Operations

Creates new provisions; amends ORS 326.111, 327.008, 327.222, 327.254, 327.520, 327.525, 327.527, 327.535, 339.391, 348.398, 348.406, 419B.019, and 419B.020; and repeals ORS 348.394, 348.401, and 348.403.

Senate Bill 215 is the omnibus technical fix bill requested by the Oregon Department of Education (ODE). It is a “relating to education” bill that contains changes across a wide variety of education programs to align with existing state law, facilitate rules adoption, facilitate ODE investigations, align statutes with current practice, or clarify the role of intervention teams. Specifically, the measure:

- Allows ODE to adjust amounts charged for agricultural products and renames the School Lunch Revolving Account to School Foods Revolving Account;
- Changes the speech-language pathology program established in ORS 348.398 from a grant program to a funds-distribution program to provide stipends to licensed or certified participants and their mentors;
- Changes the requirements for the program delivering grants to students studying to become licensed speech-language pathologists;
- Allows ODE to conduct investigations and issue subpoenas for the purposes of fulfilling the requirements of the following statutes:
 - ORS 327.103 (standard districts);
 - ORS 327.109 (districts or charter schools involved in religious activity);
 - ORS 339.285 (restraint and seclusion) to ORS 339.303 (complaints regarding restraint and seclusion); and
 - ORS 659.850 and 659.852 (discrimination in education).
- Modifies provisions relating to investigations of sexual conduct, including notification provisions;
- Modifies provisions of the Student Success Act (SSA) to allow education service districts (ESDs) to use money to support the meeting of performance growth targets established for all recipients of SSA funds within an ESD;

- Establishes that student success teams under intensive program are not public bodies; and
- Clarifies the requirements for school districts to accept recommendations of student success teams in order to receive additional funding.

SB 218 (Chapter 131)

Effective January 1, 2024

PACE; Personnel

Amends ORS 339.390, 339.391, 342.176, and 419B.035.

Senate Bill 218 creates new requirements for law enforcement agencies and the Oregon Department of Education to make records of investigations of child abuse and sexual conduct investigations available to the Teacher Standards and Practices Commission (TSPC) to help inform investigations of complaints against commission licensees.

Other changes in the bill include:

- Requiring law enforcement agencies to make records of closed cases of child abuse or neglect available upon request to TSPC;
- Requiring law enforcement agencies to make records of open cases of alleged child abuse available upon request to TSPC, unless it will interfere with any ongoing investigation;
- TSPC will no longer have to investigate complaints instigated under ORS 342.176 if TSPC does not receive required verification; and
- Requiring the TSPC executive director or their designee to forward any report on an investigation undertaken under ORS 342.176 to the Commission.

SB 238 (Chapter 134)

Effective January 1, 2024

Programs

Creates new provisions.

Senate Bill 238 updates the comprehensive alcohol and drug abuse policy and implementation plan described in ORS 336.222 by requiring the Oregon Health Authority, State Board of Education, and Alcohol and Drug Policy Commission to collaborate on developing required curriculum for school districts related to:

- The dangers of synthetic opioids, including fentanyl or any substituted derivative of fentanyl, and counterfeit and fake drugs; and
- Laws that provide immunity or other protections for individuals who report drug or alcohol use or who seek medical treatment for drug or alcohol overdoses for themselves or others.

The changes become operative July 1, 2024, and must be implemented beginning in the 2024-25 school year.

SB 271 (Chapter 8)

Effective March 21, 2023

Operations

Creates new provisions and amends ORS 330.080.

Under existing ORS 330, the “governing body of a county shall constitute the district boundary board” for apportioning school district boundaries, and the counties are responsible for storing and maintaining school district boundary information. Senate Bill 271 establishes the Oregon Department of Education as the recipient of a

statewide set of school district boundary data and requires the Higher Education Coordinating Commission to publish boundary data for community college districts.

SB 275 (Chapter TBD)

Effective August 4, 2023

Operations

Creates new provisions and amends ORS 342.940.

The Educator Advancement Council (EAC) has an executive director and is responsible for professional development for educators, establishing and maintaining a set of Regional Educator Networks (RENs), conducting a biennial survey of the state's educators, issuing grow-your-own grants, and drafting a biennial educator equity report. Senate Bill 275 repeals the changes to the EAC enacted in 2021 under House Bill 2166, which modified the requirements for EAC's intergovernmental agreement, allowing the Council to appoint a director who could then hire staff; however, the EAC was never made an independent state agency. Senate Bill 275 requires the executive branch to identify the roles of and methods for improving alignment among the state's education agencies.

SB 278 (Chapter TBD)

Effective July 31, 2023

Finance

Creates new provisions and amends ORS 338.155.

This legislation is a technical adjustment to SB 743, which passed during the 2021 Session. SB 743 (2021) amended the State School Fund statute to permanently change the calculation of extended ADMw for school districts that sponsor virtual charter schools. This created an extended ADMw calculation for the brick-and-mortar students in the district if their student enrollment is declining. The intent was to ensure that school districts with declining brick-and-mortar enrollment would receive extended ADMw payments even if the virtual charter school growth would normally prevent it using calculation methods applied to school districts.

In SB 743 (2021), decline in ADM was used as the determining factor in this calculation. During the first year of implementation, COSA became aware that at least one school district that sponsors a virtual charter school saw a slight increase in student enrollment (ADM) but a significant decrease in weighted student enrollment (ADMw).

Senate Bill 278 allows ODE to consider a decrease in ADM or ADMw as allowing a school district that sponsors a virtual charter school to qualify for a separate extended ADMw calculation for the brick-and-mortar schools in the district. This will ensure that these districts with declining enrollment are treated the same as other school districts to ensure funding stability over time.

SB 279 (Chapter 218)

Effective January 1, 2024

Personnel

Creates new provisions.

Senate Bill 279 enacts Oregon's membership into the Interstate Teacher Mobility Compact (ITMC). Generally, interstate compacts are legally binding agreements enacted across multiple states. The ITMC would make it easier for educators with licenses in other member ITMC states to work and teach in Oregon. Any teacher with a valid, unencumbered license could move from one state to another and teach if

they hold a bachelor's degree, have completed the requirements of a state-approved education preparation program, and undergo a criminal background check in the receiving state. Any additional state-imposed licensure requirements in the receiving state would then be completed at the next licensure renewal in the new state. The ITMC takes effect on the date on which the compact is enacted into law by at least 10 member states. At the time of ratification, Oregon was believed to be the 10th state to have joined the ITMC.

SB 283 (Chapter TBD)

Effective July 31, 2023

Personnel

Creates new provisions and amends ORS 329.788, 329.795, 329.800, 329.805, 329.810, 329.815, 329.820, 329A.030, 332.505, 332.544, 334.225, 342.125, 342.127, 342.610, and 342.940.

Senate Bill 283 is the omnibus educator workforce package for the 2023 Session. Major provisions include:

- Creation of a statewide data system on the education workforce maintained by the Oregon Department of Education (ODE). ODE is also required to convene a steering committee to assist with this work. Creation of a statewide portal for jobs in education by the Teachers Standards and Practices Commission (TSPC). Both agencies must report to the Legislature by September 15, 2024;
- Creation of education workforce surveys by ODE to gather information about the working experiences of educators and staff;
- Flexibility for school districts to provide pay differentials or bonuses for special education staff (voluntary, not mandated);
- Just cause employment protections for classified employees;
- Beginning in the 2024-25 school year, classified staff who work at least 75% of their time in SPED must be scheduled to work at least five hours per day on regular school days. Employees may choose to work fewer hours upon request;
- An appropriation of \$5 million to ODE to provide non-competitive grants to training school staff for nonviolent crisis intervention methods;
- Creation of a Task Force on Substitute Teachers to review standards and options for employment of substitute teachers. A report is due by September 15, 2024;
- Creation of a statewide recognition clause for long term substitute teachers who will be employed for more than 60 consecutive days in any one assignment for the same teacher;
- Creation of a Task Force on Statewide Educator Salary Schedules to review options for a statewide salary scale for educators. A first report is due by December 31, 2023, and a final report is due September 15, 2024;
- An appropriation of \$10 million to ODE to award grants to promote registered apprenticeship programs. The details need to be developed by ODE;
- A fee waiver to convert retired teacher licenses to a substitute teacher license;
- The addition of education service district superintendent employment protections equal to school district superintendents for dismissal without cause;

- The elimination of duplicate background checks for employees working in Early Intervention/Early Childhood Special Education (EI/ECSE); and
- Moving the Beginning Teacher and Administrator Mentorship program from ODE to the Educator Advancement Council to administer.

SB 285 (Charter 175)

Effective January 1, 2024

Finance; Operations

Creates new provisions and amends ORS 286A.801 and 326.125.

The Oregon School Capital Improvement Matching Program (OSCIM) is in its eighth year and has proven an important and effective tool in improving school facilities across Oregon.

Senate Bill 285 increases funding amounts and makes several other important changes to the program. Specifically, it updates the funding amounts allowed under the program that were set in statute in 2015 and modernizes other provisions of the law. This is needed for two key reasons: i) the cost of construction and building materials has increased significantly since 2015 and the current amounts do not have the same purchasing power as they once did; and ii) ODE has more sophisticated tools to help determine which school districts should be given priority for these funds so that dollars can be better targeted to those with the greatest need.

The bill includes the following changes to the program:

Current Law	Senate Bill 285
OSCIM Grant Amounts Minimum: Up to \$4 million Maximum: \$8 million	OSCIM Grant Amounts Minimum: Up to \$6 million Maximum: \$12 million
Grant Breakdown Priority List - 60% of funds First In Time - 40% of funds	Grant Breakdown Priority List - 66% First In Time - 34%
Funding Formula 3 factors currently required by statute	Funding Formula May use the 3 factors currently in statute and other factors adopted by ODE rule
Technical Assistance Grants Capped at between \$20,000 and \$25,000	Technical Assistance Grants All increased to \$40,000
OSCIM Grant and TAP Grant Increases Allowed? No - amounts are set in statute and static	OSCIM Grant and TAP Grant Increases Allowed? Yes - ODE will be able to increase amounts on a biennial basis based on the Consumer Price Index (CPI)
TAP Grants/Tech. Assistance for ESDs? Not Allowed	TAP Grants/Tech. Assistance for ESDs? Allows ESDs to access TAP grants and technical assistance from Office of School Facilities

Please note that all changes to grant amounts and calculations will begin with elections on or after January 1, 2024.

SB 418 (Chapter 142)

Effective June 1, 2023

Personnel*Creates new provisions and amends ORS 656.210.*

Senate Bill 418 allows injured workers with an accepted disabling compensable injury to receive temporary disability benefits when the injured worker is required to leave work for specified reasons and permits an insurer to require the worker to confirm the period that the worker is absent from work.

The bill becomes operative January 1, 2024.

SB 427 (Chapter 26)

Effective July 1, 2023

Programs*Creates new provisions and amends ORS 279A.050, 326.432, 327.269, and 327.274.*

Senate Bill 427 clarifies the Department of Early Learning and Care's (DELIC) ability to access funding from the Student Success Act's Early Learning Account, including access to provide funding for early learning programs in a manner that is consistent with a statewide early learning system. Programs under their purview include relief nurseries, Early Childhood Equity Fund, Oregon Prekindergarten Program and other public preschool programs, professional development for early childhood educators, and Early Head Start programs. DELIC may also use funding from the Early Learning Account for administrative, operational, or program needs, including staffing.

Early Intervention and Early Childhood Special Education Programs (EI/ECSE) will continue to be administered by the Oregon Department of Education and ODE shall access funding from the Early Learning Account to provide funding for EI/ECSE.

The Early Learning System Director and the Director of Human Services will enter into an interagency agreement to delegate and outline specific duties, functions, or powers that might be necessary for operations.

SB 489 (Chapter 180)

Effective January 1, 2024

Personnel*Creates new provisions; amends ORS 657.221; and repeals section 5, chapter 407, Oregon Laws 2019.*

The unemployment insurance (UI) program has special provisions that apply to people who work for educational institutions, generally restricting employees from receiving UI benefits during school breaks, including summer break. House Bill 2660 (2019) allowed janitorial and maintenance employees of public and nonprofit educational institutions to receive unemployment insurance, if standard eligibility requirements are met, during school breaks, vacations, and holidays in situations where the employee has a reasonable assurance of returning to work after the break. Senate Bill 489 extends those benefits to all educational workers who are not performing instructional, research, or principal administrative work.

SB 569 (Chapter 144)

Effective September 24, 2023

Operations*Creates new provisions in ORS 659A.*

The federal Americans with Disabilities Act of 1990 (ADA) governs how public and private entities that are open to the public must provide reasonable accommodations for people with disabilities. Senate Bill 569 requires every place of public accommodation with a television in a public area to activate closed captioning

on the television and creates enforcement procedures for violations through the Bureau of Labor and Industries.

SB 577 (Chapter 27)

Effective April 26, 2023

Personnel

Creates new provisions and amends ORS 161.205 and 339.250.

Under the existing ORS 161.205 prohibits the use of physical force upon incompetent persons and students with only two limited exceptions. Those exceptions involve use of force against a minor or incompetent person by the person's parent, guardian, or other person entrusted with their care and supervision; and use of force by personnel of a public education program against a student. The language of ORS 161.205 was inconsistent with other state and federal laws. Senate Bill 577 modifies ORS 161.205 to align with current law.

SB 583 (Chapter 19)

Effective September 24, 2023

Operations

Creates new provisions.

The term Holodomor (in Ukrainian, "death by hunger") refers to the starvation of millions of Ukrainians in 1932–33 as a result of Soviet policies and the resulting man-made famine. Prior to World War I, parts of current-day Ukraine had been part of the Austrian and Russian empires. Following the end of World War I and the fall of the Russian tsarist monarchy, Ukraine fought and lost a war for independence. It was incorporated into the Soviet Union in 1922. In 1932, Soviet policy set high quotas for the amount of grain Ukrainians were required to contribute to the Soviet state. When Ukrainians were not able to meet the quotas, Soviet authorities undertook intense requisition campaigns and punitive actions. The resulting famine likely led to the deaths of millions of Ukrainians, most by starvation but some also by state execution. Senate Bill 583 designates the fourth Saturday in November of each year as Holodomor Remembrance Day.

SB 586 (Chapter 95)

Effective May 16, 2023

Operations

Creates new provisions.

The bill is tangentially related to K-12 education, but educators and staff should be aware of the changes made as they will impact juveniles in the justice system. As of May 16, 2023, restorative justice communications made in community-based programs are confidential, exempt from public disclosure, and inadmissible as evidence in any administrative or judicial proceeding except in the following situations:

- If the communication causes a program staff member to believe that disclosing the communication is necessary to prevent the commission of a crime likely to result in death or substantial bodily injury to a specific person;
- If all parties provide written consent that all or part of a communication may be disclosed; or
- If the communication relates to child or elder abuse and is made to a mandatory reporter.

SB 592 (Chapter 126)

Effective May 24, 2023

Operations

Creates new provisions and amends ORS 654.067 and 654.086.

Senate Bill 592 requires the director of Consumer and Business Services to conduct a comprehensive workplace inspection when an accident investigation reveals a violation caused or contributed to a work-related fatality or when three or more willful or repeated violations occur within a one-year period at a place of employment. The bill establishes minimum and maximum civil penalties for specified violations of state occupational safety or health requirements and requires the director to annually adjust civil penalties.

SB 594 (Chapter 137)

Effective September 24, 2023

Operations

Creates new provisions and amends ORS 279C.800.

Senate Bill 594 expands the definition of public works for purposes of the prevailing wage rate to include demolition or removal of hazardous waste related to road, highway, building, structure, or improvement of any type that:

- A public agency contracts or carries to serve the public interest;
- Uses \$750,000 or more in public funds of a public agency;
- Occurs with or without public agency funds on property owned by a public university; or
- That uses more than \$750,000 in public agency funds or occurs on real property owned by a state agency, but does not involve constructing, reconstructing, renovating, or painting a road, highway, building, structure, or improvement.

SB 736 (Chapter 186)

Effective January 1, 2024

Operations

Creates new provisions.

Senate Bill 736 directs the Oregon Department of Education to conduct “a study to identify how to increase access to advanced instruction in the public schools of this state for the purpose of preparing students for college and career.” The report from is due to the Legislature by September 15, 2024.

SB 756 (Chapter 161)

Effective September 24, 2023

Personnel; Programs

Creates new provisions in ORS 343.

Senate Bill 756 creates new requirements for school districts related to staff who work with students who have disabilities or other “specialized needs,” including students with IEP’s or 504 plans.

- Access to student education records (i.e., IEP, 504 plan, behavior intervention plan, etc.)
- Consultation with staff when the education plan for the student is being developed, reviewed or revised, including being invited to, and compensated for attending, meetings regarding the student’s individualized education program, 504 Plan, or behavior intervention plan, or plan for the student;
- Requiring districts to include specified staff in meetings and compensate them for attending; and
- Requiring school districts to provide adequate training for employees to safely carry out specialized duties.

SB 758 (Chapter 189)

Effective September 24, 2023

Programs*Creates new provisions and amends ORS 343.041, 343.165, 343.167, 343.173, and 343.175.*

Federal law and state law guarantee the educational rights of students with disabilities. Schools are required to provide students with disabilities with a free appropriate public education (FAPE) and are prohibited from discriminating against those students. Senate Bill 758 modifies various statutes relating to the records of identification, evaluation, educational placement, and provision of FAPE to students with disabilities, as well as statutes relating to cases when those identifications, evaluations, and placements are disputed.

SB 767 (Chapter 163)

Effective June 6, 2023

Operations*Creates new provisions and amends ORS 332.158.*

Oregon law allows for the creation and operation of public charter schools. These schools receive public funding, and students enrolled in the public charter school are considered residents of the school district in which the public charter school is located. The law also establishes a process for those wishing to open a public charter school, including the requirement to apply for sponsorship from a local school district and for local school boards to evaluate and approve applications. Generally, these schools operate within the geographical boundaries of the sponsoring school district; however, some charter schools operate in districts other than the sponsor district.

Senate Bill 767 requires charter schools, prior to opening a school outside of their sponsoring district, to gain permission from the school district board in which the school would operate. The bill also maintains and modifies existing abilities of both virtual and nonvirtual charter schools to operate certain facilities outside their sponsoring district by providing written notification, depending on specific circumstances.

SB 790 (Chapter TBD)

Effective July 31, 2023

Operations; PACE*Creates new provisions and amends ORS 419B.005 and 419B.019.*

Senate Bill 790 modified the criteria by which the Department of Human Services may determine responsibility of a public education program in a case of substantiated child abuse. The definition of “abuse” is modified to include the restraint, seclusion, and/or infliction of corporal punishment of a child in violation of existing public education restraint, seclusion, and student conduct statutes. The bill also allows the department to make the determination that the public education program, rather than any particular individual, is responsible for the abuse in certain circumstances.

The bill also requires the department to deliver a quarterly report to the legislature.

Information provided in reports, for each instance of substantiated abuse, must include:

- The name of the education provider where the department conducted the investigation;
- The approximate date that the abuse occurred;
- The nature of the abuse and a brief narrative description of the abuse that occurred; and
- Whether a reportable injury, sexual abuse, or death resulted from the abuse.

Creates new provisions and repeals ORS 343.161.

Senate Bill 819 creates new definitions of and requirements for placing students on an abbreviated school day program.

- **Meaningful Access** - The law now emphasizes the right of students with disabilities to have meaningful access to the same number of instructional hours or educational services as the majority of students in the same grade in the student's resident school district. This is reflected in the definition of an "abbreviated school day" and "abbreviated school day program".
- **Updated Definitions** - The bill clarifies some existing definitions and provides definitions for new terms that impact abbreviated school day program placements. For instance, SB 819, changed the reference from "same school" to "resident school district," broadening the scope of comparison for instructional hours or educational services. It also updated the definition of "student with a disability" to include students eligible under Section 504 of the Rehabilitation Act and those currently being evaluated for eligibility for special education or a 504 Plan.
- **Informed and Written Parent Consent** - Before placing a student on an abbreviated school day program, schools must now obtain informed and written consent from parents or foster parents. If a parent or foster parent does not revoke consent or make a written objection to an abbreviated school day program placement that occurred before the effective date of this Act, the school district is not required to retroactively obtain informed and written consent from the parent or foster parent.
- **Regular IEP/504 Meetings** - The Act mandates that the student's individualized education program team or 504 team shall meet within 30 school days after the first day of the student's placement in an abbreviated school day program.
- **Increased Accountability and Enforcement** - the Oregon Department of Education (ODE) is given the authority to investigate complaints and withhold funding from noncompliant districts. If the school district fails to comply with the order described within five school days, the school district may be found nonstandard under ORS. Complaints may be filed with the Teacher Standards and Practices Commission against school district superintendents when students are not returned to full day programs within prescribed timelines and violations could result in sanctions on their administrative license.

The legislation is a significant change to the existing requirements, structures, definitions, eligibilities, and penalties for schools and programs that are providing abbreviated days to students. The law went into effect July 13 and will be in force on the first day of the 2023-24 school year.

ODE has created a webpage with guidance, Q and A's, a sample letter and documents, and other information about the bill. We highly recommend that superintendents, special education directors, and other key staff with special education responsibilities familiarize themselves with this information as soon as possible. The ODE information page can be found here: [ODE SB 819 Info Page](#).

SB 907 (Chapter 196)

Effective January 1, 2024

PACE; Personnel

Amends ORS 654.062.

Senate Bill 907 makes it an unlawful practice to bar or discharge from employment or discriminate against employees or prospective employees because they refused to expose themselves to serious injury or death from a hazardous condition at the place of employment when there are no reasonable alternatives and the person is acting in good faith.

SB 912 (Chapter 120)

Effective September 24, 2023

Finance; Personnel

Creates new provisions and amends ORS 657B.120, 657B.280, 657B.320, and 657B.410.

The family and medical leave insurance program, known as Paid Leave Oregon, is contained in ORS chapter 657B and was enacted by the Legislature in 2019. Paid Leave Oregon allows Oregon employees to take paid time off for specified family, medical, or safety-related leave, such as family leave to care for a family member with a serious illness or family leave to care for a child following birth. Senate Bill 912 creates requirements relating to overpayment of Paid Leave Oregon benefits, collection of overpaid benefits, and penalties for employers who offer but fail to meet requirements for employer equivalent benefit plans.

SB 913 (Chapter 292)

Effective September 24, 2023

Finance; Personnel

Creates new provisions and amends ORS 183.471, 305.410, 657B.010, 657B.015, 657B.030, 657B.090, 657B.150, 657B.175, 657B.210, 657B.400, 657B.410, 657B.420, and section 13, chapter 120, Oregon Laws 2023 (Enrolled Senate Bill 912).

Senate Bill 913 makes several technical changes to Paid Leave Oregon and modifications to procedures, including modifying procedures for requesting a hearing, determining when benefits are available to certain persons, and disclosing of confidential information. The bill also changes the fixed maximum wage subject to Paid Leave Oregon contributions to match the U.S. Social Security contribution and benefit base limit.

SB 923 (Chapter 197)

Effective July 1, 2023

Programs

Creates new provisions and amends ORS 327.061.

Beginning with the 2023-24 school year, students may only be included in the average daily membership count of a school district if the student is reported with a school identification number issued in accordance with rules adopted by the State Board of Education. Students with only a program identification number will not be allowed to be included in counts.

SB 940 (Chapter 168)

Effective January 1, 2024

Programs*Creates new provisions.*

Currently, each school district maintains a system for recording students course completion data. In some circumstances, when students move from one school or district to another, credit transfer is problematic. This process is often more challenging for students who arrive in Oregon from other countries. Senate Bill 940 requires the Oregon Department of Education to study the issue of foreign school records and issue a report.

SB 992 (Chapter 202)

Effective January 1, 2024

Programs*Creates new provisions and amends ORS 329.451, 336.590, 338.115, 339.115, 339.505, 339.520, and 343.161.*

State law establishes three types of diplomas: a regular high school diploma, a modified diploma, and an extended diploma. Additionally, current law allows students who meet specific requirements to earn an alternative certificate instead of a diploma. Senate Bill 992 changes the alternative certificate to a certificate of attendance.

SB 999 (Chapter 203)

Effective June 7, 2023

Personnel*Creates new provisions and amends ORS 657B.060, 657B.070, 659A.150, 659A.171, and 659A.186.*

The family and medical leave insurance program, known as Paid Leave Oregon, is contained in ORS chapter 657B and was enacted by the Legislative Assembly in 2019. Several issues have arisen as the Paid Leave Oregon is implemented, which have been brought back to the legislature for clarification. Senate Bill 999 makes several modifications to Paid Leave Oregon and the Oregon Family Leave Act (OFLA), including: i) requiring employers to offer an employee who returns from leave and whose employment no longer exists an equivalent position at a job site located within 50 miles of the original job site; and ii) requiring consideration of whether there is a significant personal bond resembling a family relationship to determine whether a person qualifies as a family member by reason of affinity.

SB 1002 (Chapter TBD)

Effective July 31, 2023

Finance; Operations*Creates new provisions and amends ORS 326.545, 327.001, 327.008, 327.011, 327.013, 327.019, 327.336, and 329.488.*

Under current law, there is a \$3 million carve-out in the State School Fund (SSF) available for facilities grants. The program is outdated due to changes in allowances for local bond spending on furnishing facilities and oversubscribed significantly. It provides a small amount of additional funds to districts that have already passed bonds.

Senate Bill 1002 eliminates the facility grant carve-out and repurposes the \$3 million in a new carve-out that will be used by the Oregon Department of Education to provide assistance through the Office of School Facilities to school districts, education services districts, and charter schools in improving school safety,

emergency planning, and security or safety threats. These funds will replace an expiring federal grant that is currently paying for the program.

SB 1024 (Chapter 204)

Effective January 1, 2024

Programs

Creates new provisions and amends ORS 339.294, 418.240, and 418.526.

Existing Oregon law, including but not limited to ORS 339 and ORS 418, places strict requirements on the use of restraint on children in the care of public education providers, child-caring agencies, proctor foster homes, and developmental disabilities residential facilities. This includes a notice requirement following an incident involving the use of restraint or seclusion in a school to the student's parent or guardian within 24 hours. Senate Bill 1024 prohibits children's congregate care providers and public education programs from modifying or destroying recorded evidence of incidents involving restraint or involuntary seclusion of a child. It also requires these programs to make these records available upon request to parents or guardians and the Department of Human Services.

SB 1034 (Chapter TBD)

Effective July 31, 2023

Finance

Creates new provisions and amends ORS 327.008.

The Oregon Youth Challenge Program (OYCP) is an alternative high school program located in the Bend-La Pine School District. It was established by the Oregon National Guard in 1999 as a program for at-risk youth. It serves high school students from across Oregon and has a two-phase structure. The first phase is a 22-week residential phase during which "cadets" live on site. The second phase is a 12-month, post-residential phase during which cadets return to their home communities. The program is one of more than 40 programs in 28 states, Puerto Rico, and the District of Columbia. Approximately 75% of the program funding comes from federal sources; Oregon delivers the remaining 25% of funding necessary for continued program operation.

Currently, State School Fund dollars for students in the program are "passed through" the Bend-LaPine School District. Recently, the federal government notified Oregon that the way it has calculated enrollment, using a weighted Average Daily Membership (ADMw), is insufficient. Going forward, a specific allocation would be required for the program to continue to be eligible for federal funding.

Senate Bill 1034 creates a State School Fund carve-out to directly transfer the dollars to OYCP. The net effect is expected to be neutral on overall SSF funding.

SB 1040 (Chapter 374)

Effective July 18, 2023

Programs

Creates new provisions.

Senate Bill 1040 directs the Department of Early Learning and Care (DELIC) to establish and administer a pilot program for child care micro centers. "Micro centers" are defined as a childcare program located inside a residential or nonresidential facility, which serves 3 to 30 children on a regular basis for more than four hours a day. The pilot is intended to inform the development of a sustainable model for micro centers to provide affordable, high-quality, early learning opportunities to

communities in Oregon. DELC shall select three childcare facilities to participate in the pilot (one on the Oregon coast, one in Eastern Oregon, and one from the Willamette Valley). The bill also requires DELC to prepare a report to a committee, or an interim committee, of the Legislative Assembly related to early learning and care no later than September 15, 2025. The pilot sunsets January 2, 2026.

SB 1047 (Chapter 127) Effective September 24, 2023 **Finance; Operations**

Creates new provisions and amends ORS 279B.065, 279B.070, and 279C.335.

Senate Bill 1047 raises the contract price threshold under which contracting agencies may apply certain solicitation and procurement methods for public contracts and requires the Department of Administrative Services to promote a policy of diversity, equity, and inclusion in public contracting. The measure increases small procurement dollar threshold from \$10,000 to \$25,000 and intermediate procurement dollar threshold from \$150,000 to \$250,000, resulting in more contracts being small and intermediate procurements, which are simpler and faster for firms to navigate.

SB 1049 (Chapter TBD) Effective August 4, 2023 **Finance**

Creates new provisions and amends ORS 92.365, 92.415, 100.670, 240.185, 305.231, 316.502, 327.269, 327.274, 336.221, 350.175, 438.130, 448.410, 448.450, 453.408, 453.894, 459.236, 459.305, 465.386, 476.055, 480.127, 480.130, 673.685, 675.115, 675.571, 675.785, 676.625, 677.265, 678.410, 679.120, 679.615, 680.075, 685.100, 686.255, 686.600, 692.160, 701.238, 731.804, 776.355, 776.800, and sections 22a and 23, chapter 10, Oregon Laws 2020 (second special session), section 20, chapter 592, Oregon Laws 2021, and sections 3 and 4, chapter ____, Oregon Laws 2023 (Enrolled House Bill 3396); repealing sections 3, 11, 12 and 13, chapter 4, Oregon Laws 2013, and sections 57 and 61, chapter 10, Oregon Laws 2020 (second special session).

Senate Bill 1049 is the Joint Committee on Ways and Means program change bill. Similar measures become law each legislative session. The measure is not an appropriation bill, but rather is necessary to implement and support the 2023-25 budgets adopted by the Legislature. Relevant to education, the measure increases the existing reimbursement rate for student vision screening from \$3.20 to \$4.00.

SB 1050 (Chapter TBD) Effective July 31, 2023 **Programs**

Creates new provisions and amends section 5, chapter 202, Oregon Laws 2019, and sections 5 and 7, chapter 253, Oregon Laws 2019.

Senate Bill 1050 revises the implementation timeline of the academic content standards for Holocaust and genocide studies with the implementation date of academic content standards for ethnic studies moved from school year 2025-26 to 2026-27. School districts may offer instruction in the new standards prior to the implementation timeline as long as the instruction is aligned with the social studies standards. The bill also requires the Oregon Department of Education to provide professional development in supporting school districts in offering instruction in Holocaust, genocide, and ethnic studies that is aligned with the standards. The State Board of Education shall adopt rules that establish the standards and any other criteria for professional development.

Creates new provisions; amends section 423, chapter 110, Oregon Laws 2022; and repeals section 3, chapter ____, Oregon Laws 2023 (Enrolled Senate Bill 104), and sections 7, 8 and 10, chapter ____, Oregon Laws 2023 (Enrolled House Bill 3396).

Senate bill 5506 appropriates state funds to a wide variety of programs and state agencies. It is the omnibus budget reconciliation bill that is passed at the end of each legislative session to help balance the budget and make any changes to reflect updated budget or economic realities. It is also referred to as the “Christmas Tree” bill, as it often includes funding for budget requests that are specific to a project in a legislative district. Funds for the Emergency Board are also included in the appropriation.

Major education related appropriations or adjustments include:

- \$8.9 million special purpose appropriation to the Oregon Department of Education for providing stipends to licensed educators and classified school employees working in special education during the 2024-25 school year (details TBD);
- \$1.5 million to the Gresham-Barlow School District for a School Based Health Center;
- An additional \$7.3 million allocation to the PERS Employer Incentive Fund (EIF), for a total of \$28.5 million;
- \$50 million in net lottery revenue proceeds expenditure limitation to the Oregon Business Development Department for the Child Care Infrastructure Fund established in House Bill 3005;
- \$100 million of expenditure limitation to the Oregon Business Development Department for seismic rehabilitation grants, corresponding to bond authorization in House Bill 5005;
- \$1.7 million to the Imagination Library of Oregon;
- \$14.7 million to the High School Graduation and College and Career Readiness Fund, to bring the 2023-25 total to \$325 million;
- \$5 million in Other Funds expenditure limitation for the African American/Black Student Success Plan from the Statewide Education Initiatives Account of the Fund for Student Success;
- \$2.25 million in state and federal funds limitation to the Oregon Department of Education to establish eight permanent positions to support school districts working with migrant students and English Language Learners;
- \$100 million expenditure limitation for bond proceeds to the Oregon School Capital Improvement Matching Program, corresponding to bond authorization in House Bill 5005;
- \$15 million in lottery bond proceeds authorized in House bill 5030 to expand internet connectivity are deposited into the Connecting Oregon School Fund (COSF);
- \$42.4 million increase in General Funds and a \$42.4 million decrease in Lottery Funds for the State School Fund (SSF) – this is a fund shift and maintains the total SSF at \$10.2 billion;

- \$2 million in General Funds to the East Multnomah Outreach, Prevention, and Intervention program operated by the City of Gresham; and
- \$146.3 million increase in Other Funds expenditure limitation for the Student Investment Account to bring the total to \$1.087 billion for the 2023-25 biennium.

SB 5537 (Chapter 484)

Effective July 27, 2023

Finance

Creates new provisions.

Senate Bill 5537 outlines the Teacher Standards and Practices Commission (TSPC) budget for the biennium. The main source of revenue for TSPC is licensing fees, with state General Fund dollars making up the remainder. Licensing revenues for TSPC can fluctuate for a number of reasons, including the demand for classroom teachers, administrators, or other licensed school personnel, the number of out-of-state applications, and the number of Oregon educator preparation program. During the 2021-23 biennium, for example, TSPC experienced an increase in emergency licensure and emergency licensure fees, but those revenue increases are expected to be temporary, as licensees either do not reapply for the yearly licensure or apply for a longer-term license. In the 2023-25 biennium, General Fund dollars are primarily in support of the Educator Data System.

\$1.6 billion from the General Fund and \$14.7 million from Other Funds expenditure limitation covers 29 positions (27.50 FTE). The budget also includes \$982,000 General Fund, \$366,000 Other Funds expenditure limitation, and 2 positions to replace the agency's educator licensing system, which is intended to improve efficiency within the agency and improve the licensing process for educators.

SB 5543 (Chapter 22)

Effective April 6, 2023

Finance

Amends section 1, chapter 658, Oregon Laws 2021.

The bill makes modification to bond authorizations issued in the 2021-23 biennium to address changes in cost or scope of projects. There is one change relevant to K-12 education or community colleges. The bill changes the scope of three Oregon Department of Education - Oregon School for the Deaf projects financed with Article XI-Q bonds. Three separate projects are combined into one project for ADA restrooms, a replacement fire alarm system, and upgraded windows. Funding amounts are not changed.