

2024
OSBA/COSA

Legislative Report

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This OSBA/COSA Legislative Report describes the bills enacted during the 2024 regular session of the 82nd Oregon Legislative Assembly that affect Oregon students, educators, and public schools. It was prepared jointly by the Oregon School Boards Association (OSBA) and the Coalition of Oregon School Administrators (COSA), whose continuing collaboration ensures that the interests of students, 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 Efren Zamudio from OSBA.

We 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 Salem team to represent the interests of Oregon public school students. Our special thanks go to those of you who contacted your lawmakers. This direct outreach kept the pressure on at the Capitol and made success possible for our students and schools on several important priorities, including legislation to invest in summer school programs and Early Intervention/Early Childhood Special Education programs.

Much work in service to our students and schools lies ahead, and we will continue to collaborate to ensure student success, equitable education outcomes, and stable, adequate, and equitable funding across Oregon schools.

We look forward to a successful session in 2025.

Sincerely,

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2024 LEGISLATIVE SESSION

After the acrimonious end to the 2023 Legislative Session, which included the longest walkout in legislative history from Senate Republicans, many Oregonians may have had justifiably low expectations for a productive and bipartisan “short” legislative session in 2024. But after a briskly paced and strongly bipartisan 31-day session, Oregon lawmakers delivered on significant policy and funding packages that address many of the state’s biggest challenges.

Governor Kotek’s top legislative priority of addressing affordable housing and homelessness was passed with bipartisan support and included \$376 million in new funding. Similarly, legislation to change Ballot Measure 110 by recriminalizing hard drugs, increase funding to address the addiction and fentanyl crisis, and, for the first time, limits on political contributions to PACs, sailed to passage with significant bipartisan majorities.

Together, OSBA and COSA collaborated on key budget and policy priorities to boost funding for summer learning and secure stopgap funding for Early Intervention/Early Childhood Special Education (EI/ECSE), while focusing on bills that made key technical fixes to existing laws and programs that support our collective goal of creating a K-12 school system that more equitably meets the needs of all students. In the 2024 Session, we helped secure:

- \$30 million for summer learning (House Bill 4082);
- \$22 million for EI/ECSE funding (Senate Bill 5701);
- \$2 million for a statewide Immigrant and Refugee Student Success Plan (Senate Bill 1532); and
- Changes and clarifications to the abbreviated school day legislation (SB 819 - 2023) through Senate Bill 1558 that will allow more high school students the opportunity to opt in to an abbreviated day schedule or access an asynchronous course (Senate Bill 1558).

Additionally, there were multiple policy improvements included as part of the Senate Education Omnibus Bill (Senate Bill 1552). Our key priorities in the Senate Education Omnibus Bill included:

- Creation of the first Oregon Youth Advisory Group to lift up student voices, particularly youth from historically unrepresented communities, and give them an avenue to engage in state level policy development and implementation conversations;
- Establishment of the Juvenile Justice Education Fund to help ensure adequate funding is available to support students in the Youth Corrections Education Program (YCEP) or the Juvenile Detention Education Program (JDEP) programs;
- Technical fixes to allow school districts to have Naloxone available in every school, rather than mandating it in every school;

- Improvements to the definition of “classified employee” as it relates to “just cause” by removing management and administrative employees who do not belong to a collective bargaining unit from the definition; and
- Fixing unintentional legislative changes to the substitute teacher pay statute by clarifying that substitute teachers will be paid for a half day of work if they work a half day or less and paid for a full day of work if they work more than a half day.

Whenever you try to squeeze significant budget requests or policy changes into a month-long session, there are bound to be a few good ideas that don’t make it to the finish line. Legislation to fully pay for the special education services needed to support our students with disabilities by removing the 11 percent cap and fully funding the High-Cost Disability Grant sparked lots of important discussion and had broad support. Ultimately, the significant price tag proved too large a barrier to overcome in such a compressed time frame. Similarly, legislation that was intended to prevent so-called “book bans” in school libraries and discrimination in K-12 curriculum adoption passed the Senate but time ran out in the House for full consideration.

Years ago, you could count on a true “interim” period when it could be weeks or even months between legislative meetings or hearings. Today, the 10 months between the publication of this report and the start of the 2025 Session are packed with regular legislative meetings during quarterly legislative days; task forces; and work groups on topics as varied as statewide salary structures for K-12 staff, accountability and transparency, substitute teachers, updating the Quality Education Model, and fixing our broken Current Service Level process; and less formal meetings of our respective memberships to discuss our 2025 legislative priorities. Throw in the May primary and November general elections, and the ensuing legislative turnover, and there truly is no longer any “off season” for our policy and advocacy work.

At a time when the focus on our K-12 system is often negative or the target of our political culture wars, it is more critical than ever for our members and public education supporters to center the academic, social, emotional, and mental health needs of our students in our collective efforts to support every student equitably.

But before we turn to preparations for the 2025 Session, we encourage you to take a brief moment to celebrate our collective successes in 2024. Please feel free to reach out to any of us if you have questions or would like to discuss any of the information in this report.

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Bill summaries have been reported in numerical sequence. For your convenience, the following bill index has been organized by category. Individual bill summaries have been hyperlinked to the corresponding Oregon Legislative Information System overview.

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BILL SUMMARIES

HB 4006 (Chapter 2)

Effective March 7, 2024

Finance

Creates new provisions and amends ORS 279C.560, 279C.570, 701.420 and 701.435.

House Bill 4006 permits the use of surety bonds from a contractor in lieu of retainage for large commercial projects or public improvement contracts, like school facilities. Requires contracting agencies to accept surety bonds in lieu of retainage and specifies the requirement for submitting surety bonds, with some exceptions. Repeals the requirement that a public or private contracting party is required to place retainage in an interest-bearing escrow account when the contract price exceeds \$500,000.

HB 4045 (Chapter 101)

Effective January 1, 2025

Personnel

Creates new provisions and amends ORS 238.005, 238A.005, 238A.125, 238A.134, 238A.160, 238A.220, 238A.240, 338.135, 352.138 and 353.100

House Bill 4045, does several things to the Public Employees Pension System (PERS):

- Prospectively lowers the normal retirement age for police officers and firefighters under the Oregon Public Service Retirement Plan (OPSRP).
- Prospectively recategorizes elected district attorneys from General Service to Police & Fire members in Tier One, Tier Two, and OPSRP pension plans, which would provide higher benefit multipliers and a lower normal retirement age.
- Prospectively recategorizes Oregon State Police (OSP) forensic scientists and evidence technicians, at the discretion of the Oregon State Police Superintendent, in Tier One, Tier Two, and OPSRP pension plans from General Service to Police & Fire members, which would provide higher benefit multipliers and a lower normal retirement age.
- Establishes a new hazardous position classification within the OPSRP pension plan with higher benefit multipliers and earlier normal retirement eligibility than OPSRP General Service. PERS will study the likely liability of this new hazardous position category and report back to the legislature as this portion of the bill is implemented January 1, 2030.

The impact to PERS rates will be unchanged for 2023-2025; however, these new changes will impact 2025-2027 rates. The bill has various operative dates related to the other changes.

Creates new provisions.

House Bill 4082 invests \$30 million in K-12 summer learning grants for the summer of 2024 through a new sub-account in the Statewide Education Initiatives Account.

Eligible applicants include any school district, education service district, public charter school, or any combination thereof. The State Board shall adopt rules around a funding formula for eligible applicants based on a prioritized list.

When awarding grants, the Oregon Department of Education shall:

- Prioritize funding for summer learning programs that serve student groups that have historically experienced academic disparities, as described in ORS 327.180 (2)(b); and
- Encourage and support partnerships to provide expanded learning opportunities.

To be able to apply for a grant, eligible applicants:

- Must already have a plan for summer programming;
- Must be able to provide a minimum of 80 hours of programming;
- Ensure that the 80 hours of programming meet these goals on their own or through partnership:
 - Academic enrichment (based on state standards);
 - Youth development (including hands-on and social emotional learning); and
 - Equitable access and family partnership (culturally and linguistically responsive).
- Must encourage and support partnerships and include a written letter of support from the partner entity with a description of services to be provided.

In terms of partnerships, entities with which an applicant may enter into a partnership include a school district, an education service district, a federally recognized Indian tribe in this state, a community-based organization, a unit of local government as defined in ORS 190.003, or a local service district as defined in ORS 174.116.

Grantees may use HB 4082 grant dollars for:

- Personnel and staffing for a summer learning program, including professional development;
- Summer learning, including curriculum, technology, and other supplies;
- Third-party contracts to provide a summer learning program;
- Incentives and removing barriers to student participation in a summer learning program;

- Facilities that will support and accommodate a summer learning program;
- Student transportation for a summer learning program;
- Nutritious snacks and meals to participants of a summer learning program;
- Family engagement in summer learning program activities.

Grantees must report on the following elements regarding their program, students served, and staffing (all four elements required):

- The number and demographics of students served by the summer learning program;
- Activities of the summer learning program;
- Information regarding staffing levels of the summer learning program and training provided to staff of the summer learning program; and
- A description of how activities of the summer learning program supported the HB 4082 requirements.

In addition, grantees must choose three or more of the following progress and outcome areas to report on:

- Perception surveys of the summer learning program, as provided by students, staff, and families;
- Qualitative data and stories of impact for the summer learning program;
- Credits earned by participants of the summer learning program, if applicable;
- Participation of the summer learning program provider in site visits, interviews, or focus groups; or
- Summer learning program evaluations by a third party.

HB 4082 also establishes a workgroup to study and propose recommendations to develop an Oregon 21st Century Community Learning Center Initiative. The initiative shall address education disparities through increased summer and after-school learning opportunities. In addition, the HB 4082 workgroup shall also provide recommendations on improving equitable access, identifying a funding mechanism, improving program quality and oversight standards, expanding partnerships, and supporting the implementation of best practices.

HB 4082 workgroup shall complete their report and submit it to the legislative education committees no later than September 15, 2024.

In addition to \$30 million for the HB 4082 Summer Learning Grants, the Legislature allocated \$141,767 (from the Statewide Education Initiatives Account) to the Oregon Department of Education to administer the HB 4082 Summer Learning Grants; and \$417,039 (from the General Fund) to implement the workgroup and other provisions of HB 4082.

HB 4084 (Chapter 33)

Effective March 27, 2024

Programs*Creates new provisions.*

House Bill 4084 directs the Oregon Department of Education to establish and administer a \$450,000 pilot program to provide three public middle or high schools with grant funds from the Statewide Education Initiatives Account to address academic disparities experienced by foster child students. Requires the Oregon Department of Education to compile two reports on the pilot program to be submitted to the legislature by September 15, 2025, and September 15, 2027.

HB 4086 (Chapter 34)

Effective March 27, 2024

Personnel*Creates new provisions.*

House Bill 4086 requires the Department of Human Services (DHS) to commission two separate studies related to child abuse and responding to children exhibiting problematic sexual behavior. The first study is to review the scope of child abuse investigations in Oregon. This includes the current scope of mandatory child abuse investigations conducted by DHS (e.g., Offender Tracking Information System (OTIS) investigations), gaps or duplications in the state's response to concerns of child abuse, and identification of national best practices on, among several items, child abuse definitions. The second study focuses on Oregon's response to children who exhibit problematic sexual behavior. It must identify the current state of services and resources available to families and caregivers and identify gaps in the response to children exhibiting the problematic behaviors, among other requirements.

Each study requires DHS to contract with a facilitator specializing in the relevant study topic, appoint an advisory committee (that includes representation from school administrators), provide interim reports by September 30, 2024, and final findings and recommendations by September 15, 2025.

HB 4117 (Chapter 14)

Effective March 20, 2024

Operations*Creates new provisions and amends ORS 192.660, 244.280, 244.282 and 244.284.*

House Bill 4117 allows the Oregon Government Ethics Commission (OGEC) and its staff to give advice on the application of public meetings law, expanding from just advice on executive session provisions.

HB 4137 (Chapter 4)

Effective January 1, 2025

Programs*Creates new provisions and amends ORS 329.451.*

As directed by the State Board of Education, House Bill 4137 allows students who have successfully completed an International Baccalaureate (IB) program to also satisfy all the requirements for an Oregon diploma. Essentially, it exempts IB program graduates from some Oregon diploma requirements if they successfully completed an IB program.

Creates new provisions and amends ORS 468A.796 and 820.100.

House Bill 4147 authorizes school districts and local law enforcement agencies to install cameras on the stop arm of a school bus; forbids stop-arm cameras from photographing school bus drivers or students while the driver or students are on the school bus; directs education providers to inform maintenance workers about the stop arm cameras, as well as drivers and others who interact with the school bus; prohibits education providers from requiring or expecting employees to perform job duties relating to stop arm cameras, except as provided by agreement; prohibits education providers from requiring, as a condition of employment, that an employee participate in issuing citations to drivers, unless required by law enforcement or a court proceeding; increases the number of business days permitted between the time of the alleged violation and the time by which police may issue the citation from 6 to 10; and expands law enforcement use of stop arm camera video, allowing stop arm video in the investigation of a violation or a crime.

This bill also amends ORS 468A.796, giving school buses operated in Oregon until 2026, instead of until 2025, to meet new standards for diesel engine technology.

Creates new provisions.

House Bill 4151 requires the System of Care Advisory Council to convene a subcommittee on the youth behavioral health workforce. The subcommittee shall consist of members of the System of Care Advisory Council, or designees of members of the council, who:

- Are potential employers of graduates of youth-serving training programs for youth-serving behavioral health professions for which there is no state-issued professional authorization (e.g., employers in coordinated care organizations, substance use disorder treatment centers, behavioral health care organizations, community-based organizations, and schools);
- Represent training programs for youth-serving behavioral health professions (e.g., high school career and technical education programs, associate degree training programs, bachelor's degree training programs, and skills training programs); and
- Represent culturally specific organizations that serve underserved communities.

In addition, subcommittee shall include representatives of health professional regulatory agencies that regulate behavioral and mental health care professions (e.g., the Oregon Board of Licensed Professional Counselors and Therapists, the Oregon

Board of Psychology, and the State Board of Licensed Social Workers); and the Early Learning System Director, or designee of the director.

The subcommittee will develop recommendations around:

- Identifying state-issued professional authorization options for existing and emerging behavioral health professions, and the structures and supports needed to diversify and sustain the youth behavioral health workforce;
- Elevating behavioral health professions that have the potential to increase both equitable access to behavioral health supports and the diversity of the existing behavioral health workforce to be more reflective of the youth population of this state;
- Aligning the behavioral health professions described in HB 4151 with existing health professional regulatory agencies;
- Establishing state-issued professional authorizations to support expanding the behavioral health workforce that serves the youth population of this state;
- Creating pathways into the behavioral health professions that serve the youth population of this state for individuals who are underrepresented in the current behavioral health workforce.

The subcommittee shall submit an initial report, which may include recommendations for legislation, to the behavioral health committee no later than September 15, 2024; and a final report, which may include recommendations for legislation, to the Legislative Assembly no later than December 15, 2025.

The subcommittee sunsets on December 31, 2025. The Legislature allocated \$196,253 (from the General Fund) to the Oregon Health Authority for the System of Care Advisory Council subcommittee on the youth behavioral workforce, specifically for hiring a facilitator to help complete the report, reimbursement of eligible committee member costs, and interpretation and translation services.

[HB 4160 \(Chapter 45\)](#)

Effective July 1, 2024

[Operations](#)

Creates new provisions and amends ORS 339.370.

House Bill 4160 extends the time, from 90 days after graduation from high school or leaving school, to one year after graduation from high school or leaving school, in which a person is considered a “student” for laws requiring reporting, investigation, and disclosures about a school employee, contractor, agent, or volunteer engaging in sexual conduct with a student. Conduct subject to the changes in this law, moving to one year, are only applicable after the effective date of the bill. Essentially, this is not retroactive.

HB 5202 (Chapter 105)

Effective April 17, 2024

Finance

Amends section 1, chapter 662, Oregon Laws 2019, sections 1 and 2, chapter 659, Oregon Laws 2021, and sections 1, 2, 3 and 5, chapter 597, Oregon Laws 2023.

House Bill 5202 updates, adds to, and adjusts the expenditure limitation for capital construction projects funded by state bonding authority and federal funds. Several projects are K-12 adjacent as correctional education programs are often serving students in these facilities.

The Oregon Youth Authority received the following funding adjustments:

- \$3.5 million for improvements to living spaces at the Camp Riverbend Youth Transitional Facility;
- \$3.6 million to renovate dorms and living units at the Tillamook Youth Correctional Facility;
- \$800,000 to expand the medical and dental clinic at the Tillamook Youth Correctional Facility; and
- \$4 million to construct a vocational center and off-living unit school for female youth at the Oak Creek Youth Correctional Facility.

HB 5203 (Chapter 106)

Effective April 17, 2024

Finance

Amends sections 3, 4, 5, 6, 7, 9, 11, 14, 15, 21, 24, 27 and 28, chapter 598, Oregon Laws 2023.

House Bill 5203 adjusts revenue allocations for the 2023-25 biennium from multiple funding sources, including the Fund for Student Success, the Administrative Services Economic Development Fund (Lottery Funds), and the Oregon Marijuana Account. These adjustments reflect projected funds available as of the March 2024 state revenue forecast and reflect the changes to agency and program expenditure limitations that are included in the omnibus budget reconciliation bill for the 2024 Session (SB 5701 – the Christmas Tree bill) and other approved bills. Notably, total funds available for the Fund For Student Success were 1.3 percent higher than projected at the end of the 2023 Session.

Major changes include:

- \$34.6 million in lottery proceeds added to the State School Fund (general fund allocations were reduced in SB 5701 for a net of zero balance) and total lottery funds of \$638.7 million in the State School Fund allocation of \$10.2 billion;
- Total transfers from the Corporate Activity Tax (CAT) to the State School Fund Increased by \$81.3 million for a total of \$743.3 million (general fund allocations were reduced in SB 5701 for a net of zero balance);

- Total funds allocated and appropriated to the Statewide Education Initiatives Account for the 2023-25 biennium increased by \$34.9 million to \$630.8 million. This increase reflects legislative appropriations passed in 2024 led by \$30 million for summer learning in HB 4082.
- Total funds allocated and appropriated to the Early Learning Account for the 2023-25 biennium increased by \$25.7 million to \$568.3 million. This reflects legislative appropriations passed in 2024 led by \$22.1 million for EI/ECSE allocated in HB 5701.

HB 5204 (Chapter 71)

Effective April 1, 2024

Finance

Creates new provisions.

House Bill 5204 is an omnibus budget bill that includes appropriations to multiple agencies and programs related to the recriminalization of controlled substances in HB 4002 and primarily directed at supporting local governments and enhancing behavioral health programs.

Two appropriations were included for the Oregon Department of Education, including:

- \$2.5 million to expand the East Multnomah Outreach, Prevention, and Intervention program, operated by the City of Gresham. The grant will provide culturally responsive outreach, prevention, and intervention programs to prevent youth violence and to empower youth to be successful members of the community; and
- \$1.98 million to develop curricula, provide professional learning resources, and develop a social media campaign about the dangers of synthetic opioid use.

SB 1502 (Chapter 47)

Effective January 1, 2025

Operations

Creates new provisions.

Senate Bill 1502 requires public education governing boards of common or union high school districts, education service districts, community college districts, and public universities described in ORS 352.002 to post video or audio recordings of each meeting to the district, college, or university website or social media site within seven days of the meeting. If a board's facilities lack broadband internet, then the board may post audio instead of video on its website or social media site. The bill exempts school districts of less than 50 students in resident average daily membership. The bill also exempts from these requirements any meeting or portion of a meeting that is conducted in executive session.

SB 1514 (Chapter 19)

Effective March 20, 2024

Operations; Personnel

Creates new provisions and amends section 51, chapter 700, Oregon Laws 2019.

Paid Leave Oregon is codified within ORS Chapter 657B, having been enacted by the Legislative Assembly with the passage of HB 2005 (2019). The program allows

eligible Oregon employees to take paid, protected leave for specified family, medical, or safety-related reasons. It requires employers with 25 or more employees to contribute to the Paid Family and Medical Leave Insurance Fund (Fund), which maintains the program. Employers and employees began making contributions to the Fund in January of 2023, and the program began providing benefits to employees and grants to employers in September 2023.

Senate Bill 1514 permits the director of the Oregon Employment Department to make changes to the Paid Leave Oregon program if the director determines that the Paid Family and Medical Leave Insurance Fund does not have sufficient resources for six months of anticipated expenditures. The bill requires advance public notice before the department makes program changes and specifies that any changes would go into effect the following fiscal quarter. The bill extends the requirement that the department director is to report to the interim legislative committees related to workforce or business and labor and adds the requirement that the reports address any actions taken to address the solvency of the fund.

SB 1515 (Chapter 20) Effective March 20, 2024 **Operations; Personnel**
Creates new provisions and amends ORS 653.455, 657B.010, 657B.020, 657B.025, 657B.030, 657B.050, 659A.150, 659A.156, 659A.159, 659A.162, 659A.165, 659A.168, 659A.171, 659A.177 and 659A.186.

Senate Bill 1515 makes several technical fixes to Paid Leave Oregon.

Section 1: Administration and Reporting

- Requires the director of the Oregon Employment Department (OED) to report to the interim committee of the Legislative Assembly related to labor and business by September 15, 2024, on the payment of Paid Leave Oregon benefits to seasonal employees and specific other groups.
- Requires OED and the Bureau of Labor and Industries (BOLI) to jointly report to the interim committee of the Legislative Assembly related to labor and business by September 15, 2024, on the apportionment of duties between BOLI and OED regarding protected leave provisions under Paid Leave Oregon and ORS chapter 659A.

Sections 2-7: Technical Changes to Paid Leave Oregon

- Exempts employers from the requirement to provide specified compensation to an employee when the employer violates the requirement to provide an employee written notice of their schedule in writing at least 14 calendar days before the first day of work when the employer is provided less than 14 days' notice before the first day of a work schedule of the need for leave or of return from leave under either Paid Leave Oregon or other protected leave provisions within ORS Chapter 659A, and an employer makes a change to another

employee's schedule who is assigned to cover the specific shifts for the employee on protected leave.

- Includes "federally recognized Indian tribe" under the exclusion from definition of "employer" within Paid Leave Oregon.
- Amends the definition of "family leave" under Paid Leave Oregon to include leave to "effectuate the legal process required for placement of a foster child or adoption of a child."
- Entitles an employee to use accrued paid leave offered by an employer in addition to Paid Leave Oregon benefits while on leave to extent that the total combination of Paid Leave Oregon benefits and benefits received by the employee do not exceed the employee's full wage replacement unless the employer permits the employee to receive combined amounts in excess of full wage replacement.
- Specifies that employees who are eligible for time loss workers' compensation benefits are ineligible for Paid Leave Oregon benefits.
- Exempts Paid Leave Oregon benefits from garnishment except for child or spousal support garnishments and restitution for crime victims.

Sections 7-11: Alignment of Paid Leave Oregon and Oregon Family Leave Act

- Removes the 16-week leave cap per benefit year for leave taken in any combination under both Paid Leave Oregon and Oregon Family Leave Act (OFLA).
- Removes unpaid, protected leave to care for self or a family member with a serious health condition and unpaid, protected leave to care for an infant or newly adopted or newly placed foster child under OFLA.
- Modifies sick child leave under OFLA to include all illnesses, injuries, or conditions that require home care.
- Specifies that leave taken under OFLA is in addition to leave taken under Paid Leave Oregon.
- Reduces bereavement leave under OFLA to maximum of four weeks in any one-year period.
- Removes additional 12 weeks of sick child leave currently permitted if employee has taken bonding leave.
- Clarifies when two or more family members who work for the same employer may take protected leave concurrently under OFLA.
- Specifies that an employee may begin OFLA leave without prior notice when the employee is taking pregnancy disability leave.
- Modifies provisions governing medical verification for leave when an employee takes leave under OFLA for sick child/public health emergency or pregnancy disability leave.

Sections 12-13: Temporary Oregon Family Leave Act Provision

Permits eligible employees to take an additional two weeks of protected, unpaid leave under the OFLA to effectuate the legal process required for placement of a foster child or adoption of a child. Specifies the notice that an employee must provide an employer when taking this leave.

Sections 22-23: Various Operative and Effective Dates

Specifies an operative date of July 1, 2024, and a sunset date of January 1, 2025, for the temporary OFLA provision for effectuating the legal process required for placement of a foster child or adoption of child. Specifies an operative date of January 1, 2025, for provision amending the definition of "family leave" under Paid Leave Oregon to include leave to effectuate the legal process required for placement of a foster child or adoption of a child. Specifies an operative date of July 1, 2024, for remaining technical fixes and alignment provisions under Paid Leave Oregon and OFLA.

SB 1532 (Chapter 93)

Effective January 1, 2025

Programs

Creates new provisions and amends ORS 329.849.

Senate Bill 1532 establishes a statewide Prekindergarten through Post-Secondary Immigrant and Refugee Student Success Plan.

The Oregon Department of Education shall develop and implement the Immigrant and Refugee Student Success Plan, in collaboration with a diverse advisory group that would include students and families who are immigrants, refugees, and asylum-seekers, and education and community partners.

The Immigrant and Refugee Student Success Plan must:

- Address the academic disparities that our students who are immigrants, refugees, and asylum-seekers face;
- Recognize historical practices that impact outcomes for students who are immigrants, refugees, and asylum-seekers;
- Lift up culturally responsive models and best practices from Oregon and the nation around family engagement, expanded learning opportunities, access to early childhood education, and academic supports.

SB 1532 also forms an Immigrant and Refugee Student Success Grant Program where early learning hubs, early learning providers, school districts, education service districts, higher education institutions, tribal governments, and community-based organizations are eligible to apply for competitive grants. Grantees could leverage these dollars to improve systems of support for our students and families who are immigrants, refugees, and asylum-seekers.

Grant funding would be able to be focused on helping students and families who are immigrants, refugees, and asylum-seekers navigate our public school system, boost and improve interpretation and translation in more languages, increase wraparound services and supports, update curriculum and instructional materials, and more.

The Legislature allocated \$2 million (from the Statewide Education Initiatives Account) for the Immigrant and Refugee Student Success Plan grants; and \$243,802 (from the Statewide Education Initiatives Account) to the Oregon Department of Education to manage the grant program and for translation services for multiple languages.

[SB 1552 \(Chapter 95\)](#)

Effective April 4, 2024

Operations; Programs

Creates new provisions and amends ORS 171.857, 192.690, 326.695, 327.026, 327.254, 332.544, 334.231, 336.680, 339.869, 341.013, 342.610, 342.940, 348.205, 348.250, 348.260, 348.263, 348.520, 348.752, 350.075, 350.355 and 670.280; repealing ORS 326.700, 326.712, 329.832 and 329.837.

Senate Bill 1552 is the Senate Education Omnibus Bill of 2024. Relevant K-12 related sections are highlighted below.

Sections 1 - 8: Oregon Youth Advisory Group

Establish the Oregon Youth Advisory Group to support diverse youth leaders in the policymaking process at the state level. The Oregon Youth Advisory Group will be housed at the Oregon Department of Education and is designed to support youth leaders – especially youth from historically and currently underserved and underrepresented communities – in engaging in important education policy development and implementation conversations.

Sections 9 - 10: Student Information Regarding Course Completion and Grades

Require the Oregon Department of Education to develop a plan for the collection of course-level completion and grade data for all public-school students in grades 6 through 12. The Oregon Department of Education shall submit a report, and may include recommendations for legislation, to the education committees no later than September 15, 2024. Section 9 repealed on January 2, 2025.

Section 11: Direct Admission

Requires the Higher Education Coordinating Commission (HECC) to establish a direct admissions program for public community colleges and universities. This section directs the HECC to adopt rules to:

- Establish a method for the collection of student data necessary to implement the direct admissions program, which may include collaborating with the Department of Education to the extent necessary to collect the student data; and

- Maximize opportunities for underserved students and first-generation college students to participate in the program.

Sections 12 - 14: State Funding of Education

Directs the Legislative Policy and Research (LPRO) Director shall conduct a study of the Quality Education Model and the state's system of financing public education from kindergarten through grade 12.

The study shall:

- Review the education funding formula for public education for kindergarten through grade 12 and exploration options that would provide a uniform and equitable design for financing the cost of an adequate education for all public-school students in kindergarten through grade 12 in this state;
- Review and evaluate the Quality Education Model;
- Identify trends and disparities since the 2019-2020 school year in student performance across the state in kindergarten through grade 12 based on current school funding;
- Establish a baseline for the costs, programs, staffing, and facilities needed to provide the opportunity for an adequate education; and
- Review the costs and existing funding for special education and related services and explore possible alternative funding formulas.

The LPRO director may enter into a contract with a public, private, or nonprofit research entity. The director shall submit a report to the education committees no later than January 31, 2025.

Sections 20 - 27: Juvenile Justice Education Fund (JJEF)

Establish a dedicated account to cover students in both Juvenile Detention and Youth Corrections Education Programs (YCEP). Funding for the JJEF would be drawn from the Statewide Education Initiatives Account. The bill tasks the Oregon Department of Education with helping determine the appropriate amount of funding needed in the JJEF each biennium using specific criteria. Having a dedicated account for students in JDEP and YCEP programs will help ensure that there is adequate funding to support the staffing and the stability of these programs.

Sections 29 and 30: Naloxone in Schools - Technical Fixes to HB 2390 (2023)

Clarify the legislative intent of HB 2390 (2023) by removing barriers, while allowing Naloxone to be available in every school and requiring information about Naloxone to be sent to every parent and family in the district. These sections give the Oregon Department of Education the authority to create rules to ensure that consistent and accurate information about Naloxone is distributed to every family. Additionally,

these sections provide very narrow liability protection to school districts related to ambiguous language in HB 2390. In summary, a school district cannot be sued if they do not have Naloxone in every school in their district.

Sections 31 and 32: Educator Advancement Council

Amends ORS 342.940 to update the definition of “educator” to a person who is: (a) a teacher, an administrator or another school employee who is employed to provide instruction or support to students in early childhood education or in kindergarten through grade 12; or (b) entering into or enrolled in an educator preparation program. This updated definition is inclusive of non-licensed K-12 and early learning educators, as well as candidates pursuing education careers, which would allow Educator Advancement Funds to be used for professional development, scholarship, and Grow Your Own programs that support classified staff and educator candidates in addition to licensed educators.

Section 31 also clarifies that the state agencies that must be parties to the intergovernmental agreement are the Department of Education, the Department of Early Learning and Care, the Teacher Standards and Practices Commission, and the Higher Education Coordinating Commission. This technical fix allows the Educator Advancement Council to operate under the Intergovernmental Agreement as described in ORS 342.940.

Section 32 clarifies that Beginning Educator Mentoring Programs grants awarded under ORS 329.805 during the 2023-2025 biennium are not required to be awarded on a competitive basis.

Section 44: Education for Occupational or Professional License

Applies to individuals interested in pursuing their occupational or professional license, and various licensing boards, commissions, and agencies. Prior to beginning an education, a training, or an apprenticeship program for an occupational or professional license, a person who was convicted of a crime may petition a licensing board, commission, or agency for a determination as to whether a criminal conviction will prevent the person from receiving an occupational or professional license. The licensing board, commission, or agency may charge a reasonable fee to pay the costs of making the determination.

Section 45: Recovery Schools

Clarifies that approved recovery schools are not required to comply with the enrollment requirements prescribed by ORS 338.115 (1)(bb) or (5). Additionally, approved recovery schools must comply with the requirements of the uniform budget and accounting system adopted by rule of the State Board of Education under ORS 327.511.

Sections 46 and 47: Clarifying the Definition of Classified School Employee

Address some of the unintended impacts of SB 283 (2023) which included language providing “just cause” protections for all classified employees. Unfortunately, the definition of “classified employee” amended in SB 283 was very broad and covered confidential and management employees. These sections clarify that the definition of “classified employee” only includes positions that are covered by a collective bargaining agreement. This will ensure that management or administrative employees who are not covered by a bargaining agreement are removed from the definition of “classified employee.” It is also important to note that the definition already excludes teachers and administrators who are required to have a license to hold their positions.

Sections 48 and 49: Substitute Teacher Pay

Address some of the unintended impacts of SB 283 (2023) which included language that changed the pay rate for substitute teachers. This technical fix will clarify that substitute teachers will be paid for a half day of work if they work a half day or less. Substitute teachers will be paid for a full day of work if they work more than a half day. The change will be effective upon passage.

Section 50: Early Reading Success Initiative

Repeals ORS 329.832 and 329.837 – outdated references to the Early Success Reading Initiative, originally established in 2001.

[SB 1558 \(Chapter 59\)](#)

Effective March 27, 2024

Programs

Amends ORS 343.331.

Senate Bill 1558 changes SB 819 (2023) to allow for new, specific exceptions. Students with an Individual Education Program (IEP) or 504 plan may opt in for an abbreviated day schedule if they are in grade 11 or grade 12, or their final year of high school and on track to graduate. Students may access an asynchronous course (one per term/semester), if the course satisfies a graduation credit requirement, is a credit recovery class, or is otherwise not available to the student. Opting into an asynchronous course is voluntary and cannot be restricted to students with disabilities. These courses must be accessible to all students and available while the student is at school. The bill takes effect upon passage and the Oregon Department of Education will be issuing updated guidance once signed into law.

[SB 1562 \(Chapter 98\)](#)

Effective January 1, 2025

Finance

Amends ORS 293.148.

Senate Bill 1562 allows the state to increase reserves in the Rainy Day Fund by increasing the limit for transferring funds from 7.5 percent to 12.5 percent of revenue received in the prior biennium.

SB 1568 (Chapter 61)

Effective June 6, 2024

Operations

Creates new provisions and amends ORS 279C.815.

Oregon passed its prevailing wage rate (PWR) law in 1959. This law was referred to as the "Little Davis-Bacon Act," in reference to the federal "Davis-Bacon" prevailing wage laws. The PWR is the hourly wage, including all fringe benefits, that the commissioner of the Bureau of Labor and Industries (BOLI) determines is paid in the locality to most workers employed in a specified trade or occupation.

Senate Bill 1568 specifies that when determining the prevailing rate of wage for electrical workers, the geographical area within which each local union is the exclusive representative for the local union's membership and the applicable collective bargaining agreement is the collective bargaining agreement to which the local union is a party.

SB 1575 (112)

Effective January 1, 2025

Operations

Creates new provisions and amends ORS 30.140.

A defendant in a lawsuit is responsible for the costs of defending itself, absent a contractual agreement otherwise. Governmental bodies commonly have construction agreements that require contractors and subcontractors to defend the government body in the event of a lawsuit or a claim that alleges a person or property was damaged by the construction or the design of the project. A contractual duty to defend may require payment for defense counsel and other costs of defending against a lawsuit. A person who has the duty to defend another may be required to pay up front for the defense costs of not only their own alleged fault, but also the alleged fault of the government body.

Senate Bill 1575 limits a public body from including a duty to defend requirement in a construction agreement with persons providing certain professional services, except to the amount of the person's proportionate fault.

A defendant in a lawsuit is responsible for the costs of defending itself, absent a contractual agreement otherwise. Governmental bodies commonly have construction agreements that require contractors and subcontractors to defend the government body in the event of a lawsuit or a claim that alleges a person or property was damaged by the construction or the design of the project.

The changes apply to construction agreements and contracts entered into or renewed on or after January 1, 2025, and on or before December 31, 2034.

SB 1580 (Chapter 66)

Effective March 27, 2024

Operations

Creates new provisions and amends ORS 656.990.

In Oregon, workers' compensation laws require employers to maintain insurance coverage for their employees and beneficiaries for compensation of compensable injuries. Oregon law defines compensable injury, including an accidental injury arising

out of and in the course of employment requiring medical services or resulting in disability or death. Employers must either be self-insured as specified in law or be a carrier-insured employer. Carrier-insured employers are those who provide workers' compensation coverage through the State Accident Insurance Fund (SAIF) Corporation or another insurer authorized by law to transact workers' compensation insurance in Oregon.

Senate Bill 1580 provides that an employer commits a Class A misdemeanor crime if, with the intent to decrease the employer's premium for coverage as required by Oregon's workers' compensation laws, knowingly submits a false payroll report to the Workers' Compensation Board, the Workers' Compensation Board chairperson, the Director of the Department of Consumer and Business Services, the corporation, or an insurer.

SB 5701 (Chapter 114)

Effective April 17, 2024

Finance

Creates new provisions and amends section 3, chapter 452, Oregon Laws 2023, section 2, chapter 475, Oregon Laws 2023, sections 87, 159, 232, 248 and 318, chapter 605, Oregon Laws 2023, and section 40, chapter ____, Oregon Laws 2024 (Enrolled House Bill 5204); repealing section 275, chapter 605, Oregon Laws 2023.

Senate Bill 5701 is one of the core budget reconciliation bills for 2024. Here are some of the key sections relating to early learning and education.

Early Learning

- Early Intervention/Early Childhood Special Education
\$22 million in stopgap funding (Early Learning Account in the Student Success Act).
SB 5701 (Section 2)
- Early Literacy Success - Birth through Five Literacy Plan and Grants
\$9.4 million (Early Learning Account in the Student Success Act).
SB 5701 (Section 5)

K-12 Education

- Early Literacy Success - Community and Tribal Grants
\$9.9 million (Statewide Education Initiatives Account in the Student Success Act).
SB 5701 (Section 3)
- Special Education Stipends
\$8.9 million (General Fund) for ODE to provide stipends to licensed educators and classified school employees working in special education during the 2024-2025 school year.
SB 5701 (Section 209)

- Civil Rights Backlog (ODE)
\$2 million (General Fund) for ODE operations to review and investigate civil rights discrimination backlog.
SB 5701 (Section 210)
- Office of Transparency (ODE)
\$2 million (General Fund) for ODE to create and maintain fiscal accountability and transparency dashboards.
SB 5701 (Section 211)
- Summer Electronic Benefits Transfer Program (ODE)
\$169,164 (General Fund) for ODE to support the implementation of the Summer EBT program to reduce hunger and food insecurity for children.

There was also a budget note included that requires the Department of Human Services, in consultation with the Oregon Health Authority and Department of Education, to report to the Emergency Board in May and September 2024 on the status of Summer EBT implementation.

The May report shall include, but not be limited to, the following information:

- A description of the program's eligibility rules and application process;
- A discussion of the ways in which the agency communicated with potentially eligible children and families about the availability of the new nutrition benefit; and
- The program's information system stage gate endorsement(s), requirements, implementation costs, and implementation timeline.

The September report shall include, but not be limited to, the following:

- A discussion of the number of children and families who received the benefit in summer 2024;
- The number of children and families enrolled via automated determinations (or categorically eligible) versus requiring a more involved application and enrollment process;
- The plan to transition from a vendor system to an ongoing state-based information technology system; and
- Any other lessons learned that may help to improve the program for summer 2025.

SB 5701 (Section 212)

- Community Care Demonstration Project
\$1 million (General Fund) for ODE to continue the Community Care Demonstration Project through the end of the 2023-25 biennium.
Note: the project was initially established using federal pandemic relief dollars.
SB 5701 (Section 253)

- Implementation of Social Emotional Learning Standards
\$1.68 million (General Fund) for ODE to support the implementation of the Social Emotional Learning Standards.
SB 5701 (Section 304)
- Willamette Career Academy (Willamette ESD)
\$1 million (General Fund) for regional CTE programs provided by Willamette Career Academy.
SB 5701 (Section 316)
- State School Fund Modernization Project (ODE)
\$186,255 (General Fund) for ODE for business analysis of the State School Fund Modernization Project.
SB 5701 (Section 416)
- Curriculum Supplements Related to Dangers of Synthetic Opioids (ODE)
\$1.98 million (General Fund) for ODE for curriculum supplements related to the dangers of synthetic opioids.
SB 5204 (Section 2)

Higher Education / Educator Preparation/Licensure

- Oregon Teacher Scholars Program
\$5 million increase (HECC)
SB 5701 (Section 6)
- Educator Equity Grants
\$1.1 million increase (HECC)
SB 5701 (Section 7)
- TSPC Investigations and Applications for Licensure
\$914,270 increase (TSPC)
SB 5701 (Section 8)

SB 5702 (Chapter 115)

Effective April 17, 2024

Finance

Creates new provisions.

Establishes and increases fees for the Department of Public Safety Standards and Training (DPSST), Higher Education Coordinating Commission (HECC), and the Department of Environmental Quality (DEQ).

- The DPSST Private Security License Fee is set at \$624.
- The HECC fingerprinting and background check fee is set at \$140.
- The DEQ Seismic Risk Assessment Submittal Fee is set at \$39,000.
- The DEQ Annual Compliance Fee is set at \$23,000.
- The DEQ Risk Mitigation Implementation Plan Fee is set at \$36,000.