

2023

Legislative Session



Legislative Update

K-12

## 2023 Legislative Session Summary for K-12 Public Schools

### PERSONNEL

#### **SB 168: Prohibits public employees from conducting political activities during work hours.**

- Updates election law to explicitly prohibit public employee from promoting/opposing the nomination, election, appointment of a person to public office or the filing a referendum, initiative, or recall petition.
- Work hours do not include breaks.
- Effective Date: TBD; currently awaiting Governor's signature.

**Action Item:** Update any existing political campaign procedures.

#### **SB 218: TSPC Investigation Updates**

- Requires ODE and law enforcement make records of sexual conduct and child abuse investigations available to the Teacher Standards and Practices Commissions for investigations on complaints against commission licensees.
- Exempts TSPC from investigating complaint if it does not receive verification that the patron utilized the District's complaint process.
- Effective date: January 1, 2024.

**Action Item:** None.

#### **SB 279: Enacts Interstate Mobility Compact**

- States that are members of the Interstate Mobility Compact are required to grant licenses to teachers with licenses from another member state without additional requirements, except for criminal background check.
- The teacher must have a valid, unencumbered license, a bachelor's degree and have completed an education preparation program.
- Member states can share teacher investigatory and disciplinary information with another member state upon request.
- Effective date: January 1, 2024.

**Action Items:** None

**SB 283: Omnibus School Employee Law****Workplace Data/Surveys**

- ODE must develop a plan to establish and maintain a statewide data system on the education workforce in Oregon to follow educator mobility, attrition, and retention patterns with the assistance of a steering committee.
- Each public education provider shall encourage licensed and classified employees to participate in a survey administered by ODE to gather information on hiring and retention trends, as well as “working experiences.”
- Data will be available on a district and school level to school boards and district-level and building administrators.

**Special Education**

- For each licensed educator or classified school employee who provides significant special education support of 75% or more of the employee’s caseload, there will be an unspecified salary or wage increase, in the form of an additional percentage of an employee’s salary/hourly wage or a one-time payment.
- A district that employs classified school employees who provide significant special education support may not establish a policy requiring less than five-hour workdays when students are present, unless the employee requests such a schedule in writing without coercion from the district. This section is operative on July 1, 2024.

**Crisis Response**

- ODE must establish the Safe School Culture Grant program to develop a network of instructors who are certified in nonviolent crisis intervention methods to ensure that for every 50 students in a school district/ESD, at least one staff person of the district is certified in nonviolent crisis intervention methods
- To qualify for grant, a school district must require each newly certified instructor conduct at least three complete trainings of at least 10 staff persons each year, provide space for training, in consultation with unions to determine priority and compensation in wages.
- To qualify for grant, an ESD must ensure at least one complete nonviolent crisis intervention training of at least 10 staff persons, provide space for training, not charge fee to a school district.

**Just Cause (ORS 332.544 and ORS 334 amended)**

- A classified school employee (all employees of public school district except those who are required to have a teaching or administrative license) shall have right to be dismissed, demoted, or disciplined only for just cause. This section is also added to Chapter 334 to apply to ESDs.
- Removes post-dismissal board hearing for classified employees
- Maintains provision that employees subject to the civil service provisions of ORS 242.310-242.640 are exempt from the provisions of this section.

**Substitute Teachers**

- Task force on substitute teachers to be created to review service models including third-party contractors and ESDs.
- Updates ORS 342.610, to clarify that the state will calculate the statewide average salary for the purposes of substitute pay by using the salaries of a "beginning teacher who holds a bachelor's degree."
- Requires districts to classify a substitute teaching assignment as a temporary position when the district determines that a teacher will be employed as a substitute teacher for 60+ consecutive days in any one assignment, or 48+ days for districts on four-day weeks.
- Allows any person who has held a teaching license to convert it to a substitute teaching license within three years of retirement.
- Requires district to pay for any training "that is required for that teacher to apply for or be assigned to a substitute teaching assignment."

**Teacher Salary**

- A Task Force on Statewide Educator Salary Schedules is established to study the benefits and challenges of implementing a statewide salary schedule for educators

**Apprenticeship and Mentorship Grants**

- The Legislature allotted an additional \$10,000,000 to ODE to award grants to promote registered apprenticeships for educators and to promote beginning teacher and administrator mentorship program.

**ESD Superintendent Protections**

- Extends protections to ESD superintendents to require 12 months' notice of a no-cause termination, and to prohibit boards from directing an ESD superintendent to take an action that conflicts with the law.
- Effective date: July 1, 2023.

**Action Items:** Respond to OSEA demand to bargain re: just cause; provide special education EA and teacher wage differentials and stipends if not already in CBA.

**[SB 489: Repeals Prohibitions on Unemployment Insurance Benefit Payments During School Breaks](#)**

- Repeals language in ORS 657.221 which prohibited the receipt of unemployment insurance benefits during school breaks including summer months.
- All school employees, except those who perform instructional or research services, or who serve as an administrator, may apply for and receive benefits during school breaks.
- Removes provisions requiring reasonable assurance of employment for following school year.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Items:** Review classified CBA language re: providing spring “reasonable assurances of employment.” If not required by CBA, districts can discontinue sending these notices. Consider offering summer work as much as possible to mitigate unemployment claims.

### **SB 790: Adding Unlawful Restraints to Definition of Child Abuse**

- Adds the use of unlawful restraint or seclusion and corporal punishment to the definition of child abuse.
- If DHS substantiates a child abuse report in the event of a school employee’s unlawful restraint and seclusion, the *district* rather than employee will be found “responsible” if:
  - The district failed to provide a sufficient number of employees trained in the use of restraint and seclusion to comply with the student’s IEP, 504 plan and behavior intervention plan and the employee was not aware of the student’s IEP, 504 plan and behavior intervention plan.
  - A superior ordered the employee to impose the restraint or seclusion and the employee believed they would be disciplined if they did not comply.
  - The district failed to provide “appropriate” training on restraint and seclusion, the employee believed the action was necessary to maintain safety, and it was not a restraint prohibited by ORS 339.288.
- DHS will submit a report on child welfare within public education programs to committees of the Legislative Assembly on the first day of every calendar quarter, which will include publicly available information about the name of the education provider, the date and nature of abuse, and whether an injury was sustained.
- Effective date: July 1, 2023

**Action Items:** Continue to train personnel on appropriate restraints and seclusion.

### **SB 851: BOLI Model Respectful Workplace Policy**

- BOLI to create a model respectful workplace policy and provide informational materials that identify workplace bullying and harms to employees for employers to adopt and utilize.
- Effective date: January 1, 2024.

**Action Items:** None.

### **SB 901: DHS Subpoena Power**

- DHS can subpoena student documents and records, including photographs, if the director deems the production relevant to a child abuse investigation.
- Effective date: June 7, 2023.

**Action Items:** None.

**SB 907: Unlawful to Discharge Employee Because Employee in Good Faith, Refused to Expose Self to Serious Injury or Death**

- Makes it an unlawful employment practice to bar or discharge from employment or discriminate against employee or prospective employee because they have refused to expose themselves to “serious injury or death from hazardous condition at place of employment, with no reasonable alternatives and in good faith.”
- Effective date: January 1, 2024.

**Action Items:** Inform human resources personnel and supervisors of new law.

**SB 912: Overpayments of Paid Family and Medical Leave Insurance Benefits**

- If there has been an overpayment of benefits, any benefits paid in error will be deducted from future benefits by Director of OED within five years from when it was decided payment was in error. Director may otherwise bring civil action to recover overpayment or waive recovery.
- If employer is not eligible for received funds and fails to repay the OED within 30 days, the employer will be in default and director may bring civil action.
- If a person commits fraud regarding Paid Family and Medical Leave Insurance Benefits, they will be unable to receive future complete benefits until repayment.
- Effective date: September 24, 2023.

**Action Items:** None.

**SB 913: Technical Changes to Paid Leave Oregon**

- Changes maximum wage subject to Paid Leave Oregon contributions from \$132,900 to align with the Social Security Contribution and benefit base limit.
- Allows OED to disclose information to any claimant, employer or legal representative of the same to the extent necessary for payment of benefits or collection of contributions.
- Effective date: September 24, 2023.

**Action Items:** None.

**SB 999: Modifications to OFLA to align with Paid Leave Oregon**

- Updates OFLA definition of family member to include an individual who “qualifies as a family member by reason of affinity” and siblings.
- Clarifies that OFLA, FMLA and Paid Leave Oregon must be taken concurrently if the person qualifies for leave under all three laws.
- Effective date: September 3, 2023.

**Action Item:** Inform human resources personnel and supervisors of this new law.

**HB 2240: Interpretation services are not mandated for an employed or contracted health care provider.**

- A health care provider who is employed or contracted to work for a school is exempt from requirement to provide interpretation services from a registered health care interpreter.
- Housekeeping fix from 2021 change.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Item:** None.

**HB 2281: District School Board to Designate Civil Rights Coordinators**

- District school boards are to designate at least one civil rights coordinator. The coordinator can be an employee of the school district or a contracted ESD employee.
- Civil rights coordinators are required to "monitor, coordinate and oversee district compliance" with non-discrimination law, to oversee discrimination investigations, and provide guidance on civil rights issues.
- ODE will provide annual training for civil rights coordinators.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Item:** Designate a civil rights coordinator.

**HB 2296: Extends timeline for retired public employees to be reemployed to 2034**

- Retired members of the Public Employees Retirement System may be reemployed without reduction in pension benefits until 2034. The provisions of SB 1049 were previously scheduled to sunset on December 31, 2024.
- Effective date: January 1, 2024

**Action Items:** None.

**HB 2573: Adopts use of electronic signatures for union authorization cards**

- The Employment Relations Board will create a procedure for the preparing and signing of union authorization cards with use of electronic signatures.
- Effective date: June 30, 2023

**Action Item:** Review technology's ability to support digital signatures.

**HB 2609: TSPC Fees for Education Preparation Providers**

- Teacher Standards and Practices Commission no longer have authority to charge fees to education preparation providers.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Item:** None.

**HB 2708: Classified School Employees Week**

- Establishes first full week in March as Classified School Employees Week.
- Effective date: January 1, 2024

**Action Item:** Develop recognition activities for March for classified school employees.

**HB 3028: Protections of Appointed Members of State Boards or Commissions**

- Employer may not discharge, coerce, or intimidate an employee due to their service as an appointed member of a state board or commission.
- Employer may not require employee use sick or vacation leave for time the employee is serving as an appointed member of a state board or commission if given 21-day notice. Employer may allow employee to take leave without pay for that time.
- Effective date: September 24, 2023.

**Action Item:** Inform human resources personnel and supervisors of this new law. Expect bargaining proposals similar to jury duty leave.

**HB 3227: Increased Threshold for Custodians' Civil Service board**

- Increases population threshold from 300,000 to 475,000 people for school districts to be required to have Custodians' Civil Service Board.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Item:** None.

**HB 3331: Eligibility to Qualify for Work Share Benefits**

- Removes requirement that an employee must have been employed continuously for six months full-time, or a year part-time to receive Work Share Benefits.
- Expands percentage of reduced hours that an employee may still qualify for Work Share Benefits to be at least 10%, but no more than 50%.
- Effective date: September 24, 2023.

**Action Item:** None.

**HB 3471: Unlawful No-Rehire Provision in Settlement Agreements**

- It is unlawful for an employer to enter into a settlement agreement that includes a no-rehire provision if the employee has filed a worker's comp claim. A worker may bring civil action and recover \$5,000 if employer is in violation.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Item:** Inform human resources personnel and supervisors of this new law.



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## STUDENT ISSUES

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### **SB 3: Addition of Required Credits for High School Diploma**

- To earn a high school diploma on or after January 1, 2027, students must complete a half-credit of “higher education and career path skills” (job and post-secondary institution applications, resume preparation, interviewing, accessing community resources), as well as a half-credit “personal financial education” course (building credit, investing, budgeting, paying taxes).
- The State Board of Education may adopt rule requirements for the courses.
- Effective date: Applies to high school diplomas awarded on or after January 1, 2027. Schools with a lack of educators qualified to deliver the courses may request a one-year waiver from ODE and delay implementation to January 1, 2028.

**Action Items:** Revise documents (e.g., graduation planning worksheets) at the high school level to reflect this change, beginning in the 2023-2024 academic year, and communicate this change to all impacted employees (e.g., counselors, building administrators, etc.)

### **HB 215: School Nutrition, Speech-Language Pathology Program, Investigations of Sexual Conduct, Education Service Districts’ Technical Assistance, and Oregon’s Intensive Program for High-Need School Districts.**

#### **Food Programs**

- Defines USDA Foods as domestic agricultural products for use in schools.
- Authorizes ODE to charge an amount to cover the costs of distribution of USDA Foods to educational institutions.
- Authorizes ODE to award grants to school districts for up to \$5,000 per school site to purchase or upgrade equipment necessary to make breakfast accessible to students. Authorizes ODE to enter into contracts with entities to provide technical assistance and to administer the grant program.

#### **Speech-Language Pathology**

- Modifies ODE’s program to increase the number of licensed speech-language pathologists and certified speech-language pathology assistants by focusing delivery of stipends to licensed SLPs and certified SLPAs rather than students. Eligible participants must agree to work for a minimum of two years as an SLP or SLPA for a school district or ESD willing to sponsor them and receive mentorship from a licensed SLP.
- Effective upon passage

### **Complaint and Appeals Process**

- The Department of Education may subpoena witnesses to testify and documents to be produced as part of their investigating complaints related to: Division 22 compliance, religious activity, restraint and seclusion, discrimination, or retaliation.

### **Investigations of Sexual Conduct or Abuse**

- Adds language that provides when confidential documents and materials from ODE sexual conduct investigations are made available to law enforcement, TSPC, DHS, or school districts, those entities must maintain their confidentiality unless their disclosure is required or allowed by law.
- Applies to investigations completed on or after the effective date.

### **Technical Assistance Provided by Education Service Districts**

- ADMw grants apply to recipients of money that are within the education service district, including school districts, charter schools, YCEP, and JDEP.

### **Intensive Program for High-Needs School Districts**

- Exempts student success teams from any statute or rule applicable to a public body.
- Bars school districts that refuse student success team recommendations from additional funding.
- Effective: On Passage

### **Action Items:**

- Inform special education administrators about SLP/SLPA stipend programs.
- Apply protocol for receipt and notice of subpoenas (e.g., custody disputes, criminal proceedings, civil litigation, TSPC investigation) to new subpoena authority given to ODE investigators.
- Ensure school staff are aware of the confidentiality requirements related to sexual conduct investigation report and materials.

### **[SB 238: Curriculum on Synthetic Opioids](#)**

- Oregon Health Authority, Alcohol and Drug Policy Commission, and the State Board of Education will develop school district curriculum on (1) the dangers of synthetic opioids and (2) on laws which provide immunity to those who report drug use or seek treatment.
- Effective date: July 1, 2024.

**Action Items:** Adopt curriculum when developed for 2024-2025 school year.

**SB 577: Use of Physical Force on Minors**

- Updates law to remove reference to “incompetent person,” within the context of when a parent or legal guardian may use reasonably physical force on a minor when they reasonably believe physical force is necessary to promote their welfare or maintain discipline.
- Clarifies that lawful physical force by school personnel in the course of deploying restraint and seclusion processes cannot be done for corporal punishment purposes.
- Adds youth correction facility officials to the list of individuals who may use physical force on a minor to the extent they reasonably believe it necessary to maintain order and discipline.
- Effective date: April 26, 2023.

**Action Items:** None.

**SB 736: Department of Education Study on College/Career Readiness**

- Requires that ODE conduct a study to determine how to increase accessibility to advanced instruction for college and career readiness in public schools. ODE must provide a report by September 15, 2024.
- Effective date: January 1, 2024.

**Action Item:** None.

**SB 756: School Employee Access to Special Education Student Records**

- Requires that school district employees who work with students who have IEPs, 504 plans, or behavior intervention plans be provided access to student records related to the employees’ responsibilities to assist the student.
- Requires that school districts consult with employees assigned to work with students with specialized needs when that student’s education plan is being developed, reviewed, or revised.
- If school district employees are invited to meetings regarding IEPs, 504 plans, behavior intervention plans, or meetings about the students when decisions are related to that particular school employee’s responsibilities or that employee has “unique information’ about the student, then the employee must be compensated for attendance at those meetings.
- Requires that school districts provide adequate training to employees so they may safely carry out each of their specialized duties.
- School districts will incur additional costs to train new employees and compensate employees for attending meetings. The fiscal report stated that the estimated fiscal impact to school districts is anticipated to be minimal but will vary depending on number of staff requiring training and number of students in special education. The costs to school districts appeared to be the biggest concern to representatives who voted against it.
- Effective date: September 24, 2023.

**Action Items:** Inform special education administrators about the information access, consultation, compensation, and training aspects of this new law.

### **SB 758: Parent Requests for Special Education Records**

- Requires that a school district must provide special education student records to parents within 10 business days from the date of the request. Redactions may only be made to protect personally identifiable information of other students.
- If during the course of a due process hearing a parent, ODE, or court requests evidence, the school district must provide the evidence without undue delay.
- Prohibits school districts from discouraging or prohibiting employees or volunteers from participating in investigative interviews, reporting special education violations, sharing information with parents about special education services not provided, reporting abuse or neglect, reporting concerns about inappropriate restraint and seclusion, or reporting special education violations to the state protection and advocacy system.
- A school district may not require a student, parent, employee, or volunteer to sign a nondisclosure statement related to special education violations by a school district or related to the resolution of a special education complaint.
- A school district may not cause a parent to believe negative consequences will result from their disclosure of a settlement or resolution to a special education dispute.
- Effective date: September 24, 2023

**Action Item:** Develop systems to respond to special education records requests within the new required timelines.

### **SB 767: Virtual and Nonvirtual Charter Schools**

- Describes the requirements (written notification, written permission) before nonvirtual and virtual public charter schools may operate schools and tutoring or testing facilities that are not located within the sponsoring school district.
- Effective date: June 6, 2023.

**Action Item:** Review permissions and notifications from nonvirtual and virtual charter schools.

### **SB 819: Abbreviated School Day**

- Repeals the current abbreviated school day law ORS 343.161.
- Defines “educational services” broadly to include recess, field trips, assemblies, job shadows, and internships
- Creates numerous new requirements prior to placing a student on an abbreviated school day program.
- Requires the student’s individualized education program team to recommend the student be placed in abbreviated school day program based off the student’s

individualized needs after at least one other reasonable alternative was offered that did not amount to an abbreviated school day.

- Requires informed written consent from a parent before a student is placed on an abbreviated school day program.
- Requires IEP team to convene a meeting every 30 days and consider student's placement in abbreviated school day program. Upon parent's request IEP or 504 meeting to be held within 14 calendar days from request.
- Creates requirements for District superintendent to review abbreviated school day placements, make findings related to compliance with state and federal laws and student progress toward on-time graduation, document those findings, and share those findings with parents.
- Creates a notice requirement for parents of students who were on abbreviated school day programs during the 2022-2023 school year.
- Effective Date: TBD; currently awaiting Governor's signature.

**Action Items:** Prepare notices for parents of students on abbreviated school days during the 2022-2023 school year; Evaluate abbreviated school day decision-making processes and train special education staff on new requirements; Develop notification and acknowledgment forms for parents of school district duties and student rights related to abbreviated day placement; Inform District IEP team members of possible use of abbreviated school day programs.

### **SB 923: Only Students with School Identification Number to be Included in Calculating Average Daily Membership**

- Prohibits the inclusion of students without a school identification number in the calculation of the average daily membership. Students with program identification numbers do not qualify as students with a school identification number.
- Effective Date: July 1, 2023.

**Action Items:** Review and adjust current student accounting methods as needed.

### **SB 940: Transferring of High School Credits from Credits Earned Outside USA**

- Directs ODE to conduct a study to improve the process of transferring high school credits earned by students outside of the United States.
- Sets a September 15, 2024 deadline for a report to be completed and submitted.
- Effective Date: January 1, 2024.

**Action Items:** None

**SB 1024: Notification of Use of Restraint or Seclusion**

- Following an incident involving the use of restraint or seclusion, the parents or guardians of the student must be immediately informed of the existence of records relating to the incident.
- In the case of serious bodily injury or death due to use of restraint or seclusion, oral notification must be immediately provided to parents of the student and DHS.
- A public education program may not destroy any records of an incident which included the use of restraint or seclusion and, at request of parents, must disclose records to parents.
- Preserved audio or video content must be reviewed at the debrief meeting.
- Records of an incident of restraint or seclusion must be disclosed pursuant to parent request.
- Effective date: January 1, 2024.

**Action Item:** Train building administrators and special education staff on new requirements

**SB 1050: Holocaust and Genocide Studies Academic Content**

- Extends the date when instruction on the Holocaust and genocide studies must be provided to September 30, 2026.
- State Board of Education to establish standards for professional development on the Holocaust and genocide studies.
- Effective date: July 1, 2023.

**Action Item:** None.

**HB 2280: Definition of “Without Consent” as it Relates to Sexual Harassment**

- Defines “without consent” as it relates to sexual harassment within school districts, education service districts, and public charter schools to mean: (1) without the knowing, voluntary and clear agreement by all parties to participate in a specific act; or (2) when a person is incapacitated by drugs or alcohol, unconscious, or pressured through physical force, coercion or explicit or implied threats to participate in an act.
- Effective Date: July 1, 2023.

**Action Items:** Update sexual harassment training and policies.

**HB 2618: School-Based Health Practitioner Study**

- Directs ODE to conduct a study to identify the appropriate workload for school-based health practitioners (speech-language pathologists, occupational therapists, and physical therapists).
- Effective Date: July 1, 2023.

**Action Items:** None.

**HB 2656: Student Surveys on Education Experiences and Health and Well-Being**

- School districts to provide students with ODE/OHA-administered informational surveys on education experiences and on health and well-being.
- Five days prior to the administration of a survey, school districts must provide notice to parents or guardians to allow them to decline their child's participation.
- Directs ODE to convene an advisory committee to consider how to expand and revise education accountability framework.
- Effective Date: July 1, 2023.

**Action Items:** Develop survey notices and opt-out procedures for parents.

**HB 2669: Rights of Deaf, Hard of Hearing, or Deaf-Blind Children**

- Declares children who are hard of hearing, deaf, or deaf-blind have same rights and potential as those without hearing or sight loss.
- Directs school districts to provide screening, assessments, and appropriate interventions to children who are hard of hearing, deaf, or deaf-blind at the earliest possible age.
- Directs school districts to provide parents of children who are deaf, hard of hearing, or deaf-blind with information about all relevant services and programs, including the Oregon School for the Deaf.
- Requires that school districts ensure children who are deaf, hard of hearing, or deaf-blind with full communication access to all programs in the child's educational settings.
- Effective Date: TBD; currently awaiting Governor's signature.

**Action Items:** Review and update practices for serving students who are deaf, heard of hearing, or deaf-blind.

**HB 2767: Approved Recovery Schools**

- Defines "approved recovery school" which utilizes a holistic approach to provide educational services grades 9-12, as well as health care, to address recovery from substance abuse.
- Directs the State Board of Education to adopt standards for a recovery school to become an approved recovery school.
- Effective Date: July 1, 2023.

**Action Item:** None.

### **HB 2902: Instruction on Natural Disasters**

- Encourages schools to provide age-appropriate instruction to students to prepare them for natural disasters.
- Directs ODE to develop guidance for the instruction of students as well as professional development for teachers and administrators.
- Effective Date: July 1, 2024.

**Action Item:** Review emergency instruction and drill procedures and ensure instruction is provided on fires, earthquakes, and safety threats.

### **HB 2905: Education on Perspectives and Contributions of People of Jewish Descent**

- Adds people of Jewish descent to the list of individuals whose roles and contributions to the economic, political, and social development of Oregon and the United States must be adequately addressed in textbooks and other instructional materials.
- Effective Date: September 30, 2026.

**Action Item:** Review textbooks and instructional materials to ensure adequate representation of people of Jewish descent.

### **HB 3068: High School Equivalency Diploma**

- Directs ODE to conduct a study to determine the possibility of creating a high school equivalency diploma to be given to students aged 16-17 with parents' permission.
- Effective Date: TBD; currently awaiting Governor's signature.

**Action Item:** None.

### **HB 3199: Decreased Physical Education Requirement**

- Reduces the minutes requirement for grade 6-8 students participating in physical education 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.
- Requires sixth grade students in in public schools that provide education to grades K-6 to participate in physical education for at least 150 minutes during each school week.
- Effective Date: July 1, 2023.

**Action Item:** Review physical education scheduling and minutes delivery for middle school-aged students.



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## MISCELLANEOUS

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### **SB 271: District Boundary Report**

- Requires that the district boundary board submit a record to the Department of Education of any changes in the boundaries of school districts over which the board has jurisdiction.
- By December 31, 2023, each boundary board (the county) will provide to ODE a record showing the school district boundaries within the county.
- The Department of Education is to make the report public.
- Effective date: March 21, 2023.

**Action Items:** None.

### **SB 278: Modifies ADMw for Public Charter School-Sponsoring School District**

- Modifies calculation of current year's average daily membership to reflect virtual public charter schools for sponsoring school districts who have a decrease in ADMw when compared to the previous school year.
- Effective Date: TBD; currently awaiting Governor's signature.

**Action Item:** None

### **SB 285: Modifies Oregon School Capital Improvement Matching Program**

- Modifies OSCIM program to increase matching funds to \$6 million, and maximum grant size to \$12 million.
- Percentage of funds tied to priority list increased to 66%.
- Permits the State Board of Education to modify maximum grant amount due to inflation.
- Effective Date: January 1, 2024.

**Action Items:** None

**SB 569: Closed Captioning**

- Every place of public accommodation, including school districts, must provide readable closed-captioning on televisions that are in areas that are open to the public.
- Training is to be developed by BOLI and made available for educating staff regarding requirements of closed captioning for public accommodation.
- Effective Date: September 24, 2023.

**Action Items:** Conduct facility review to determine if there are any televisions in areas open to the public that fall under this requirement; activate closed captioning for those televisions in accordance with the law.

**SB 1002: Department of Education Use of State School Fund**

- Repeals State School Fund facility grants for school districts.
- Redirects carve out of no more than \$3 million from the State School Fund to be used for purpose of improving the safety and security of students and staff.
- Effective Date: July 1, 2023.

**Action Items:** None.

**SB 1047: Contract Price Threshold for Public Contracts Increased**

- Increased thresholds as follows:
  - Small procurement: From \$10,000 to \$25,000
  - Intermediate procurement: From \$150,000 to \$250,000
  - Small public improvement contract: From \$10,000 to \$25,000
- Oregon Department of Administrative Services are to apply and promote a diversity, equality and inclusion policy for public contracting.
- Effective Date: September 24, 2023.

**Action Items:** Update public contracting procedures and policies with updated amounts.

**HB 2056: Self-Insurance Program Fund Usage**

- Clarifies that public bodies may use and benefit from program contribution and reserves of self-insurance programs. This would allow self-insured public entity programs flexibility to return surplus funds to members, or for another purpose that strengthens the self-insurance program.
- Effective date:

**Action item:** TBD; currently awaiting Governor's signature.

### **HB 2275: Funding for Education Programs**

- Requires Student Investment Account fund applicants to consider recommendations from student success plan advisory groups along formed by the Department of Education.
- Requires outreach to students who have dropped out of school to inform them on the Expanded Options Program. Updates requirements for students' eligibility for Expanded Options Program.
- Accelerated College Credit Account to be funded by the Department of Education based on specification from the Legislative Assembly.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Item:** Update procedures related to Expanded Options program

### **HB 2395: Short-Acting Opioid Antagonist Storage and Administration**

- Permits entities, including school districts, to possess, store and distribute a short-acting opioid antagonist and necessary medical supplies for administration.
- Permits school staff to administer a short-acting opioid antagonist to a student experiencing an opioid overdose without permission of parent or legal guardian.
- School district board is to provide parents or legal guardians information regarding short-acting opioid antagonists.
- Requires school districts to notify parents or guardians if short-acting opioid antagonist is administered to a student at school or on school property.
- Protects school staff from lawsuits due to injury, death, or loss during the administration of a short-acting opioid antagonist.
- Prohibits single-use drug test strips on a minor under age of 15 unless use is part of their substance use disorder treatment and the strips are provided by a mental health care provider.
- Effective date: January 1, 2024

**Action Item:** Consider whether to store short-acting opioid antagonist at schools; provide staff with information on where short-acting opioid antagonist is stored and how to administer.

### **HB 2753: Stipend for School Board Directors**

- Permits the granting of a stipend no greater than \$500 per month to each director who is a voting member of a district school board. Amount may be adjusted in accordance with the Consumer Price Index.
- The stipend is in addition to reimbursement of actual and necessary expenses incurred in their role as director.
- Effective date: July 1, 2023.

**Action Items:** Inform school board directors of option to receive stipends.

### **HB 2805: Updated Public Meetings Law and OGEC Authority**

- Specifies that serial written communication (email, text, or phone technology) or the use of intermediaries to communicate may constitute a serial meeting if deliberation occurs.
- Oregon Government Ethics Commission must provide annual training on requirements and best practices for public meetings. Every member of a public body with total expenditures of at least \$1 million per fiscal year must attend or view the training at least once during their term of office.
- Expands OGEC's authority to investigate general public meeting violations, not just executive session violations. First, a complainant must file a public meetings complaint with the school district, which will need to investigate and provide a response in accordance with the procedures, to both OGEC and the complainant.
- Effective Date: September 24, 2023.

**Action Item:** Update public meetings procedures and policies. If your district has expenditures of at least \$1 million, facilitate board members taking OGEC public meetings training.

### **HB 2806: Expanded Topic for Executive Session: Safety and Cyber Security**

- Permits a governing body of a public body to hold an executive session for the consideration of matters relating to the safety of the public body and their staff, as well as matters relating to cyber security.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Items:** Update public meetings procedures and policies to reflect new executive session purpose.

### **HB 3014: Alternative Student Transportation**

- Defines "alternative transportation" as the means to arrive or depart from school by walking, bicycling, or public transportation.
- The State Board of Education is to adopt rules to determine amount that will be reimbursed to a school district for the costs related to these alternative transportation methods, such as encouraging walking and biking for students living within three miles of school, or paying for public bus passes.
- Permits State Board of Education to waive requirement to provide transportation for elementary school students residing more than a mile from school, providing that there is sufficient alternative transportation.
- Effective date: July 1, 2024.

**Action Items:** School districts may submit a supplemental plan or waiver request related to these alternative transportation methods.

### **HB 3031: HVAC Infrastructure Standards and Funding**

- If school districts receive state or federal funding for HVAC improvements, the funds must be used to assess ventilation systems, place carbon monoxide monitors in each classroom and submit a report for review.
- Outlines specifications for HVAC infrastructure standards when federal and state funds are utilized.
- Within 30 days from when HVAC infrastructure work is completed, school district must submit an HVAC verification report.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Item:** None.

### **HB 3073: Protections for Candidates Running for Public Office (Doxing)**

- Permits candidates running for public office to prohibit publication of their residential address.
- Secretary of State to limit accessibility to a candidate's residential address.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Item:** None.

### **HB 3135: Supplemental Weighted Funding for Remote Small Schools**

- Permits merged school districts to continue to qualify for the district's ADMw they qualified prior to the merger if the district has at least one remote small elementary school or high school.
- Effective Date: TBD; currently awaiting Governor's signature.

**Action Items:** None.

### **HB 3144: Education Plan for Native Hawaiian or Pacific Islander Students**

- Department of Education is to develop and implement an education plan for Native Hawaiian or Pacific Islander students.
- Permits the department to award grants to Early Learning Hubs, school districts, education service districts, post-secondary institutions of education, and community-based organizations to implement strategies of their plan.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Items:** None.

**HB 3198: Early Literacy Success Initiative**

- Establishes Early Literacy Success Initiative to increase early literacy for children from birth to third grade.
- Establishes Early Literacy Success School Grant, which will be awarded to school districts and public elementary charter schools to promote the Early Literacy Success Initiative. Each recipient of a grant must submit an annual report expressing the progress made to the Department of Education.
- Established the Birth through Five Literacy Plan to expand culturally specific early literacy programs.
- Establishes the Early Literacy Success Community Grant to expand literacy programs for children in early elementary grades.
- Effective date: July 1, 2023.

**Action Items:** None.

**HB 3204: Virtual Charter School Enrollment Timelines**

- Current charter law allows a district to decline to allow a resident student to enroll in a virtual charter sponsored by another district if more than 3% of its students are currently enrolled in a virtual charter sponsored by another district.
- This law requires a school district to provide notice that virtual charter enrollment was not approved within 10 calendar days from when notice of the student's intent to enroll in a virtual public charter school.
- Requires that a school district's percentage of students attending virtual public charter schools not sponsored by the district be calculated at least twice a year.
- Effective date: TBD; currently awaiting Governor's signature.

**Action Items:** None.

**HB 3383: Changes to State Board Membership**

- Adds two members to State Board of Education (one for Sixth congressional district, one for a classified staff member).
- Removes one general public member and adds one classified staff member for the Teacher Standards and Practices Commission.
- Removes one health policy or risk management member and adds one classified staff member for the Oregon Educators Benefit Board.
- Effective Date: TBD; currently awaiting Governor's signature.

**Action Items:** None

**HB 3584: Notification of School Safety Threat Action**

- Requires district school boards to adopt a policy to notify parents or guardians when a safety threat action, such as a lockdown or shelter in place, is initiated by a school by the school itself or the school district.
- Notice must be provided “as expeditiously as possible” and no more than 24 hours after the event.
- Effective date: TBD; currently awaiting Governor’s signature.

**Action Item:** Adopt new Board policy

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