

SB 426 -2 STAFF MEASURE SUMMARY

Senate Committee On Education

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/21, 3/23

WHAT THE MEASURE DOES:

Modifies Healthy and Safe Schools Plan statutes. Beginning January 1, 2024, adds State Department of Agriculture as required consultee in development of model plan. Beginning January 1, 2024, adds adoption of low-impact pesticide list, adoption of effective nonchemical pest suppression strategies, adoption of recordkeeping and reporting policies, and ongoing training to minimum requirements for school district plans. Beginning January 1, 2024, adds State Department of Agriculture to requirement to develop information sheets for use by school districts. Beginning January 1, 2024, adds requirements for Oregon Department of Education (ODE) in consultation with specified entities to provide technical assistance and recommendations for reducing exposure to pesticides. Beginning January 1, 2024, adds State Department of Agriculture as cooperating agency in making test results public. Requires ODE to convene Healthy and Safe Schools Integrated Pest Advisory Committee. Establishes committee membership and responsibilities. Directs ODE and State Department of Agriculture to provide grants to three school districts for pilot program to test applicability of pesticide applicator records system. Appropriates unspecified amount of General Fund for grants. Repeals pilot program January 2, 2026. Beginning January 1, 2024, adds prohibition on pesticides are classified as disruptors of hormonal systems. Beginning January 1, 2024, requires school governing bodies to implement uniform recordkeeping and reporting policies, including the use of web-based recordkeeping software standardized across schools. Beginning January 1, 2024, requires plan coordinator to provide annual report to governing body. Establishes reporting requirements. Allows agencies to take action prior to specified operative dates. Takes effect on the 91st day after adjournment sine die.

ISSUES DISCUSSED:

- Integrated pest management in schools
- Potential challenges with implementation
- Student and staff health and safety

EFFECT OF AMENDMENT:

-2 Removes provisions relating to adoption of low-impact pesticide list, adoption of effective nonchemical pest suppression strategies, adoption of recordkeeping and reporting policies, and ongoing training to minimum requirements for school district plans. Removes provisions relating to technical assistance and recommendations. Adds requirement that Oregon Department of Education (ODE) consult with State Department of Agriculture to develop a process that may be used by district and school staff to update and implement integrated pest management plans. Requires ODE to engage in outreach activities. Modifies membership of advisory committee. Limits advisory committee to 15 members. Modifies duties of advisory committee. Removes requirement for three district pilot programs. Adds requirement that records system be electronic. Establishes additional requirements for pilot programs. Requires school governing bodies to adopt and maintain current lists of low-impact pesticides. Removes requirements for governing bodies to implement uniform record keeping and reporting policies. Removes requirement for plan coordinator to provide annual report to governing body.

BACKGROUND:

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In 2013, a U.S. Forest Service study of moss in Portland revealed high levels of cadmium and arsenic in neighborhoods and nearby schools. The Oregon Department of Environmental Quality confirmed the findings in October of 2016. In addition, in June and July of 2016, Portland Public Schools found that a substantial number of its school buildings had high lead levels in their drinking water after conducting a series of tests on buildings' water sources. Requirements for the Healthy and Safe Schools Plan (HASS) were enacted with the passage of Senate Bill 1062 in 2017. Current law requires school districts, education service districts, and public charter schools to develop and adopt plans to address environmental conditions in their buildings. The Oregon Department of Education provides reimbursement to districts for continuous testing of water for lead, as well as alignment with federal requirements for managing asbestos and lead paint. District plans provide transparency for school communities and the public about the ways that districts, charter schools, and ESDs manage environmental hazards.

Senate Bill 426 modifies Oregon's Healthy and Safe Schools Plans statutes.