

SB 426 A STAFF MEASURE SUMMARY

Senate Committee On Education

Action Date: 03/30/23

Action: Do pass with amendments. Refer to Ways and Means by prior reference. (Printed A-Eng).

Vote: 6-1-0-0

Yeas: 6 - Anderson, Dembrow, Frederick, Gelser Blouin, President Wagner, Weber

Nays: 1 - Robinson

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Lisa Gezelter, LPRO Analyst

Meeting Dates: 2/21, 3/30

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, to requirement to develop information sheets for use by school districts, and as cooperating agency in making tests public. Requires Oregon Department of Education (ODE) to 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. Requires ODE to convene Healthy and Safe Schools Integrated Pest Advisory Committee. Establishes committee membership and responsibilities. Requires that records system be electronic. Beginning January 1 2024, prohibits use of pesticides classified as disruptors of hormonal systems. Requires school governing bodies to adopt and maintain current lists of low-impact pesticides. Establishes reporting requirements. Allows agencies to take action prior to specified operative dates. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

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

EFFECT OF AMENDMENT:

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 recordkeeping and reporting policies. Removes requirement for plan coordinator to provide annual report to governing body.

BACKGROUND:

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 2016. In addition, in June and July 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

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sources. Requirements for the Healthy and Safe Schools Plan were enacted with the passage of Senate Bill 1062 in 2017. Current law requires school districts, education service districts (ESDs), 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 A modifies Oregon's Healthy and Safe Schools Plan statutes.