

Requested by Senator GELSER BLOUIN

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 283**

1 On page 1 of the printed A-engrossed bill, line 2, delete “327.254,” and
2 insert “329.788, 329.795, 329.800, 329.805, 329.810, 329.815, 329.820,”.

3 In line 3, delete “and 342.610” and insert “, 342.610 and 342.940”.

4 On page 2, delete lines 3 through 45 and delete pages 3 through 22 and
5 insert:

6 **“SECTION 1. (1) As used in this section:**

7 **“(a) ‘Education workforce’ means licensed and classified staff who**
8 **are:**

9 **“(A) Employed by a public education provider; or**

10 **“(B) Under contract to provide services to a public education pro-**
11 **vider.**

12 **“(b) ‘Public education provider’ means:**

13 **“(A) A school district;**

14 **“(B) A public charter school;**

15 **“(C) An education service district;**

16 **“(D) A long term care or treatment facility, as described in ORS**
17 **343.961;**

18 **“(E) The Youth Corrections Education Program;**

19 **“(F) The Juvenile Detention Education Program; or**

20 **“(G) The Oregon School for the Deaf.**

21 **“(2) For the purpose of supporting the education workforce in this**

1 state:

2 “(a) The Department of Education shall develop and implement a
3 plan to establish and maintain a statewide data system on the educa-
4 tion workforce in this state.

5 “(b) The Teacher Standards and Practices Commission shall develop
6 and implement a plan to establish and maintain the statewide portal
7 for jobs in education, as described in section 5 (1)(b), chapter 116,
8 Oregon Laws 2022, and shall consider whether to make available exit
9 surveys as part of the portal.

10 “(3)(a) The Department of Education shall convene a steering com-
11 mittee to assist the department in developing a business case for the
12 statewide data system described in subsection (2)(a) of this section.

13 “(b) The steering committee convened under this subsection shall
14 consist of:

15 “(A) One representative from each educator preparation program
16 in this state;

17 “(B) One representative from the department;

18 “(C) One representative from the Teacher Standards and Practices
19 Commission;

20 “(D) One representative from the Educator Advancement Council;

21 “(E) One representative from the Higher Education Coordinating
22 Commission;

23 “(F) One representative from a statewide organization that prima-
24 rily represents licensed staff of the education workforce;

25 “(G) One representative from a statewide organization that prima-
26 rily represents classified staff of the education workforce;

27 “(H) One representative from a statewide organization that repres-
28 ents school administrators;

29 “(I) One representative from a statewide organization that repres-
30 ents school boards; and

1 **“(J) One representative who is an expert on the statewide longi-**
2 **tudinal data system.**

3 **“(c) The statewide data system developed as provided by this sub-**
4 **section must allow the department to assign unique identifiers to each**
5 **individual who is a member of the education workforce. The identifier**
6 **may not use any personally identifiable information, except for align-**
7 **ment purposes in data processing. Any personally identifiable infor-**
8 **mation that is collected must be linked in a secure data location so**
9 **that data sets can be matched based on the personally identifiable in-**
10 **formation when the identifier is included.**

11 **“(d) The statewide data system developed as provided by this sub-**
12 **section must allow the following uses:**

13 **“(A) Identifying school district hiring needs by content area and**
14 **geographic location;**

15 **“(B) Providing information, by content area, about graduates of**
16 **educator preparation programs and persons who complete nontradi-**
17 **tional pathways to licensure;**

18 **“(C) Identifying educator mobility, attrition and retention patterns;**

19 **“(D) Determining educator longevity and possible factors that affect**
20 **longevity;**

21 **“(E) Evaluating school climate and culture from the educator’s**
22 **perspective based on the surveys administered as provided by section**
23 **4 of this 2023 Act;**

24 **“(F) Evaluating pay in relation to local economic data from the**
25 **most recent American Community Survey from the United States**
26 **Census Bureau; and**

27 **“(G) Studying education workforce trends and needs in this state**
28 **in a manner that:**

29 **“(i) Includes a review of:**

30 **“(I) The satisfaction of persons who complete educator preparation**

1 **programs in this state;**

2 **“(II) Employer satisfaction with the availability and skills of the**
3 **education workforce in this state; and**

4 **“(III) Hiring and retention trends of the education workforce in this**
5 **state; and**

6 **“(ii) Is sortable by school district, geographic location, school, grade**
7 **level, teacher characteristics and educator preparation program of this**
8 **state.**

9 **“(e) To the greatest extent practicable, the department and steering**
10 **committee shall:**

11 **“(A) Ensure that the collection of data under the statewide data**
12 **system aligns with the collection of data under ORS 342.443; and**

13 **“(B) Reduces redundancies by incorporating any other relevant data**
14 **processes or procedures.**

15 **“(f) The steering committee shall assist the department in ensuring**
16 **that the information described in paragraph (d) of this subsection is**
17 **available to the public through a visually appealing interactive data**
18 **visualization tool that is accessible on the department’s website home**
19 **page.**

20 **“(g) The Department of Education shall consult with each public**
21 **education provider, the Teacher Standards and Practices Commission,**
22 **the Educator Advancement Council, the Higher Education Coordinat-**
23 **ing Commission and the public universities listed in ORS 352.002 to**
24 **ensure that each entity is prepared to collect information as required**
25 **for the statewide data system.**

26 **“(h) The department shall consider whether to enter into a contract**
27 **or a partnership with any public or private entity, including the fed-**
28 **eral government, for the purpose of the statewide data system.**

29 **“(4) The Department of Education and the Teacher Standards and**
30 **Practices Commission shall submit a report on the actions required**

1 to be taken under subsection (2) of this section in the manner provided
2 by ORS 192.245, and may include recommendations for legislation, to
3 the interim committees of the Legislative Assembly related to educa-
4 tion no later than September 15, 2024.

5 **“SECTION 2.** Section 1 of this 2023 Act is repealed on January 2,
6 2025.

7 **“SECTION 3.** Notwithstanding any other provision of law, the
8 General Fund appropriation made to the Teacher Standards and
9 Practices Commission by section 1, chapter ____, Oregon Laws 2023
10 (Enrolled Senate Bill 5537), for the biennium beginning July 1, 2023, is
11 increased by \$205,000 for the establishment of the statewide portal for
12 jobs in education, as required under section 1 (2)(b) of this 2023 Act.

13

14 **“EDUCATOR WORKFORCE SURVEYS**

15

16 **“SECTION 4.** (1) As used in this section:

17 **“(a) ‘Education workforce’ means licensed and classified staff who**
18 **are:**

19 **“(A) Employed by a public education provider; or**

20 **“(B) Under contract to provide services to a public education pro-**
21 **vider.**

22 **“(b) ‘Public education provider’ means:**

23 **“(A) A school district;**

24 **“(B) A public charter school;**

25 **“(C) An education service district;**

26 **“(D) A long term care or treatment facility, as described in ORS**
27 **343.961;**

28 **“(E) The Youth Corrections Education Program;**

29 **“(F) The Juvenile Detention Education Program; or**

30 **“(G) The Oregon School for the Deaf.**

1 **“(2) Each public education provider shall:**

2 **“(a) Encourage members of the education workforce of the public**
3 **education provider to participate in a survey administered by the De-**
4 **partment of Education that is designed to assist in the gathering of**
5 **information about the working experiences of the education workforce**
6 **of this state, including the experience in the school district and in in-**
7 **dividual schools; and**

8 **“(b) Ensure that members of the education workforce of the public**
9 **education provider have the opportunity to participate in the survey**
10 **described in paragraph (a) of this subsection.**

11 **“(3) The State Board of Education, in collaboration with the Edu-**
12 **cator Advancement Council, shall adopt by rule the standards for the**
13 **survey administered under this section.**

14 **“(4) The department shall annually review the survey identified in**
15 **subsection (2) of this section and:**

16 **“(a) Make the information available to school district boards, ad-**
17 **ministrators of school districts and administrators of schools in a**
18 **manner that allows for the accessibility of the information:**

19 **“(A) On a district level and a school level; and**

20 **“(B) Through the interactive data visualization tool; and**

21 **“(b) Report annually on education workforce satisfaction to the in-**
22 **terim committees of the Legislative Assembly related to education.**

23 **“(5) The department may enter into a contract or a partnership**
24 **with any public or private entity, including the federal government,**
25 **for the purpose of this section.**

26

27 **“SPECIAL EDUCATION EDUCATORS AND EMPLOYEES**

28

29 **“SECTION 5. (1) As used in this section:**

30 **“(a) ‘Classified school employee’ includes all employees of a school**

1 district except those for whom a teaching or administrative license is
2 required as a basis for employment in a school district.

3 “(b) ‘Individualized education program’ has the meaning given that
4 term in ORS 343.035.

5 “(c) ‘Licensed educator’ means a teacher, administrator or other
6 school professional who is licensed, registered or certified by the
7 Teacher Standards and Practices Commission.

8 “(d) ‘Salary’ has the meaning given that term in ORS 653.010.

9 “(e) ‘School district’ means:

10 “(A) A common school district or a union high school district.

11 “(B) An education service district.

12 “(2) For each licensed educator or classified school employee who
13 provides significant special education support, as determined under
14 subsection (3) of this section, a school district may pay one or more
15 of the following:

16 “(a) An additional percentage of the educator’s or employee’s salary
17 or hourly wage.

18 “(b) Notwithstanding ORS 652.220, a one-time payment in addition
19 to the educator’s or employee’s salary or hourly wage.

20 “(3) For purposes of this section, a licensed educator or a classified
21 school employee provides significant special education support if 75
22 percent or more of the educator’s or employee’s student caseload
23 consists of students who have an individualized education program.

24 “(4) A salary or wage increase specified in subsection (2) of this
25 section is exclusive of health benefits and other benefits the school
26 district provides to licensed educators or classified school employees
27 or that are otherwise required under the laws of this state.

28 “SECTION 6. (1) As used in this section:

29 “(a) ‘Classified school employee’ includes all employees of a school
30 district except those for whom a teaching or administrative license is

1 required as a basis for employment in a school district.

2 “(b) ‘Individualized education program’ has the meaning given that
3 term in ORS 343.035.

4 “(c) ‘School district’ means:

5 “(A) A common school district or a union high school district.

6 “(B) An education service district.

7 “(2) Except as provided in subsection (3) of this section, a school
8 district that employs classified school employees who provide signif-
9 icant special education support, as determined under subsection (4) of
10 this section, may not establish, for any purpose, a policy that requires
11 the work day hours of a classified school employee to be fewer than
12 five hours per work day on regular school days when schools are
13 normally in operation and students are present.

14 “(3)(a) A school district may reduce the work day hours of a clas-
15 sified school employee to fewer than five hours per work day if the
16 reduction in hours is at the written request of the employee.

17 “(b) A school district may not coerce or require, as a condition of
18 employment or continuation of employment, a classified school em-
19 ployee to make a request for a reduction in work day hours.

20 “(4) For the purpose of this section, a classified school employee
21 provides significant special education support if 75 percent or more of
22 the employee’s student caseload consists of students who have an in-
23 dividualized education program.

24 “SECTION 7. Section 6 of this 2023 Act becomes operative on July
25 1, 2024.

26

27 “CRISIS RESPONSE IN SCHOOL DISTRICTS

28

29 “SECTION 8. (1) As used in this section, ‘certified instructor’ means
30 an individual who is certified as an instructor by the Crisis Prevention

1 Institute’s Nonviolent Crisis Intervention program or by another pro-
2 gram administered by a nationally recognized organization that pro-
3 vides training to certify individuals in nonviolent crisis intervention
4 methods.

5 “(2) The Department of Education shall establish and maintain the
6 Safe School Culture Grant program. The purpose of the program is to
7 develop a network of instructors who are certified in nonviolent crisis
8 intervention methods to ensure that, for every 50 students in a school
9 district or an education service district, at least one staff person of the
10 school district or education service district is certified in nonviolent
11 crisis intervention methods.

12 “(3) The department shall distribute funds under the program to
13 school districts and education service districts in the manner pre-
14 scribed by the State Board of Education by rule. At a minimum, the
15 rules shall:

16 “(a) Establish the manner by which reimbursement is provided to
17 school districts and education service districts for wages or stipends
18 paid to staff for the time spent by the staff to attend training to be-
19 come certified instructors;

20 “(b) Ensure school districts and education service districts are re-
21 imbursement only for the costs related to individuals who complete the
22 certification process as newly certified instructors; and

23 “(c) Notwithstanding paragraph (b) of this subsection, permit any
24 unexpended moneys from grants to be used to support the costs of
25 training staff in nonviolent crisis intervention methods by providing
26 stipends and reimbursement for the cost of materials.

27 “(4) To qualify for a grant under the program, a school district
28 must:

29 “(a) Require each newly certified instructor to conduct at least
30 three complete trainings of at least 10 staff persons each year.

1 **“(b) Provide or arrange for the provision of the necessary physical**
2 **space for the training.**

3 **“(c) Consult with organizations representing teachers and instruc-**
4 **tional assistants to determine the priority for which staff to train to**
5 **ensure training is targeted to the areas in most need of support for**
6 **increasing the safety of students and staff.**

7 **“(d) Consult with organizations representing teachers and instruc-**
8 **tional assistants about compensation in wages, stipends or other**
9 **means to support staff to participate in training to become certified**
10 **instructors or to participate in training conducted by certified in-**
11 **structors to become certified in nonviolent crisis intervention meth-**
12 **ods.**

13 **“(5) To qualify for a grant under the program, an education service**
14 **district must:**

15 **“(a) Ensure at least one complete nonviolent crisis intervention**
16 **training of at least 10 staff persons is completed each month at the**
17 **verbal intervention level or the physical intervention level, except that**
18 **trainings for July and December may be offered in alternative months.**

19 **“(b) Provide or arrange for the provision of the necessary physical**
20 **space for the training.**

21 **“(c) Not charge a fee to a school district or a staff member for the**
22 **first 10 staff persons trained by certified instructors each year.**

23 **“(d) Offer training in advanced physical skills only to individuals**
24 **working in settings in which serious injuries have occurred or are at**
25 **imminent risk of occurring.**

26 **“(6) Notwithstanding subsection (4)(a) or (5)(a) of this subsection:**

27 **“(a) For a school district with fewer than 30 employees, require**
28 **each newly certified instructor to conduct as many complete trainings**
29 **as possible each year.**

30 **“(b) For an education service district with fewer than 30 employees,**

1 ensure as many nonviolent crisis intervention trainings as possible are
2 completed each year.

3 “(7) The department shall biennially distribute funds to school dis-
4 tricts participating in the program as follows:

5 “(a) The department shall provide to a school district with 1,500 or
6 fewer students a grant in an amount to reimburse the school district
7 for the cost of one new certified instructor. If the school district pays
8 for the cost of a second new certified instructor, the department shall
9 provide the school district with an amount to reimburse the school
10 district for the cost of a third new certified instructor.

11 “(b) The department shall provide to a school district with between
12 1,501 and 5,000 students a grant in an amount to reimburse the school
13 district for the cost of two new certified instructors. If the school
14 district pays for the cost of a third new certified instructor, the de-
15 partment shall provide the school district with an amount to reim-
16 burse the school district for the cost of a fourth new certified
17 instructor.

18 “(c) The department shall provide to a school district with between
19 5,001 and 8,000 students a grant in an amount to reimburse the school
20 district for the cost of two new certified instructors. If the school
21 district pays for the cost of additional new certified instructors, the
22 department shall provide the school district with an amount to reim-
23 burse the school district for the cost of the additional new certified
24 instructors, up to a total of four new certified instructors.

25 “(d) The department shall provide to a school district with between
26 8,001 and 15,000 students a grant in an amount to reimburse the school
27 district for the cost of four new certified instructors. If the school
28 district pays for the cost of additional new certified instructors, the
29 department shall provide the school district with an amount to reim-
30 burse the school district for the cost of the additional new certified

1 **instructors, up to a total of eight new certified instructors.**

2 **“(e) The department shall provide to a school district with between**
3 **15,001 and 30,000 students a grant in an amount to reimburse the**
4 **school district for the cost of six new certified instructors. If the**
5 **school district pays for the cost of additional new certified instructors,**
6 **the department shall provide the school district with an amount to**
7 **reimburse the school district for the cost of the additional new certi-**
8 **fied instructors, up to a total of 14 new certified instructors.**

9 **“(f) The department shall provide to a school district with more**
10 **than 30,000 students a grant in an amount to reimburse the school**
11 **district for the cost of six new certified instructors. If the school dis-**
12 **trict pays for the cost of additional new certified instructors, the de-**
13 **partment shall provide the school district with an amount to**
14 **reimburse the school district for the cost of the additional new certi-**
15 **fied instructors, up to a total of 16 new certified instructors.**

16 **“(8) The department shall biennially distribute funds through the**
17 **program to education service districts for two new certified instructors**
18 **in advanced physical skills and one new certified instructor in verbal**
19 **and physical intervention skills. The grant must match the cost of the**
20 **additional new certified instructors, up to a maximum of four new**
21 **certified instructors in advanced physical skills and two new certified**
22 **instructors in verbal and physical intervention skills.**

23 **“(9) The department may use up to three percent of the grant funds**
24 **to cover the department’s costs in administering the program under**
25 **this section.**

26 **“(10) Notwithstanding subsections (3), (7) and (8) of this section, the**
27 **department shall distribute funds to school districts and education**
28 **service districts subject to the availability of funding for the program.**

29 **“SECTION 9. (1) As used in this section, ‘certified instructor’ has**
30 **the meaning given that term in section 8 of this 2023 Act.**

1 **“(2) A school district or an education service district that partic-**
2 **ipates in the Safe School Culture Grant program established in section**
3 **8 of this 2023 Act shall submit the following reports to the Department**
4 **of Education on or before the specified dates:**

5 **“(a) By December 1, 2023, and again by July 1, 2024, a report that**
6 **includes:**

7 **“(A) The total number of new certified instructors that were certi-**
8 **fied between July 1, 2023, and the date of the report, including the**
9 **dates on which the certified instructors received their certifications.**

10 **“(B) A description of how the certified instructors are distributed**
11 **across the school district or education service district.**

12 **“(C) An accounting of how many of the new certified instructors**
13 **were funded by the school district and how many were funded by the**
14 **grant provided by the Safe School Culture Grant program.**

15 **“(D) The number of trainings held by each of the new certified in-**
16 **structors.**

17 **“(E) The number of staff who were certified in nonviolent crisis**
18 **intervention methods by completing a training by one of the new cer-**
19 **tified instructors.**

20 **“(b) By December 1, 2024, and again by July 1, 2025, each school**
21 **district and education service district participating in the grant pro-**
22 **gram shall report to the department:**

23 **“(A) The total number of staff who were certified in nonviolent**
24 **crisis intervention methods by completing a training with one of the**
25 **new certified instructors.**

26 **“(B) The total number of staff who were certified in nonviolent**
27 **crisis intervention methods by completing a training in verbal skills**
28 **only.**

29 **“(C) The total number of staff who were certified in nonviolent**
30 **crisis intervention methods by completing a training in verbal and**

1 **physical intervention skills.**

2 **“(D) The total number of staff who were certified in nonviolent**
3 **crisis intervention methods by completing a training in advanced**
4 **physical skills.**

5 **“(E) The total number of trainings held by each of the newly cer-**
6 **tified instructors between July 1, 2023, and the date of the trainings.**

7 **“(F) A description of how the staff who were certified in nonviolent**
8 **crisis intervention methods by completing a training are distributed**
9 **across the school district or education service district, including the**
10 **ratio of trained staff to students in the school district or education**
11 **service district.**

12 **“(G) A description of the school district’s or education service**
13 **district’s assessment of how many additional certified instructors, if**
14 **any, are needed to certify staff in nonviolent crisis intervention**
15 **methods.**

16 **“SECTION 10. The Department of Education shall first provide**
17 **grants through the Safe School Culture Grant program, established in**
18 **section 8 of this 2023 Act, no later than July 1, 2024.**

19 **“SECTION 11. Section 9 of this 2023 Act is repealed on January 2,**
20 **2026.**

21 **“SECTION 12. Notwithstanding any other provision of law, the**
22 **General Fund appropriation made to the Department of Education by**
23 **section 2 (2), chapter ____, Oregon Laws 2023 (Enrolled House Bill**
24 **5014), for the biennium beginning July 1, 2023, for other K-12 grant-**
25 **in-aid programs, is increased by \$5,000,000 for the Safe School Culture**
26 **Grant program established by section 8 of this 2023 Act.**

27 **“NOTE: Sections 13 through 17 were deleted by amendment. Subsequent**
28 **sections were not renumbered.**

29

30

“WORKING CONDITIONS

1 **“SECTION 18.** ORS 332.544 is amended to read:

2 “332.544. (1) As used in this section, ‘classified school employee’ includes
3 all employees of a [*public*] school district except those for whom a teaching
4 or administrative license is required as a basis for employment in a [*public*]
5 school district.

6 “[*(2) A classified school employee who has been demoted or dismissed shall*
7 *be entitled to a hearing before the school board if a written request is filed*
8 *with the board within 15 days of the dismissal or demotion.*.]

9 **“(2) A classified school employee shall have the right to be dis-**
10 **missed, demoted or disciplined only for just cause.**

11 “(3) School district employees subject to the civil service provisions of
12 ORS [*chapter 242*] **242.310 to 242.640** are exempt from the provisions of this
13 section.

14 **“SECTION 19.** Section 20 of this 2023 Act is added to and made a
15 **part of ORS chapter 334.**

16 **“SECTION 20.** (1) As used in this section, ‘classified school em-
17 **ployee’ includes all employees of an education service district except**
18 **those for whom a teaching or administrative license is required as a**
19 **basis for employment in an education service district.**

20 **“(2) A classified school employee shall have the right to be dis-**
21 **missed, demoted or disciplined only for just cause.**

22
23 **“SUBSTITUTE TEACHERS**

24
25 **“SECTION 21.** (1) The Task Force on Substitute Teachers is estab-
26 **lished.**

27 **“(2) The task force consists of 12 members appointed as follows:**

28 **“(a) The President of the Senate shall appoint two members from**
29 **among members of the Senate.**

30 **“(b) The Speaker of the House of Representatives shall appoint two**

1 **members from among members of the House of Representatives.**

2 **“(c) The Governor shall appoint eight members as follows:**

3 **“(A) One member who is a representative of an association that**
4 **primarily represents licensed educators;**

5 **“(B) One member who is a representative of an organization that**
6 **represents substitute teachers;**

7 **“(C) One member who is a representative of a coalition that re-**
8 **presents school administrators;**

9 **“(D) One member who is a representative of an association that**
10 **represents school boards;**

11 **“(E) One member who is a representative of an organization that**
12 **represents education service districts;**

13 **“(F) One member who is a representative of a third-party employ-**
14 **ment service provider for substitute teachers;**

15 **“(G) One member who is a representative of the Teacher Standards**
16 **and Practices Commission; and**

17 **“(H) One member who is a representative of the Department of**
18 **Education.**

19 **“(3) The task force shall:**

20 **“(a) Review school district requests for proposal related to substi-**
21 **tute teachers;**

22 **“(b) Conduct a cost savings analysis of providing substitute teach-**
23 **ers through third-party employment service providers;**

24 **“(c) Examine policies in other states related to the use of third-**
25 **party employment service providers for substitute teachers;**

26 **“(d) Explore a model that provides the services of substitute**
27 **teachers through education service districts;**

28 **“(e) Explore processes that ensure substitute teachers are provided**
29 **access to electronic mail and Internet service, as is necessary for their**
30 **service as a substitute teacher;**

1 “(f) Establish a model policy for ensuring that substitute teachers
2 are supervised by licensed administrators; and

3 “(g) Develop recommendations for legislation related to standards
4 for contracts for substitute teachers through third-party employment
5 service providers.

6 “(4) A majority of the voting members of the task force constitutes
7 a quorum for the transaction of business.

8 “(5) Official action by the task force requires the approval of a
9 majority of the voting members of the task force.

10 “(6) The task force shall elect one of its members to serve as
11 chairperson.

12 “(7) If there is a vacancy for any cause, the appointing authority
13 shall make an appointment to become immediately effective.

14 “(8) The task force shall meet at times and places specified by the
15 call of the chairperson or of a majority of the voting members of the
16 task force.

17 “(9) The task force may adopt rules necessary for the operation of
18 the task force.

19 “(10) The task force shall submit a report in the manner provided
20 by ORS 192.245, and may include recommendations for legislation, to
21 an interim committee of the Legislative Assembly related to education
22 no later than September 15, 2024.

23 “(11) The Legislative Policy and Research Director shall provide
24 staff support to the task force.

25 “(12) Members of the Legislative Assembly appointed to the task
26 force are nonvoting members of the task force and may act in an ad-
27 visory capacity only.

28 “(13) Members of the task force who are not members of the Leg-
29 islative Assembly are not entitled to compensation or reimbursement
30 for expenses and serve as volunteers on the task force.

1 “(14) All agencies of state government, as defined in ORS 174.111,
2 are directed to assist the task force in the performance of the duties
3 of the task force and, to the extent permitted by laws relating to
4 confidentiality, to furnish information and advice the members of the
5 task force consider necessary to perform their duties.

6 “SECTION 22. Section 21 of this 2023 Act is repealed on December
7 31, 2024.

8 “SECTION 23. Notwithstanding any other provision of law, the
9 General Fund appropriation made to the Legislative Policy and Re-
10 search Committee by section 15, chapter _____, Oregon Laws 2023 (En-
11 rolled Senate Bill 5516), for the biennium beginning July 1, 2023, is
12 increased by \$300,000 for the task force established under section 21 of
13 this 2023 Act.

14 “SECTION 24. ORS 342.610 is amended to read:

15 “342.610. (1)(a) [*Teachers employed as substitute teachers shall not*] **A**
16 **teacher employed as a substitute teacher may not** be paid less per day
17 than 85 percent of 1/190th of the **statewide average** salary of a beginning
18 teacher who holds a bachelor’s degree. [*The salary of the substitute teacher*
19 *shall be computed as required in this subsection based on the statewide aver-*
20 *age salary for beginning teachers who hold bachelor’s degrees.*]

21 “(b) The Department of Education shall compute the statewide average
22 salary **of a beginning teacher who holds a bachelor’s degree** to be used
23 for purposes of this subsection[,] **by:**

24 “(A) Using the latest data available to the department[, *but not*]; **and**

25 “(B) **Not using** data from earlier than the preceding school year.

26 “(2) [*The*] **A** school district shall set the working hours for a substitute
27 teacher[,] and, when [*employed,*] **a teacher is employed as a substitute**
28 **teacher for the school district, the school district** shall pay the substi-
29 tute teacher a salary that is:

30 “(a) No less than one-half of the daily minimum salary computed under

1 subsection (1) of this section[. *However, if the substitute teacher is employed*
2 *for more than one-half day, the substitute teacher shall receive a full day's*
3 *pay.*] **if the teacher is employed as a substitute teacher for less than**
4 **one-half day; or**

5 **“(b) No less than the daily minimum salary computed under sub-**
6 **section (1) of this section if the teacher is employed as a substitute**
7 **teacher for one-half day or more.**

8 “(3)(a) Notwithstanding subsection (1) of this section, [*teachers employed*
9 *as substitute teachers*] **a teacher employed as a substitute teacher** for
10 more than 10 consecutive days in any one assignment for the same teacher
11 shall not be paid after the 10th day of the assignment less per day than:

12 **“(A) For school districts with no salary scale,** 100 percent of 1/190th
13 of the statewide average salary computed in subsection (1) of this section
14 [*for districts with no salary scale; or,*]; **or**

15 **“(B) For school districts with a salary scale,** the higher of:

16 “[*(A)*] **(i)** 1/190th of the employing school district’s salary for a beginning
17 teacher who holds a bachelor’s degree; or

18 “[*(B)*] **(ii)** The daily minimum salary computed under subsection (1) of this
19 section.

20 “(b) Used sick leave, whether paid or unpaid, and weekends, school holi-
21 days and days when schools are closed by weather or other conditions and
22 when substitute teachers are not required to appear in person at the school
23 [*shall*] **may** not be considered in determining consecutive days for purposes
24 of this subsection.

25 “(c) When substituting for a part-time teacher, the part of the day worked
26 by the substitute **teacher** shall count as a full day in determining consec-
27 utive days for purposes of this subsection.

28 “(4) Notwithstanding subsections (1) and (3) of this section, if a school
29 district has a class schedule based on a four-day week:

30 “(a) The daily minimum salary computed under subsection (1) or (3) of

1 this section must be multiplied by 1.125; and

2 “(b) Calculations described in subsection (3) of this section must be made
3 after a teacher has been employed as a substitute teacher for more than eight
4 consecutive days in any one assignment for the same teacher.

5 “(5)(a) **A school district shall classify a substitute teaching assign-
6 ment as a temporary position when the school district determines that
7 a teacher will be employed as a substitute teacher for 60 or more
8 consecutive days in any one assignment for the same teacher.**

9 “(b) **The designation under paragraph (a) of this subsection must
10 occur either:**

11 “(A) **At the beginning of the substitute teaching assignment; or**

12 “(B) **As soon as practicable, but no later than 10 consecutive days,
13 after the school district determines that a substitute teaching assign-
14 ment will be extended to 60 or more consecutive days.**

15 “(c) **If a school district has a class schedule based on a four-day
16 week, the school district shall:**

17 “(A) **Classify a substitute teaching assignment as a temporary po-
18 sition when the school district determines that a teacher will be em-
19 ployed as a substitute teacher for 48 or more consecutive days in any
20 one assignment for the same teacher; and**

21 “(B) **Make the designation described in paragraph (b)(B) of this
22 subsection when the school district determines that a teacher will be
23 employed as a substitute teacher for 48 or more consecutive days in
24 any one assignment for the same teacher.**

25 “(d) **Nothing in this subsection prohibits a school district from
26 making the classification required under paragraph (a) or (c) of this
27 subsection after fewer consecutive days.**

28 “(6) **A teacher employed by a school district as a substitute teacher
29 shall be paid for any training that is required for that teacher to apply
30 for or be assigned to a substitute teaching assignment.**

1 “[5] (7) This section does not apply to substitute teachers represented
2 in a bargaining unit in the school district by which they are employed.

3 **“SECTION 25. The amendments to ORS 342.610 by section 24 of this**
4 **2023 Act first apply to the 2023-2024 school year.**

5
6 **“TASK FORCE ON EDUCATOR SALARIES**

7
8 **“SECTION 26. (1) The Task Force on Statewide Educator Salary**
9 **Schedules is established.**

10 **“(2) The task force consists of 12 members appointed as follows:**

11 **“(a) The President of the Senate shall appoint one member who is**
12 **the chairperson of the Senate interim committee of the Legislative**
13 **Assembly related to education.**

14 **“(b) The Speaker of the House of Representatives shall appoint one**
15 **member who is the chairperson of the House interim committee of the**
16 **Legislative Assembly related to education.**

17 **“(c) The President of the Senate and the Speaker of the House of**
18 **Representatives shall jointly appoint the following 10 members:**

19 **“(A) A member who is a representative of a coalition that repres-**
20 **ents school administrators;**

21 **“(B) A member who is a representative of an association that re-**
22 **presents school boards;**

23 **“(C) A member who is a representative of an association that pri-**
24 **marily represents licensed educators;**

25 **“(D) A member who is a representative of an association that pri-**
26 **marily represents classified educator staff;**

27 **“(E) A member who is a superintendent of a school district;**

28 **“(F) A member who is a licensed teacher of a school district;**

29 **“(G) A member who is a classified school employee at a school dis-**
30 **trict;**

1 **“(H) A member who is a business manager or a human resources**
2 **manager for a school district; and**

3 **“(I) Two members who are parents of students in the public schools**
4 **of this state.**

5 **“(3) The task force shall:**

6 **“(a) Study the benefits and challenges of implementing a statewide**
7 **salary schedule for educators in this state.**

8 **“(b) Propose a statewide salary schedule for educators, which must**
9 **include regional differences. When developing the statewide salary**
10 **schedule, the task force must:**

11 **“(A) Consider whether the regional differences shall align with the**
12 **regions specified in ORS 653.025 or make recommendations for other**
13 **regional designations.**

14 **“(B) Consider and make recommendations regarding pay for student**
15 **teachers.**

16 **“(C) Consider and make recommendations regarding pay for edu-**
17 **cators and classified school employees when 75 percent or more of the**
18 **educator’s or employee’s student caseload consists of students who**
19 **have an individualized education program.**

20 **“(4) A majority of the members of the task force constitutes a**
21 **quorum for the transaction of business.**

22 **“(5) Official action by the task force requires the approval of a**
23 **majority of the members of the task force.**

24 **“(6) The members of the task force who are members of the Legis-**
25 **lative Assembly shall serve as cochairpersons.**

26 **“(7) If there is a vacancy for any cause, the appointing authority**
27 **shall make an appointment to become immediately effective.**

28 **“(8) The task force shall meet at times and places specified by the**
29 **call of the cochairpersons or of a majority of the voting members of**
30 **the task force.**

1 “(9) The task force may adopt rules necessary for the operation of
2 the task force.

3 “(10) The task force shall submit a report in the manner provided
4 by ORS 192.245, and may include recommendations for legislation, to
5 the interim committees of the Legislative Assembly related to educa-
6 tion no later than:

7 “(a) December 31, 2023, to provide information on the study de-
8 scribed in subsection (3)(a) of this section; and

9 “(b) September 15, 2024, to propose the statewide salary schedule for
10 educators described in subsection (3)(b) of this section.

11 “(11) The Legislative Policy and Research Director shall provide
12 staff support to the task force.

13 “(12) Members of the task force who are not members of the Leg-
14 islative Assembly are not entitled to compensation or reimbursement
15 for expenses and serve as volunteers on the task force.

16 “(13) All agencies of state government, as defined in ORS 174.111,
17 are directed to assist the task force in the performance of the duties
18 of the task force and, to the extent permitted by laws relating to
19 confidentiality, to furnish information and advice the members of the
20 task force consider necessary to perform their duties.

21 “SECTION 27. Section 26 of this 2023 Act is repealed on December
22 31, 2024.

23 “SECTION 28. Notwithstanding any other provision of law, the
24 General Fund appropriation made to the Legislative Policy and Re-
25 search Committee by section 15, chapter ____, Oregon Laws 2023 (En-
26 rolled Senate Bill 5516), for the biennium beginning July 1, 2023, is
27 increased by \$495,000 for the task force established under section 26 of
28 this 2023 Act.

29

30 “APPRENTICESHIP AND MENTORSHIP GRANTS

1 **“SECTION 29. Notwithstanding any other provision of law, the**
2 **General Fund appropriation made to the Department of Education by**
3 **section 2 (2), chapter _____, Oregon Laws 2023 (Enrolled House Bill**
4 **5014), for the biennium beginning July 1, 2023, for other K-12 grant-**
5 **in-aid programs, is increased by \$10,000,000 to award grants to promote**
6 **registered apprenticeships for educators and to promote the beginning**
7 **teacher and administrator mentorship program established as provided**
8 **by ORS 329.795, with priority given to:**

9 **“(1) The development of educators who hold an endorsement related**
10 **to special education.**

11 **“(2) The development of educators serving school districts in rural**
12 **areas.**

13 **“(3) The development of educators who are diverse, as defined in**
14 **ORS 342.433.**

15 **“(4) The development of educators who hold an emergency teaching**
16 **license.**

17 **“(5) The continuation of existing mentorship relationships.**

18
19 **“TEACHER LICENSURE**

20
21 **“SECTION 30. ORS 342.125 is amended to read:**

22 **“342.125. (1) Teaching licenses shall be issued and renewed by the Teacher**
23 **Standards and Practices Commission by the authority of the State of Oregon,**
24 **subject to ORS 342.120 to 342.430 and the rules of the commission.**

25 **“(2) Notwithstanding any requirements prescribed for issuance of a li-**
26 **cence, a person whose application for a license is pending may be employed**
27 **in the public schools of this state for 90 calendar days after the date of**
28 **submission of the application if:**

29 **“(a) The person is not ineligible for a license following background checks**
30 **conducted by the Teacher Standards and Practices Commission, including a**

1 criminal records check as provided in ORS 181A.195 and a background check
2 through an interstate clearinghouse of revoked and suspended licenses;

3 “(b) The school district has completed the review of the employment his-
4 tory of the person as required by ORS 339.374;

5 “(c) The person had not been employed as provided by this subsection
6 during the previous 12 months with a pending application for the same li-
7 cense; and

8 “(d) The person and the school district have complied with any other re-
9 quirements established by the commission by rule.

10 “(3) Subject to ORS 342.130 and to subsection (4) of this section, licenses
11 shall be of the following types:

12 “(a) Preliminary teaching license.

13 “(b) Professional teaching license.

14 “(c) Distinguished teacher leader license.

15 “(d) Preliminary personnel service license.

16 “(e) Professional personnel service license.

17 “(f) Preliminary administrative license.

18 “(g) Professional administrative license.

19 “(h) Reciprocal license.

20 “(i) Legacy license.

21 “(4) The Teacher Standards and Practices Commission may establish other
22 types of teaching licenses as the commission considers necessary for opera-
23 tion of the public schools of the state and may prescribe the qualifications
24 for the licenses. However, no license established under the authority of this
25 subsection is required for a regular classroom teaching position in the public
26 schools.

27 “(5) **Notwithstanding 342.127, any person who has held a teaching**
28 **license identified in subsection (3) of this section or established as**
29 **provided by subsection (4) of this section may, within three years of**
30 **retirement and without payment of any fees or any other additional**

1 **requirements, convert the teaching license into a substitute teaching**
2 **license.**

3 “[5)(a)] **(6)(a)** The Teacher Standards and Practices Commission shall
4 establish a public charter school teacher and administrator registry. The
5 commission shall require the applicant and the public charter school to
6 jointly submit an application requesting registration as a public charter
7 school teacher or administrator. The application shall include:

8 “(A) A description of the specific teaching or administrator position the
9 applicant will fill;

10 “(B) A description of the background of the applicant that is relevant to
11 the teaching or administrator position, including any post-secondary educa-
12 tion or other experience; and

13 “(C) Documentation as required by the commission for the purposes of
14 conducting a criminal records check as provided in ORS 181A.195 and a
15 background check through an interstate clearinghouse of revoked and sus-
16 pended licenses.

17 “(b) Subject to the results of the criminal records check and background
18 check and to information received under ORS 342.143 (2), the commission
19 shall approve the application for registration. The commission may deny a
20 request for registration only on the basis of the criminal records check, the
21 background check through an interstate clearinghouse of revoked and sus-
22 pended licenses or the information received under ORS 342.143 (2). The reg-
23 istration is valid for a term established by the commission and, subject to
24 information received under ORS 342.143 (2), may be renewed upon joint ap-
25 plication from the teacher or administrator and the public charter school.

26 “(c) A registration as a public charter school teacher qualifies its holder
27 to accept the teaching position described in the application in the public
28 charter school that submitted the application with the holder of the regis-
29 tration.

30 “(d) A registration as a public charter school administrator qualifies its

1 holder to accept the administrator position described in the application in
2 the public charter school that submitted the application with the holder of
3 the registration.

4 “[~~(6)(a)~~] **(7)(a)** The Teacher Standards and Practices Commission shall
5 adopt an expedited process for the issuance of any license established pur-
6 suant to this section. The expedited process may require the following:

7 “(A) The showing of an urgent situation; and

8 “(B) The joint request for the expedited process from the applicant for the
9 license and:

10 “(i) The school district superintendent or school district board;

11 “(ii) The public charter school governing body; or

12 “(iii) The education service district superintendent or board of directors
13 of the education service district.

14 “(b) Except as provided by paragraph (c) of this subsection, the commis-
15 sion shall issue a license as provided by this subsection within two working
16 days after receiving a completed application.

17 “(c) The commission may limit the number of applications the commission
18 will accept under this subsection from a school district or an education ser-
19 vice district to not more than 100 applications in a period of two working
20 days.

21 “(d) For purposes of this subsection, the commission may not distinguish
22 between a school district or an education service district involved in a labor
23 dispute and any other school district or education service district.

24 **“SECTION 31.** ORS 342.127 is amended to read:

25 “342.127. (1) The Teacher Standards and Practices Commission shall es-
26 tablish and collect:

27 “(a) A fee not to exceed \$350 for evaluation of the initial application for
28 each educator license for which application is made. If the applicant is eli-
29 gible for the educator license for which application is made, the commission
30 shall issue the license without additional charge.

1 “(b) A fee not to exceed \$350 for the renewal of each educator license and
2 a fee not to exceed \$50 for each official paper license. If the educator is
3 certified by a national professional organization for teaching standards re-
4 cognized by the commission, the commission shall renew the license without
5 charge.

6 “(c) A fee not to exceed \$800 for a beginning educator assessment con-
7 ducted in lieu of an approved preparation program required for licensure.

8 “(d) A fee not to exceed \$350 for registration as a public charter school
9 teacher or administrator that includes any fee charged pursuant to rules
10 adopted under ORS 181A.195.

11 “(e) A fee not to exceed \$350 for renewal of a registration as a public
12 charter school teacher or administrator that includes any fee charged pur-
13 suant to rules adopted under ORS 181A.195.

14 “(2) In addition to the fee required by subsection (1) of this section for
15 the issuance of an educator license, the commission shall collect a fee not
16 to exceed \$150 for the evaluation of an applicant requesting licensing based
17 upon completion of an educator preparation program other than an Oregon
18 approved educator preparation program.

19 “(3) In addition to the fees required by subsection (1) of this section, the
20 commission shall collect a late application fee not to exceed \$40 per month
21 up to a maximum of \$200 from an applicant who fails to make timely appli-
22 cation for renewal of the license or registration. The actual amount of the
23 fee shall be determined in accordance with rules of the commission.

24 “(4) In addition to the fees required by subsection (1) of this section, the
25 commission shall collect a late application fee not to exceed \$350 for the
26 reinstatement of an expired license. The requirements for reinstatement and
27 the actual amount of the fee shall be determined in accordance with rules
28 of the commission.

29 “(5) Notwithstanding the expiration date posted on the license, the license
30 shall continue to be valid for an additional 120 days, provided the educator

1 has made a timely application, as determined by the commission, for renewal
2 prior to the expiration date on the license.

3 “(6) In addition to the fee required by subsection (1) of this section for
4 the issuance of an educator license, the commission shall collect a fee not
5 to exceed \$1,000 for the reinstatement of a license that has been suspended
6 or revoked by the commission for gross neglect of duty or gross unfitness
7 under ORS 342.175.

8 “(7) In addition to the fee required by subsection (1) of this section for
9 the issuance of an educator license, the commission shall collect a fee not
10 to exceed \$200 for the issuance of any license through an expedited process
11 under ORS 342.125 [(6)] (7) at the request of any school district, public
12 charter school or education service district that seeks to employ the appli-
13 cant. The fee shall be paid by the school district, public charter school or
14 education service district.

15 “(8)(a) The commission shall establish and collect:

16 “(A) A fee for each approved educator preparation provider, based on the
17 number of license applications received by the commission from the provider;
18 and

19 “(B) A fee for each approved educator preparation provider, based on the
20 type of educator preparation programs that the provider offers.

21 “(b) Notwithstanding paragraph (a) of this subsection, the commission
22 may establish and collect a flat fee for the purposes described in paragraph
23 (a) of this subsection if the number of teacher applicants enrolled in the
24 educator preparation programs offered by the educator preparation provider
25 does not exceed a number identified by the commission by rule.

26 “(c) The method for determining the fee and the actual amount of the fee
27 imposed under this subsection shall be determined in accordance with rules
28 of the commission.

29 “(9) Fees established under this section shall cover, but not exceed, the
30 full cost of administrative expenses incurred by the commission during any

1 biennium.

2 **“SECTION 32.** ORS 342.127, as amended by section 4, chapter 647, Oregon
3 Laws 2021, is amended to read:

4 “342.127. (1) The Teacher Standards and Practices Commission shall es-
5 tablish and collect:

6 “(a) A fee not to exceed \$350 for evaluation of the initial application for
7 each educator license for which application is made. If the applicant is eli-
8 gible for the educator license for which application is made, the commission
9 shall issue the license without additional charge.

10 “(b) A fee not to exceed \$350 for the renewal of each educator license and
11 a fee not to exceed \$50 for each official paper license. If the educator is
12 certified by a national professional organization for teaching standards re-
13 cognized by the commission, the commission shall renew the license without
14 charge.

15 “(c) A fee not to exceed \$800 for a beginning educator assessment con-
16 ducted in lieu of an approved preparation program required for licensure.

17 “(d) A fee not to exceed \$350 for registration as a public charter school
18 teacher or administrator that includes any fee charged pursuant to rules
19 adopted under ORS 181A.195.

20 “(e) A fee not to exceed \$350 for renewal of a registration as a public
21 charter school teacher or administrator that includes any fee charged pur-
22 suant to rules adopted under ORS 181A.195.

23 “(2) In addition to the fee required by subsection (1) of this section for
24 the issuance of an educator license, the commission shall collect a fee not
25 to exceed \$150 for the evaluation of an applicant requesting licensing based
26 upon completion of an educator preparation program other than an Oregon
27 approved educator preparation program.

28 “(3) In addition to the fees required by subsection (1) of this section, the
29 commission shall collect a late application fee not to exceed \$40 per month
30 up to a maximum of \$200 from an applicant who fails to make timely appli-

1 cation for renewal of the license or registration. The actual amount of the
2 fee shall be determined in accordance with rules of the commission.

3 “(4) In addition to the fees required by subsection (1) of this section, the
4 commission shall collect a late application fee not to exceed \$350 for the
5 reinstatement of an expired license. The requirements for reinstatement and
6 the actual amount of the fee shall be determined in accordance with rules
7 of the commission.

8 “(5) Notwithstanding the expiration date posted on the license, the license
9 shall continue to be valid for an additional 120 days, provided the educator
10 has made a timely application, as determined by the commission, for renewal
11 prior to the expiration date on the license.

12 “(6) In addition to the fee required by subsection (1) of this section for
13 the issuance of an educator license, the commission shall collect a fee not
14 to exceed \$1,000 for the reinstatement of a license that has been suspended
15 or revoked by the commission for gross neglect of duty or gross unfitness
16 under ORS 342.175.

17 “(7) In addition to the fee required by subsection (1) of this section for
18 the issuance of an educator license, the commission shall collect a fee not
19 to exceed \$200 for the issuance of any license through an expedited process
20 under ORS 342.125 [(6)] (7) at the request of any school district, public
21 charter school or education service district that seeks to employ the appli-
22 cant. The fee shall be paid by the school district, public charter school or
23 education service district.

24 “(8) Fees established under this section shall cover, but not exceed, the
25 full cost of administrative expenses incurred by the commission during any
26 biennium.

27 **“SECTION 33. Notwithstanding any other provision of law, the**
28 **General Fund appropriation made to the Teacher Standards and**
29 **Practices Commission by section 1, chapter ____, Oregon Laws 2023**
30 **(Enrolled Senate Bill 5537), for the biennium beginning July 1, 2023, is**

1 increased by \$100,000 for the conversion of teaching licenses into sub-
2 stitute teaching licenses as described in ORS 342.125 (5).

3
4 **“EMPLOYMENT PROTECTIONS FOR SUPERINTENDENTS**

5
6 **“SECTION 34.** ORS 334.225 is amended to read:

7 “334.225. (1) The education service district board shall employ a super-
8 intendent who must hold an administrative license as a superintendent. The
9 superintendent shall serve as the board’s executive officer, give an official
10 bond or an irrevocable letter of credit issued by an insured institution, as
11 defined in ORS 706.008, and have the duties prescribed by the board and the
12 laws of this state.

13 **“(2) The board shall fix the term and compensation of the superintendent,**
14 **provide office room for the superintendent and allow all of the**
15 **superintendent’s necessary traveling expenses. A contract for employment**
16 **of the superintendent may provide for the termination of employment**
17 **of the superintendent prior to the expiration of the contract. If the**
18 **superintendent and the education service district board mutually agree**
19 **to include a termination-without-cause provision in the contract, the**
20 **education service district board may terminate the superintendent’s**
21 **employment, without cause, at any time during the contract period**
22 **only if the education service district board provides the superintendent**
23 **with at least 12 months’ notice of the termination. Nothing in this**
24 **subsection authorizes the education service district board to make a**
25 **wrongful termination or a termination for any reason described in**
26 **subsection (4) of this section.**

27 “[2] (3) The education service district board shall designate the super-
28 intendent as the district clerk. The board may appoint qualified persons as
29 deputies to the superintendent to perform the duties required of the district
30 clerk by law or by the board.

1 **“(4)(a) An education service district board may not:**

2 **“(A) Direct a superintendent to take any action that conflicts with**
3 **a local, state or federal law that applies to education service districts;**

4 **“(B) Take an adverse employment action against a superintendent**
5 **for complying with a local, state or federal law that applies to educa-**
6 **tion service districts; or**

7 **“(C) Employ a superintendent pursuant to a contract that purports**
8 **to waive, or conflicts with, any provision or requirement of subpara-**
9 **graph (A) or (B) of this paragraph.**

10 **“(b) As used in this subsection:**

11 **“(A) ‘Local, state or federal law’ means a local, state or federal di-**
12 **rective having the force of law, including an ordinance, a city or**
13 **county resolution, a statute, a court decision, an administrative rule**
14 **or regulation, an order issued in compliance with ORS chapter 183, an**
15 **executive order or any other directive, declaration or statement that**
16 **is issued in compliance with the law as having the force of law and**
17 **that is issued by a local government as defined in ORS 174.116, the**
18 **state government as defined in ORS 174.111 or the federal government.**

19 **“(B) ‘Superintendent’ includes an interim superintendent.**

20 **“SECTION 35.** ORS 332.505, as amended by section 1, chapter 36, Oregon
21 Laws 2022, is amended to read:

22 **“332.505. (1) As used in this section:**

23 **“(a) ‘Instructional assistant’ has the meaning given that term in ORS**
24 **342.120.**

25 **“(b) ‘Intern teacher’ means a regularly enrolled candidate of an approved**
26 **educator preparation provider, as defined in ORS 342.120, who teaches under**
27 **the supervision of the staff of the provider and of the employing district in**
28 **order to acquire practical experience in teaching and for which the candidate**
29 **receives both academic credit from the provider and financial compensation**
30 **from the school district or education service district.**

1 “(2) A district school board may:

2 “(a) Employ a superintendent of schools and necessary assistant super-
3 intendants for the district and fix the terms and conditions of employment
4 and the compensation. The district school board shall not contract with a
5 superintendent for more than a period of three years at a time. The contract
6 shall automatically expire at the end of its term. Nothing in this paragraph
7 prevents a district school board from:

8 “(A) Electing to issue a subsequent contract for an additional three years
9 at any time.

10 “(B) Including in the contract provisions that provide for the termination
11 of employment of the superintendent prior to the expiration of the contract.
12 If the superintendent and the district school board mutually agree to include
13 a termination-without-cause provision in the contract, the district school
14 board may terminate the superintendent’s employment, without cause, at any
15 time during the contract period only if the district school board provides the
16 superintendent with at least 12 months’ notice of the termination. Nothing
17 in this subparagraph authorizes the district school board to make a wrongful
18 termination or a termination for any reason described in subsection (3)(a)
19 of this section.

20 “(b) Employ personnel, including teachers and administrators, necessary
21 to carry out the duties and powers of the board and fix the duties, terms and
22 conditions of employment and the compensation.

23 “(c) Compensate district employees in any form which may include, but
24 shall not be limited to, insurance, tuition reimbursement and salaries.

25 “(d) Employ instructional assistants and intern teachers subject to the
26 rules of the State Board of Education.

27 “(3)(a) A district school board may not:

28 “(A) Direct a superintendent to take any action that conflicts with a lo-
29 cal, state or federal law that applies to school districts [*or education service*
30 *districts*];

1 “(B) Take an adverse employment action against a superintendent for
2 complying with a local, state or federal law that applies to school districts
3 [*or education service districts*]; or

4 “(C) Employ a superintendent pursuant to a contract that purports to
5 waive, or conflicts with, any provision or requirement of subparagraph (A)
6 or (B) of this paragraph.

7 “(b) As used in this subsection:

8 “(A) ‘Local, state or federal law’ means a local, state or federal directive
9 having the force of law, including an ordinance, a city or county resolution,
10 a statute, a court decision, an administrative rule or regulation, an order
11 issued in compliance with ORS chapter 183, an executive order or any other
12 directive, declaration or statement that is issued in compliance with the law
13 as having the force of law and that is issued by a local government as de-
14 fined in ORS 174.116, the state government as defined in ORS 174.111 or the
15 federal government.

16 “(B) ‘Superintendent’ includes an interim superintendent.

17 “(4) The district school board shall maintain written personnel policies
18 and make the policies available for inspection by any school employee or
19 member of the public.

20 “(5) The superintendent of the school district shall cause each employee
21 to be specifically informed of the existence and availability of the personnel
22 policies.

23

24 **“EARLY CHILDHOOD SPECIAL EDUCATION OR EARLY INTER-**
25 **VENTION SERVICES**

26

27 **“SECTION 36.** ORS 329A.030, as amended by section 1, chapter 90,
28 Oregon Laws 2022, is amended to read:

29 “329A.030. (1) The Office of Child Care shall establish a Central Back-
30 ground Registry and may maintain information in the registry through elec-

1 tronic records systems.

2 “(2)(a) A subject individual shall apply to and must be enrolled in the
3 Central Background Registry as part of the individual’s application to oper-
4 ate a program or serve in a position described in subsection (10) of this
5 section.

6 “(b) An individual who has been the subject of a founded or substantiated
7 report of child abuse shall apply to and must be enrolled in the Central
8 Background Registry prior to providing any of the types of care identified
9 in ORS 329A.250 (4)(b)(A), (G) or (H) if:

10 “(A) The child abuse occurred on or after January 1, 2017, and involved
11 a child who died or suffered serious physical injury, as defined in ORS
12 161.015; or

13 “(B) The child abuse occurred on or after September 1, 2019, and involved
14 any child for whom the individual was providing child care, as defined in
15 ORS 329A.250 (4), or care identified in ORS 329A.250 (4)(b)(A), (C), (F), (G),
16 (H) or (I).

17 “(c) Notwithstanding paragraph (a) of this subsection, an individual de-
18 scribed in paragraph (b)(B) of this subsection is not required to enroll in the
19 Central Background Registry if more than seven years has elapsed since the
20 date of the child abuse determination.

21 “(3)(a) Upon receiving an application for enrollment in the Central
22 Background Registry, the office shall complete:

23 “(A) A criminal records check under ORS 181A.195;

24 “(B) A criminal records check of other registries or databases in accord-
25 ance with rules adopted by the Early Learning Council;

26 “(C) A child abuse and neglect records check in accordance with rules
27 adopted by the council; and

28 “(D) A foster care certification check and an adult protective services
29 check in accordance with rules adopted by the council.

30 “(b) In addition to the information that the office is required to check

1 under paragraph (a) of this subsection, the office may consider any other
2 information obtained by the office that the office, by rule, determines is
3 relevant to enrollment in the Central Background Registry.

4 “(4)(a) The office shall enroll the individual in the Central Background
5 Registry if the individual:

6 “(A) Is determined to have no criminal, child abuse and neglect, negative
7 adult protective services or negative foster home certification history, or to
8 have dealt with the issues and provided adequate evidence of suitability for
9 the registry;

10 “(B) Has paid the applicable fee established pursuant to ORS 329A.275;
11 and

12 “(C) Has complied with the rules of the Early Learning Council adopted
13 pursuant to this section.

14 “(b) Notwithstanding subsection (3) of this section and paragraph (a) of
15 this subsection, the office may enroll an individual in the registry if the
16 Department of Human Services has completed a background check on the
17 individual and the individual has received approval from the department for
18 purposes of providing child care.

19 “(5)(a) Notwithstanding subsections (3) and (4) of this section, the office
20 may not enroll an individual in the Central Background Registry if:

21 “(A) The individual has a disqualifying condition as defined in rules
22 adopted by the council; or

23 “(B) The individual is an exempt prohibited individual, as provided by
24 ORS 329A.252.

25 “(b) If an individual prohibited from enrolling in the registry as provided
26 by this subsection is enrolled in the registry, the office shall remove the in-
27 dividual from the registry.

28 “(6)(a) The office may conditionally enroll an individual in the Central
29 Background Registry pending the results of a nationwide criminal records
30 check through the Federal Bureau of Investigation if the individual has

1 successfully completed the criminal records check and the child abuse and
2 neglect records check in this state and in the state of the individual's resi-
3 dence, if other than Oregon.

4 “(b) The office may enroll an individual in the registry subject to limita-
5 tions identified in rules adopted by the council.

6 “(7) An enrollment in the Central Background Registry may be renewed
7 upon application to the office, payment of the fee established pursuant to
8 ORS 329A.275 and compliance with rules adopted by the Early Learning
9 Council pursuant to this section. However, an individual who is determined
10 to be ineligible for enrollment in the registry after the date of initial en-
11 rollment shall be removed or suspended from the registry by the office.

12 “(8)(a) A child care facility, preschool recorded program or school-age
13 recorded program may not hire or employ an individual if the individual is
14 not enrolled in the Central Background Registry.

15 “(b) Notwithstanding paragraph (a) of this subsection, a child care facil-
16 ity, preschool recorded program or school-age recorded program may employ
17 on a probationary basis an individual who is conditionally enrolled in the
18 Central Background Registry.

19 “(9) The Early Learning Council may adopt any rules necessary to carry
20 out the purposes of this section, including but not limited to rules regarding
21 expiration and renewal periods and limitations related to the subject
22 individual's enrollment in the Central Background Registry.

23 “(10) As used in this section, ‘subject individual’ means a subject indi-
24 vidual as defined by the Early Learning Council by rule, an individual sub-
25 ject to subsection (2)(b) of this section or a person who applies to be:

26 “(a) The operator or an employee of a child care or treatment program;

27 “(b) The operator or an employee of an Oregon prekindergarten program
28 under ORS 329.170 to 329.200;

29 “(c) The operator or an employee of a federal Head Start program regu-
30 lated by the United States Department of Health and Human Services;

1 “(d) An individual in a child care facility, preschool recorded program or
2 school-age recorded program who may have unsupervised contact with chil-
3 dren as identified by the office;

4 “(e) A contractor or an employee of the contractor who:

5 “(A) Provides early childhood special education or early intervention
6 services pursuant to ORS 343.455 to 343.534; **and**

7 “(B) **Is not subject to the criminal records check requirements of**
8 **ORS 326.603 or 342.223;**

9 “(f) A child care provider who is required to be enrolled in the Central
10 Background Registry by any state agency;

11 “(g) A contractor, employee or volunteer of a metropolitan service district
12 organized under ORS chapter 268 who may have unsupervised contact with
13 children and who is required to be enrolled in the Central Background Reg-
14 istry by the metropolitan service district;

15 “(h) A provider of respite services, as defined in ORS 418.205, for parents
16 pursuant to a properly executed power of attorney under ORS 109.056 who
17 is providing respite services as a volunteer with a private agency or organ-
18 ization that facilitates the provision of such respite services;

19 “(i) The operator or an employee of an early learning program as defined
20 in rules adopted by the council; or

21 “(j) The operator or an employee of a preschool recorded program or a
22 school-age recorded program.

23 “(11)(a) Information provided to a metropolitan service district organized
24 under ORS chapter 268 about the enrollment status of the persons described
25 in subsection (10)(g) of this section shall be subject to a reciprocal agreement
26 with the metropolitan service district. The agreement must provide for the
27 recovery of administrative, including direct and indirect, costs incurred by
28 the office from participation in the agreement. Any moneys collected under
29 this paragraph shall be deposited in the Child Care Fund established under
30 ORS 329A.010.

1 “(b) Information provided to a private agency or organization facilitating
2 the provision of respite services, as defined in ORS 418.205, for parents pur-
3 suant to a properly executed power of attorney under ORS 109.056 about the
4 enrollment status of the persons described in subsection (10)(h) of this sec-
5 tion shall be subject to an agreement with the private agency or organiza-
6 tion. The agreement must provide for the recovery of administrative,
7 including direct and indirect, costs incurred by the office from participation
8 in the agreement. Any moneys collected under this paragraph shall be de-
9 posited in the Child Care Fund established under ORS 329A.010.

10 “(c) Information provided to a private agency or organization about the
11 enrollment status of the persons described in subsection (10)(i) of this section
12 shall be subject to an agreement with the private agency or organization.
13 The agreement must provide for the recovery of administrative, including
14 direct and indirect, costs incurred by the office from participation in the
15 agreement. Any moneys collected under this paragraph shall be deposited in
16 the Child Care Fund established under ORS 329A.010.

17 **“SECTION 37.** ORS 329A.030, as amended by section 26, chapter 27,
18 Oregon Laws 2022, and section 1, chapter 90, Oregon Laws 2022, is amended
19 to read:

20 “329A.030. (1) The Office of Child Care shall establish a Central Back-
21 ground Registry and may maintain information in the registry through elec-
22 tronic records systems.

23 “(2)(a) A subject individual described in subsection (10)(a), (c) or (d) of
24 this section shall apply to and must be enrolled in the Central Background
25 Registry prior to the provision of care.

26 “(b) An individual who has been the subject of a founded or substantiated
27 report of child abuse shall apply to and must be enrolled in the Central
28 Background Registry prior to providing any of the types of care identified
29 in ORS 329A.250 (4)(b)(A), (G) or (H) if:

30 “(A) The child abuse occurred on or after January 1, 2017, and involved

1 a child who died or suffered serious physical injury, as defined in ORS
2 161.015; or

3 “(B) The child abuse occurred on or after September 1, 2019, and involved
4 any child for whom the individual was providing child care, as defined in
5 ORS 329A.250 (4), or care identified in ORS 329A.250 (4)(b)(A), (C), (F), (G),
6 (H) or (I).

7 “(c) Notwithstanding paragraph (a) of this subsection, an individual de-
8 scribed in paragraph (b)(B) of this subsection is not required to enroll in the
9 Central Background Registry if more than seven years has elapsed since the
10 date of the child abuse determination.

11 “(3)(a) Upon receiving an application for enrollment in the Central
12 Background Registry, the office shall complete:

13 “(A) A criminal records check under ORS 181A.195;

14 “(B) A criminal records check of other registries or databases in accord-
15 ance with rules adopted by the Early Learning Council;

16 “(C) A child abuse and neglect records check in accordance with rules
17 adopted by the council; and

18 “(D) A foster care certification check and an adult protective services
19 check in accordance with rules adopted by the council.

20 “(b) In addition to the information that the office is required to check
21 under paragraph (a) of this subsection, the office may consider any other
22 information obtained by the office that the office, by rule, determines is
23 relevant to enrollment in the Central Background Registry.

24 “(4) The office shall enroll the individual in the Central Background
25 Registry if the individual:

26 “(a) Is determined to have no criminal, child abuse and neglect, negative
27 adult protective services or negative foster home certification history, or to
28 have dealt with the issues and provided adequate evidence of suitability for
29 the registry;

30 “(b) Has paid the applicable fee established pursuant to ORS 329A.275;

1 and

2 “(c) Has complied with the rules of the Early Learning Council adopted
3 pursuant to this section.

4 “(5)(a) Notwithstanding subsections (3) and (4) of this section, the office
5 may not enroll an individual in the Central Background Registry if:

6 “(A) The individual has a disqualifying condition as defined in rules
7 adopted by the council; or

8 “(B) The individual is an exempt prohibited individual, as provided by
9 ORS 329A.252.

10 “(b) If an individual prohibited from enrolling in the registry as provided
11 by this subsection is enrolled in the registry, the office shall remove the in-
12 dividual from the registry.

13 “(6)(a) The office may conditionally enroll an individual in the Central
14 Background Registry pending the results of a nationwide criminal records
15 check through the Federal Bureau of Investigation if the individual has
16 successfully completed the criminal records check and the child abuse and
17 neglect records check in this state and in the state of the individual’s resi-
18 dence, if other than Oregon.

19 “(b) The office may enroll an individual in the registry subject to limita-
20 tions identified in rules adopted by the council.

21 “(7) An enrollment in the Central Background Registry may be renewed
22 upon application to the office, payment of the fee established pursuant to
23 ORS 329A.275 and compliance with rules adopted by the Early Learning
24 Council pursuant to this section. However, an individual who is determined
25 to be ineligible for enrollment in the registry after the date of initial en-
26 rollment shall be removed or suspended from the registry by the office.

27 “(8)(a) A child care facility, preschool recorded program or school-age
28 recorded program may not hire or employ an individual if the individual is
29 not enrolled in the Central Background Registry.

30 “(b) Notwithstanding paragraph (a) of this subsection, a child care facil-

1 ity, preschool recorded program or school-age recorded program may employ
2 on a probationary basis an individual who is conditionally enrolled in the
3 Central Background Registry.

4 “(9) The Early Learning Council may adopt any rules necessary to carry
5 out the purposes of this section, including but not limited to rules regarding
6 expiration and renewal periods and limitations related to the subject
7 individual’s enrollment in the Central Background Registry.

8 “(10) As used in this section, ‘subject individual’ means:

9 “(a) A subject individual as defined by the Early Learning Council by
10 rule;

11 “(b) An individual subject to subsection (2)(b) of this section;

12 “(c) A person who applies to be:

13 “(A) The operator or an employee of a child care or treatment program;

14 “(B) The operator or an employee of an Oregon prekindergarten program
15 under ORS 329.170 to 329.200;

16 “(C) The operator or an employee of a federal Head Start program regu-
17 lated by the United States Department of Health and Human Services;

18 “(D) An individual in a child care facility, preschool recorded program
19 or school-age recorded program who may have unsupervised contact with
20 children, as determined by the council by rule;

21 “(E) A contractor or an employee of the contractor who:

22 “(i) Provides early childhood special education or early intervention ser-
23 vices pursuant to ORS 343.455 to 343.534; **and**

24 “(ii) **Is not subject to the criminal records check requirements of**
25 **ORS 326.603 or 342.223;**

26 “(F) A child care provider who is required to be enrolled in the Central
27 Background Registry by any state agency;

28 “(G) A contractor, employee or volunteer of a metropolitan service dis-
29 trict organized under ORS chapter 268 who may have unsupervised contact
30 with children and who is required to be enrolled in the Central Background

1 Registry by the metropolitan service district;

2 “(H) A provider of respite services, as defined in ORS 418.205, for parents
3 pursuant to a properly executed power of attorney under ORS 109.056 who
4 is providing respite services as a volunteer with a private agency or organ-
5 ization that facilitates the provision of such respite services;

6 “(I) The operator or an employee of an early learning program as defined
7 in rules adopted by the council; or

8 “(J) The operator or an employee of a preschool recorded program or a
9 school-age recorded program; or

10 “(d)(A) An individual who operates a subsidized care facility;

11 “(B) An individual who has attained 18 years of age and resides in a
12 subsidized care facility; or

13 “(C) An individual in a subsidized care facility who has attained 18 years
14 of age and who may have unsupervised contact with children, as determined
15 by the council by rule.

16 “(11)(a) Information provided to a metropolitan service district organized
17 under ORS chapter 268 about the enrollment status of the persons described
18 in subsection (10)(c)(G) of this section shall be subject to a reciprocal
19 agreement with the metropolitan service district. The agreement must pro-
20 vide for the recovery of administrative, including direct and indirect, costs
21 incurred by the office from participation in the agreement. Any moneys col-
22 lected under this paragraph shall be deposited in the Child Care Fund es-
23 tablished under ORS 329A.010.

24 “(b) Information provided to a private agency or organization facilitating
25 the provision of respite services, as defined in ORS 418.205, for parents pur-
26 suant to a properly executed power of attorney under ORS 109.056 about the
27 enrollment status of the persons described in subsection (10)(c)(H) of this
28 section shall be subject to an agreement with the private agency or organ-
29 ization. The agreement must provide for the recovery of administrative, in-
30 cluding direct and indirect, costs incurred by the office from participation

1 in the agreement. Any moneys collected under this paragraph shall be de-
2 posited in the Child Care Fund established under ORS 329A.010.

3 “(c) Information provided to a private agency or organization about the
4 enrollment status of the persons described in subsection (10)(c)(I) of this
5 section shall be subject to an agreement with the private agency or organ-
6 ization. The agreement must provide for the recovery of administrative, in-
7 cluding direct and indirect, costs incurred by the office from participation
8 in the agreement. Any moneys collected under this paragraph shall be de-
9 posited in the Child Care Fund established under ORS 329A.010.

10

11 **“BEGINNING TEACHER AND ADMINISTRATOR PROGRAM**

12

13 **“SECTION 38.** ORS 342.940 is amended to read:

14 “342.940. (1) As used in this section and ORS 342.943, ‘educator’ means a
15 teacher, administrator or other school professional who is licensed, regis-
16 tered or certified by the Teacher Standards and Practices Commission.

17 “(2) The Educator Advancement Council shall be established and function
18 under an intergovernmental agreement, pursuant to ORS 190.003 to 190.130.
19 The purposes of the council are to provide resources related to educator
20 professional learning and to provide other educator supports.

21 “(3) Parties to the intergovernmental agreement establishing the council
22 must include:

23 “(a) The Department of Education;

24 “(b) The Early Learning Division;

25 “(c) The Teacher Standards and Practices Commission;

26 “(d) The Higher Education Coordinating Commission;

27 “(e) A school district; and

28 “(f) An education service district.

29 “(4) The intergovernmental agreement establishing the council shall out-
30 line the governance framework and the administrative details necessary for

1 the efficient and effective implementation of the duties of the council, in-
2 cluding:

3 “(a) Designating the maximum number of members of the council.

4 “(b) Identifying the process for the council to select the chairperson of
5 the council. The chairperson must be one of the members of the council and
6 shall be responsible for overseeing official council business.

7 “(c) Identifying the process for the council to appoint the executive di-
8 rector of the council. Appointment of the executive director must be by
9 written order, filed with the Secretary of State, and the executive director
10 shall serve at the pleasure of the council. The executive director shall be
11 responsible for the daily operations of the council, including the appointment
12 of all subordinate officers and employees of the council. Officers and em-
13 ployees of the council shall be considered persons in state service for pur-
14 poses of ORS chapter 240, and, subject to ORS chapter 240, the executive
15 director shall prescribe their duties and fix their compensation.

16 “(5)(a) The council shall consist of:

17 “(A) Members who are representatives of the parties to the intergovern-
18 mental agreement establishing the council, as identified in subsection (3) of
19 this section.

20 “(B) No more than 10 members who are practicing educators, early
21 learning providers and professionals and school district board members.

22 “(C) No more than 10 members who are representatives of educator prep-
23 aration providers, education-focused nonprofit organizations, education-
24 focused philanthropic organizations, professional education associations,
25 community-based education organizations that represent families and stu-
26 dents, post-secondary institutions of education and federally recognized In-
27 dian tribes of this state.

28 “(b) Subject to any limits designated as provided by the intergovernmental
29 agreement establishing the council, the majority of the members of the
30 council identified under paragraph (a) of this subsection may propose addi-

1 tional members of the council. The inclusion of additional members on the
2 council shall be subject to the procedures established by the council under
3 the intergovernmental agreement.

4 “(6) The council shall:

5 “(a) Establish a system of educator networks, as described in ORS 342.943,
6 by which every educator in this state has access to professional learning
7 opportunities;

8 “(b) **Administer the beginning teacher and administrator**
9 **mentorship program under ORS 329.788 to 329.820;**

10 “[b] (c) Coordinate the distribution of moneys to educator networks
11 from the Educator Advancement Fund based on the needs of the educators
12 identified by the networks;

13 “[c] (d) Connect educator networks and facilitate communications
14 within and among the networks to improve teaching and learning; and

15 “[d] (e) Continuously assess the needs of educators in this state and
16 coordinate priorities based on the moneys available for distribution from the
17 Educator Advancement Fund.

18 “(7) The Department of Education shall provide support to the strategic
19 direction of the council by:

20 “(a) Conducting and coordinating research to monitor:

21 “(A) Teaching and learning conditions;

22 “(B) Educator workforce supply and demand; and

23 “(C) Common outcomes and measures anticipated to promote improvement
24 in teaching and learning.

25 “(b) Assisting the council in coordinating and connecting educator net-
26 works, supporting professional learning priorities, enabling access to profes-
27 sional learning and supports, leveraging funding sources and managing
28 innovation funds.

29 “(c) Recommending statutory and agency rule changes needed to support
30 the purposes of the council.

1 “(d) Supporting programs that help to achieve the purposes of the Edu-
2 cators Equity Act.

3 “(e) Supporting a statewide plan for increasing:

4 “(A) The supply of culturally diverse teacher candidates; and

5 “(B) The successful recruitment of effective educators to work in high-
6 need schools and in practice areas with a shortage of educators.

7 “(f) Identifying high-leverage educator practices to be developed by edu-
8 cators throughout their careers.

9 “(g) Providing accountability of the council by ensuring that the council:

10 “(A) Gives preference, when making recommendations about funding dis-
11 tributions, to entities that have demonstrated success in improving student
12 indicators.

13 “(B) Considers the delivery of services for the benefit of all regions of this
14 state when establishing the system of educator networks.

15 “(C) Works toward improving student progress indicators identified by the
16 Department of Education or set forth in ORS 350.014.

17 “(D) Includes and connects education providers and leaders from
18 prekindergarten through post-secondary education.

19 “(h) Providing staff support for the administrative functions of the coun-
20 cil.

21 “(i) Developing a system that allows for the statewide dissemination of
22 emerging practices and evidence-based models.

23 “(j) Providing technical assistance to the council, including online sys-
24 tems for sharing professional learning resources and supporting educator
25 networks.

26 “(k) Administering the distribution of grant and contract funds for pro-
27 grams described in this section.

28 “(L) Providing administrative support to the educator networks, includ-
29 ing:

30 “(A) Making recommendations to the council about the selection of the

1 sponsors of educator networks;

2 “(B) Providing technical assistance to educator networks; and

3 “(C) Entering into grant agreements or contracts for the distribution of
4 funds to educator networks.

5 “(8)(a) The State Board of Education and the Teacher Standards and
6 Practices Commission may adopt any rules necessary at the request of the
7 council to support the council or to perform any duties assigned to the board
8 or commission under this section.

9 “(b) The council may adopt rules pursuant to ORS chapter 183 for the
10 [*purpose of ORS*] **purposes of ORS 329.788 to 329.820 and 342.943.**

11 “(9) The council shall be considered a board for purposes of ORS chapter
12 180.

13 **“SECTION 39.** ORS 329.788 is amended to read:

14 “329.788. As used in ORS 329.788 to 329.820:

15 “(1) ‘Beginning administrator’ means a principal or superintendent who:

16 “(a) Possesses an administrative license issued by the Teacher Standards
17 and Practices Commission;

18 “(b) Is employed as a principal or superintendent by a school district; and

19 “(c) Has been assigned for fewer than two school years in the
20 administrator’s present position.

21 “(2) ‘Beginning teacher’ means a teacher who:

22 “(a) Possesses a teaching license issued by the Teacher Standards and
23 Practices Commission;

24 “(b) Is employed at least half-time, primarily as a classroom teacher, by
25 a school district; and

26 “(c) Has taught fewer than two school years as a licensed probationary
27 teacher in any public, private or state-operated school in any state.

28 “(3) ‘Educator network’ means an educator network established under
29 ORS 342.943.

30 “(4) ‘Mentor’ means an individual who:

- 1 “(a) Is an acting or retired teacher, principal or superintendent;
- 2 “(b) Has met established best practice and research-based criteria as de-
- 3 fined by the [*State Board of Education*] **Educator Advancement Council**
- 4 by rule;
- 5 “(c) Possesses a teaching or administrative license issued by the Teacher
- 6 Standards and Practices Commission;
- 7 “(d) Has successfully served for five or more years as a licensed teacher,
- 8 principal or superintendent in any public school; and
- 9 “(e) Has been selected and trained as described in ORS 329.815.

10 “(5) ‘Mentorship program’ means a program provided by a mentor to a

11 beginning teacher or administrator that includes, but is not limited to, direct

12 classroom observation and consultation, assistance in instructional planning

13 and preparation, support in implementation and delivery of classroom in-

14 struction, development of school leadership skills and other assistance in-

15 tended to assist the beginning teacher or administrator to become a confident

16 and competent professional educator who makes a positive impact on student

17 learning.

18 **“SECTION 40.** ORS 329.795 is amended to read:

19 “329.795. (1) The [*State Board of Education*] **Educator Advancement**

20 **Council** shall establish a beginning teacher and administrator mentorship

21 program to provide eligible beginning teachers and administrators in this

22 state with a continued and sustained mentorship program from a formally

23 assigned mentor.

24 “(2) Any school district or educator network is eligible to participate in

25 the mentorship program.

26 “(3) A school district may participate through an educator network or

27 may enter into a partnership with another school district, an institution of

28 higher education, an education service district or another organization to

29 operate jointly a mentorship program if:

30 “(a) All moneys received as grants-in-aid for the mentorship program are

1 administered by the participating school district or educator network to
2 provide direct services to beginning teachers and administrators; and

3 “(b) All other requirements of ORS 329.788 to 329.820 are met.

4 “(4) All programs in ORS 329.788 to 329.820 are subject to the availability
5 of funds appropriated therefor.

6 “**SECTION 41.** ORS 329.800 is amended to read:

7 “329.800. (1) Each school district or educator network that wishes to
8 participate in the beginning teacher and administrator mentorship program
9 shall submit a formal application to the [*Department of Education*] **Educator**
10 **Advancement Council**. The application shall include:

11 “(a) A description of the priorities to be addressed by moneys received
12 by a school district or an educator network for the mentorship program, as
13 described in ORS 329.805 (2);

14 “(b) The names of all eligible beginning teachers and administrators em-
15 ployed by the school district or a school district within the educator network
16 and a description of their assignments; and

17 “(c) A description of the proposed mentorship program, which must pro-
18 vide at least 75-90 hours of frequent contact between the mentors and be-
19 ginning teachers and administrators throughout the school year.

20 “(2) The school district or educator network shall certify in the applica-
21 tion that no eligible beginning professional educators are or may be under
22 a conditional license, except as provided in rules of the Teacher Standards
23 and Practices Commission.

24 “**SECTION 42.** ORS 329.805 is amended to read:

25 “329.805. (1) Subject to ORS 291.232 to 291.260, the [*Department of Edu-*
26 *cation*] **Educator Advancement Council** shall distribute grants-in-aid to
27 qualifying school districts or educator networks to offset the costs of begin-
28 ning teacher and administrator mentorship programs. A qualifying district
29 or educator network shall receive annually an amount that is aligned with
30 evidence-based best practices.

1 “(2) If the funds are insufficient for all eligible proposals, the [*Department*
2 *of Education*] **Educator Advancement Council** shall award grants on a
3 competitive basis, taking into consideration:

4 “(a) The priorities to be addressed by moneys received by a school district
5 or an educator network, including efforts related to:

6 “(A) Increasing the number of culturally and linguistically diverse edu-
7 cators hired; and

8 “(B) Reflecting the demographics of the students of the school district or
9 school districts within the educator network with the demographics of the
10 educators of the school district or school districts within the educator net-
11 work; and

12 “(b) Whether the school district is a small school district or serves a rural
13 community or whether the educator network serves small school districts or
14 a rural community.

15 “(3) The [*State Board of Education*] **Educator Advancement Council**
16 may adopt such rules as [*it*] **the council** considers appropriate for the dis-
17 tribution of grants-in-aid under this section.

18 “(4) A school district or an educator network that is determined by the
19 [*Department of Education*] **Educator Advancement Council** to be in vio-
20 lation of one or more of the requirements of ORS 329.788 to 329.820 may be
21 required to refund all grants-in-aid moneys distributed under ORS 329.788 to
22 329.820. The amount of penalty shall be determined by the [*State Board of*
23 *Education*] **Educator Advancement Council**.

24 “**SECTION 43.** ORS 329.810 is amended to read:

25 “329.810. (1) After consulting with representatives of teachers, adminis-
26 trators, school boards, schools of education, the public universities listed in
27 ORS 352.002 and such others as it considers appropriate, the [*Department of*
28 *Education*] **Educator Advancement Council** shall approve training for
29 mentors and beginning teachers and administrators in programs qualifying
30 for grants-in-aid under ORS 329.788 to 329.820.

1 “(2) The training curriculum for mentors shall be based on research and
2 knowledge of the needs of beginning teachers and administrators.

3 “(3) Mentors shall be trained to build relationships of trust and mutual
4 collaboration with beginning teachers and administrators.

5 “(4) Mentors shall receive professional development before the school year
6 begins and throughout the school year.

7 **“SECTION 44.** ORS 329.815 is amended to read:

8 “329.815. (1) Based on the requirements of ORS 329.788 to 329.820, the se-
9 lection, nature and extent of duties of mentors shall be determined:

10 “(a) By the school district that is the employer of the teacher or admin-
11 istrator and of the mentor; [*or*]

12 “(b) Jointly by the school district that is the employer of the teacher or
13 administrator and the school district that is the employer of the mentor[.];

14 **or**

15 **“(c) By an educator network, as described in ORS 342.943.**

16 “(2) A teacher, principal or superintendent may not be designated as a
17 mentor unless willing to perform in that role.

18 “(3) For purposes of actions taken under ORS 342.805 to 342.937:

19 “(a) A mentor may not participate in the evaluation of a beginning
20 teacher or administrator assigned to the mentor; and

21 “(b) Any written or other reports of a mentor regarding a beginning
22 teacher or administrator assigned to the mentor may not be used in the
23 evaluation of the beginning teacher or administrator.

24 “(4) Each mentor shall complete successfully training provided or ap-
25 proved by the [*Department of Education*] **Educator Advancement Council**
26 while participating in the beginning teacher and administrator mentorship
27 program.

28 “(5) The stipend received for each beginning teacher or administrator may
29 be used by the school district or educator network to compensate mentors
30 or to compensate other individuals assigned duties to provide release time

1 for teachers, principals or superintendents acting as mentors.

2 **“SECTION 45.** ORS 329.820 is amended to read:

3 “329.820. (1) The [*Department of Education*] **Educator Advancement**
4 **Council** shall be responsible for the regular and ongoing evaluation of im-
5 plementation and administration of programs under ORS 329.788 to 329.820
6 and may contract for such evaluation. The [*department*] **council** may not
7 expend in a biennium more than 2.5 percent of the total amount of moneys
8 available for the programs on the evaluation of the programs. The evaluation
9 may include assessments of the following:

10 “(a) The effectiveness of the mentorship program in the retention of be-
11 ginning teachers and administrators in a school district that has participated
12 in the program and in the profession; and

13 “(b) Student performance on statewide and other assessments.

14 “(2) The [*department*] **council** may accept contributions of moneys and
15 assistance for the purpose of the evaluation of programs from any source,
16 public or private, and agree to conditions placed on the moneys not incon-
17 sistent with ORS 329.788 to 329.820. All moneys received by the
18 [*department*] **council** under this subsection shall be deposited into the [*De-*
19 *partment of Education Account*] **Educator Advancement Fund** to be used
20 for the evaluation of programs conducted under this section.

21

22

“CAPTIONS

23

24 **“SECTION 46.** The unit captions used in this 2023 Act are provided
25 **only for the convenience of the reader and do not become part of the**
26 **statutory law of this state or express any legislative intent in the**
27 **enactment of this 2023 Act.**

28

29

“EMERGENCY CLAUSE

30

1 **SECTION 47. This 2023 Act being necessary for the immediate**
2 **preservation of the public peace, health and safety, an emergency is**
3 **declared to exist, and this 2023 Act takes effect July 1, 2023.”.**

4
