

SB 322 -1, -2 STAFF MEASURE SUMMARY

Senate Committee On Education

Prepared By: Ellen O'Brien, LPRO Analyst

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/24, 3/31

WHAT THE MEASURE DOES:

The measure requires the Oregon Department of Education (ODE) to enter a contract to develop and offer online professional development for substitute teachers and to reimburse substitute teachers for the cost of participating. It requires the establishment of substitute licenses and a pathway from a restricted to a regular substitute teaching license. It creates a process and standards for substitute teachers working half-time or more to enroll in health care benefit plans. It establishes an Office of Substitute Teachers within ODE. The measure declares an emergency and takes effect July 1, 2025.

Detailed Summary

Professional Development for Substitute Teachers (Sections 1-2)

Requires ODE to contract with a training provider to develop and offer online professional development for all substitute teachers in Oregon. Requires the modules developed under this section to address certain topics, as well different levels of experience. Requires ODE to reimburse substitute teachers for the cost of participating in the professional development modules. Requires ODE to submit a report to the Legislative Assembly by September 15, 2026, on the implementation of these provisions.

Licenses for Substitute Teachers (Section 3-4)

Requires TSPC to establish a substitute teaching license and a restricted substitute teaching license in administrative rule. Requires TSPC to establish an expedited process for a person to transition from a restricted substitute teaching license to a substitute license on the basis of training, mentorship, classroom experience, or other work experience. Requires TSPC to consult with the Oregon Substitute Teachers Association (OSTA) and to submit a report to the Legislative Assembly by December 15, 2025, on the implementation of these provisions.

Health Benefit Plan for Substitute Teachers (Sections 5-10)

Establishes that substitute teachers who worked at least half-time at one or across multiple school districts or education service districts (ESDs) during the previous school year are eligible to enroll in a health benefit plan offered by the Oregon Educators Benefit Board (OEBB). Requires a substitute teacher to select a home district for the duration of the benefit year and requires that district to determine the substitute teacher's eligibility and to collect and pay insurance premiums. Requires each school district to notify all substitute teachers who worked for the district in the current and previous academic year of eligibility requirements, available benefits and associated costs, and instructions to apply. Requires substitute teachers to pay no more than 10 percent of the insurance premium for a benefit plan and requires the state to pay the remainder of the insurance premium from funds appropriated to OEBB. Establishes the Substitute Teacher Insurance Fund in OEBB and permits OEBB to adopt rules necessary to implement these provisions. Requires school districts and ESDs that previously provided health care benefits to substitute teachers to continue to provide benefits and to not change or raise eligibility requirements. Appropriates an unspecified amount from the General Fund to the Substitute Teacher Insurance Fund. Provisions apply to health benefit plans offered on or after October 1, 2025.

Office of Substitute Teachers (Section 11)

This summary has not been adopted or officially endorsed by action of the committee.

Establishes the Office of Substitute Teachers in ODE.

Section 12-14

Repeals reporting requirements in Sections 2 and 4. Declares an emergency and takes effect July 1, 2025.

FISCAL: May have fiscal impact, but no statement yet issued.

REVENUE: May have revenue impact, but no statement yet issued.

ISSUES DISCUSSED:

- Working conditions for substitute teachers
- Proposed amendment
- Cost of implementing the measure
- Ability for substitute teachers to accept or reject assignments
- State vs administration of healthcare benefits for substitute teachers

EFFECT OF AMENDMENT:

-1 The amendment requires school districts to distribute an employee handbook containing specified policies to substitute teachers and to establish a specified process for handling violations of district policy.

Detailed Summary

- Requires school districts to provide each substitute teacher who works in the district with a copy of an employee handbook containing employment policies, expectations, and the process for submitting and responding to complaints against the substitute teacher.
- Requires ODE to develop best practices for employee handbooks and share them with school districts.
- Requires school districts to notify substitute teachers in writing of any violations of employee handbook policies and to provide an opportunity to respond in writing and take corrective action.
- Allows a school district to exclude a substitute teacher from consideration from future employment if a violation of district policies constitutes serious misconduct or serious performance deficiency.

-2 The amendment replaces the measure. It prohibits the Teacher Standards and Practices Commission (TSPC) from collecting a late application fee from an applicant for the renewal or reinstatement of a substitute teaching license. It applies only to applications submitted on or after the effective date, and takes effect July 1, 2026.

BACKGROUND:

[Senate Bill 283 \(2023\)](#) established the [Joint Task Force on Substitute Teachers](#). The Task Force met from September 2023 to September 2024, and members discussed a wide range of issues impacting substitute teachers, including professional development, licensure, supervision, retirement and health benefits, and employment models. In its [final report](#), the Task Force adopted seven recommendations.

Senate Bill 322 addresses four of the Task Force's seven recommendations, including professional development for substitute teachers (pg. 32); establishment of the Office of Substitute Teachers under the Department of Education (pg. 39); access to Oregon Educators Benefits Board for substitute teachers (pg. 41); and pathway from restricted substitute teaching license to substitute teaching license (pg. 43).

Professional development, which is required to renew most types of teaching licenses in Oregon, is not required for substitute teacher licenses. The Task Force discussed barriers to substitute teachers' access to professional development during its [December 7, 2023](#) meeting. On [April 11, 2024](#), the Task Force heard a presentation by the Oregon Research Schools Network (ORSN) at the University of Oregon, which contracted with High Desert Education Service District to develop professional development modules for substitute teachers using grant funding from House Bill 4030 (2022).

The Task Force further discussed substitute teacher licensure requirements, including restricted substitute teacher licenses, at its meetings on December 7, 2023, and April 11, 2024.

Provisions related to health benefit plans for substitute teachers resemble those passed in [Senate Bill 551 \(2021\)](#) and House Bill 2611 (2023), which created a process and standards for part-time faculty at Oregon community colleges and public universities to qualify for health care benefits. Starting with the passage of House Bill 2557 (2009), part-time faculty at institutions of higher education were eligible for health care benefits if they worked for a sufficient number of hours at one or more colleges or universities. Provisions related to health care benefits for part-time faculty are codified in ORS 350.355. A separate Joint Task Force on Statewide Educator Salary Schedules heard a presentation about the Public Employees' Benefit Board (PEBB) and the [Oregon Educators Benefit Board \(OEBB\)](#), including benefits available to educators in Oregon, on [June 5, 2024](#).