

A-Engrossed House Bill 2060

Ordered by the House April 11
Including House Amendments dated April 11

Sponsored by Representative MCINTIRE; Representative WRIGHT (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Directs ODE to have a registry for tutors. (Flesch Readability Score: 71.8).

Directs the Department of Education to establish and maintain a registry for nonlicensed tutors. Authorizes school districts to contract with a nonlicensed tutor only if the tutor is registered.

A BILL FOR AN ACT

Relating to a tutor registry; creating new provisions; and amending ORS 332.505.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) The Department of Education shall establish and maintain a registry for tutors who are not licensed through the Teacher Standards and Practices Commission and who provide tutoring services through an entity that is independent of a school district or an education service district.

(2)(a) An entity may submit an application on behalf of a person to become a registered tutor if the person is an employee of the entity or is under contract with the entity.

(b) An application submitted under this section must include:

(A) The name of the person on whose behalf the application was submitted;

(B) The name of the entity submitting the application on behalf of the person;

(C) Any other entities through which the person provides tutoring services, if known by the entity submitting the application;

(D) An indication of whether the person provides tutoring services online;

(E) The results of a nationwide criminal records check conducted on the person; and

(F) Any other information requested by the department to verify a person's identification and ensure current contact information for the person.

(3) The department shall deny a person's inclusion on the registry, or shall remove the person from the registry, if:

(a) The department finds that the person is the subject of a substantiated report under ORS 339.370 to 339.400;

(b) The department has reason to know that the person engaged in conduct that constitutes gross neglect of duty or gross unfitness, as determined by the department based on rule of the State Board of Education;

(c) The department finds that the entity knowingly made a false statement on an application for a person to become registered as a tutor; or

(d) The department has reason to know that the person has been convicted of a crime

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 listed in ORS 342.143 (3).

2 (4) Nothing in this section requires a school district or the department to conduct an
3 investigation that is not otherwise required by law.

4 (5) A finding made under subsection (3) of this section may be based on an investigation
5 conducted by a school district, by the department or by the entity through which the person
6 currently is providing tutoring services or had previously provided tutoring services.

7 (6) The State Board of Education shall adopt by rule requirements for renewal of a
8 person's inclusion on the registry. A person may not be included on the registry for more
9 three years without renewal.

10 (7) A person who is denied inclusion on the registry or who is removed from the registry
11 may appeal the department's decision as a contested case under ORS chapter 183.

12 (8) The department shall make the registry accessible by school districts and by members
13 of the public.

14 **SECTION 2.** ORS 332.505 is amended to read:

15 332.505. (1) A district school board may:

16 (a) Employ a superintendent of schools and necessary assistant superintendents for the district
17 and fix the terms and conditions of employment and the compensation. The district school board
18 shall not contract with a superintendent for more than a period of three years at a time. The con-
19 tract shall automatically expire at the end of its term. Nothing in this paragraph prevents a district
20 school board from:

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

22 (B) Including in the contract provisions that provide for the termination of employment of the
23 superintendent prior to the expiration of the contract. If the superintendent and the district school
24 board mutually agree to include a termination-without-cause provision in the contract, the district
25 school board may terminate the superintendent's employment, without cause, at any time during the
26 contract period only if the district school board provides the superintendent with at least 12 months'
27 notice of the termination. Nothing in this subparagraph authorizes the district school board to make
28 a wrongful termination or a termination for any reason described in subsection (3)(a) of this section.

29 (b) Employ personnel, including teachers and administrators, necessary to carry out the duties
30 and powers of the board and fix the duties, terms and conditions of employment and the compen-
31 sation.

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

34 (d) Employ instructional assistants and intern teachers subject to the rules of the State Board
35 of Education. As used in this paragraph:

36 (A) "Instructional assistant" has the meaning given that term in ORS 342.120.

37 (B) "Intern teacher" means a regularly enrolled candidate of an approved educator preparation
38 provider, as defined in ORS 342.120, who teaches under the supervision of the staff of the provider
39 and of the employing district in order to acquire practical experience in teaching and for which the
40 candidate receives both academic credit from the provider and financial compensation from the
41 school district or education service district.

42 (e) Contract with a tutor who is:

43 (A) Licensed by the Teacher Standards and Practices Commission; or

44 (B) Not licensed by the commission only if the tutor is registered as provided by section
45 1 of this 2025 Act.

1 (2)(a) A district school board shall designate one or more civil rights coordinators for the school
2 district. A civil rights coordinator may be an employee of the school district or the school district
3 may enter into a contract with an education service district for the services of a civil rights coor-
4 dinator. A civil rights coordinator, at a minimum, shall:

5 (A) Monitor, coordinate and oversee school district compliance with state and federal laws
6 prohibiting discrimination in public education;

7 (B) Oversee investigations of complaints alleging discrimination in public education and ensure
8 that the investigations are resolved;

9 (C) Provide guidance to school and school district personnel on civil rights issues in the school
10 district, respond to questions and concerns about civil rights in the school district and coordinate
11 efforts to prevent civil rights violations from occurring in the school district;

12 (D) Satisfy any training requirements prescribed by the State Board of Education by rule; and

13 (E) Comply with any rules adopted by the State Board of Education for the purpose of imple-
14 menting this paragraph.

15 (b) As used in this subsection, “discrimination” has the meaning given that term in ORS 659.850
16 when used in relation to state law.

17 (c) For the purpose of this subsection, the Department of Education shall annually make avail-
18 able training for civil rights coordinators and the State Board of Education may adopt any necessary
19 rules.

20 (3)(a) A district school board may not:

21 (A) Direct a superintendent to take any action that conflicts with a local, state or federal law
22 that applies to school districts;

23 (B) Take an adverse employment action against a superintendent for complying with a local,
24 state or federal law that applies to school districts; or

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

27 (b) As used in this subsection:

28 (A) “Local, state or federal law” means a local, state or federal directive having the force of
29 law, including an ordinance, a city or county resolution, a statute, a court decision, an administra-
30 tive rule or regulation, an order issued in compliance with ORS chapter 183, an executive order or
31 any other directive, declaration or statement that is issued in compliance with the law as having
32 the force of law and that is issued by a local government as defined in ORS 174.116, the state gov-
33 ernment as defined in ORS 174.111 or the federal government.

34 (B) “Superintendent” includes an interim superintendent.

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

37 (5) The superintendent of the school district shall cause each employee to be specifically in-
38 formed of the existence and availability of the personnel policies.

39 **SECTION 3. The amendments to ORS 332.505 by section 2 of this 2025 Act become oper-**
40 **ative on July 1, 2026.**