



## COALITION OF OREGON SCHOOL ADMINISTRATORS

TO: House Committee on Education

FROM: Oregon School Boards Association & Coalition of Oregon School Administrators

DATE: February 10, 2025

RE: HB 2900

Chair Neron, Vice Chairs Dobson and McIntire, Members of the Committee:

Thank you for the opportunity provide testimony on HB 2900. On behalf of Oregon's locally elected education leaders and Oregon's school administrators, we write today in opposition to HB 2900 as drafted.

First, and likely easiest, the bill presents a couple of technical issues that we would like to see fixed:

1. Section 3 (1)(b), on page 3 line 6, reads that a "school district has discretion to renew or refuse to renew the contract of the probationary teacher." Instead of a "school district," this should be a "school board," as it is the Board that approves final decisions.
2. Within that same section, it grants a 60 day program of assistance to teachers on a one-year probationary period when the district identifies any performance deficiencies. In current law, districts much issue notice of non-renewal by March 15. The bill, as written, is not clear that the 60-day program of assistance could surpass that March deadline, meaning in order to grant the 60-day program of assistance and meet the deadline, districts would need to issue notice of non-renewal no later than January.

Our understanding from conversations with the proponents is that the intent is to allow for a 60-day program of assistance beyond the March 15 deadline. That would need to be addressed in the bill to make sure the language matches the intent. To remedy this and align the timelines, we would request changing Section 2 (2) to the following:

For any cause it may deem in good faith sufficient, the district board may refuse to renew the contract of any probationary teacher. However, the teacher shall be entitled to notice of the intended action by March 15 **or, for a teacher subject to ORS 342.850(1)(b), within a reasonable time of the teacher's completion of a 60-**

**day program of assistance for improvement**, and upon request shall be provided a hearing before the district board. Upon request of the probationary teacher the board shall provide the probationary teacher a written copy of the reasons for the nonrenewal, which shall provide the basis for the hearing.

We also have concerns with the broader policy elements of the bill:

1. In current Oregon statute, the most straightforward path to contract teacher status is complete three years of probationary service *and* be retained for the following year. If a teacher needs to move districts following their third year of probationary status, the subsequent district can already offer them a shortened probationary period. We believe this current discretion is sufficient.

The current level of flexibility allows hiring districts to consider the circumstances of why a teacher moved districts before achieving contract status. For example, a hiring district may wish to offer a shorter probationary period to a teacher who moved due to family circumstances, but may want to keep a longer probationary period for a teacher who was issued a notice of non-renewal.

HB 2900 makes the shorter probationary period mandatory for any teacher who has *completed* three years of probationary service in a district. For these purposes it is important to note that under ORS 842.840 a teacher need only complete 135 days in a year to receive full credit for that year of probationary service. This means that regardless of whether a teacher was issued a notice of non-renewal in their third year of probationary service, they would be granted the shorter probationary in a subsequent district.

This effectively creates a pathway for a teacher who has never been renewed beyond their probationary period to achieve contract teacher status.

2. Under the new provision of HB 2900, districts that hire a teacher following an initial probationary period in a different district would not have much time to make a determination on whether to keep the new teacher. When districts only have a short time to make such decisions, they may be more inclined to non-renew teachers about whom they have *any* concerns whereas, with a longer probationary period, a district may be more inclined to give the teacher more time to improve their practice before making a determination about renewal vs. nonrenewal. We believe than an unintended consequence of HB 2900 is that districts will issue a higher number of notices of non-renewal for teachers on the newly-mandated shorter probationary

period.

3. Finally, the current flexibility afforded to districts allows for a shorter probationary period of at least one year of service. The language in HB 2900 changes this to a mandatory shorter probationary period of *not more than* one year. As we already have concerns about a mandatory shorter probationary period, we believe that a probationary period of any less than one year simply would not give districts the time needed to make an informed determination about a new teacher.

We can appreciate that when early-career staff need to move between districts, the prospect of starting over with a new probationary period can feel frustrating and this likely does not improve our workforce shortage. However, we must also maintain high standards for our educators and ensure that districts have the ability to make fully informed decisions about their staff.

For these reasons, we would request two policy changes to the bill:

1. Mandated shorter probationary periods should not apply when a teacher was issued a notice of non-renewal in a prior district.
2. Mandated shorter probationary periods should be two years, with the flexibility to offer a one-year period (as current statute already allows).

We are happy to work with the proponents to see if we can reach a middle ground on this topic.

Thank you for your consideration.