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Date: February 24, 2025  
To: Senate Committee on Education  
From: Morgan Allen, COASA  
Subject: SB 323 - Public Contracting Requirements for Substitute Teachers

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Chair Frederick, Vice Chair Weber, and Members of the Senate Education Committee

For the record, my name is Morgan Allen with the Coalition of Oregon School Administrators. Our membership organization represents 3,000 administrators who are school principals, central office administrators, and superintendents.

We are asking the committee to reject SB 323 because it creates unnecessary and duplicative meeting and posting requirements when school districts or ESDs consider third-party contracting for substitute teachers.

**Substitute Teachers Task Force - Background**

I had the privilege of serving on the Substitute Teachers Task Force and there are many recommendations from the group that we support. When we considered recommendations we had three options for voting: Yes, Yes-with reservations, or No. The proposal contained within SB 323 received a lukewarm response from the Task Force - the final vote was five votes of Yes-with reservations and two No votes.

Generally speaking, the process described in SB 323 is in alignment with what is already required when any public body, including school districts and ESDs, consider contracting out for services. There are extensive statutes and rules governing contracting out for services that exceed \$250,000. There are two major changes in the bill:

1. The posting of contracts and cost analysis related to the use of third-parties for substitute teachers to the school district website and providing copies to ODE, and
2. The requirement of a separate board agenda item to discuss and take comment on any consideration of contracting for substitute services.

**SB 323 Is Unnecessary and Duplicative**

State contracting law already requires the approval by the school board for any contract related to third-party substitutes that exceeds \$250,000. There is also the opportunity at school board



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meetings for public comment on policy, budget, and contract issues that the board is considering. All of these contracts are already public records and school districts are already required to provide copies if requested.

We urge the committee to not move SB 323 forward because this bill is not really about transparency. This bill is a response to the growing use of contracted substitute services by school districts and ESDs to reduce expenses. A district cannot contract out any services, including - custodial, transportation, nutrition, or substitute services - unless the district can demonstrate that it will reduce the cost of the service.

What this bill is really about is creating more paperwork and bureaucracy for school districts because some substitute teachers and the representatives of their professional association disagree with the decisions that locally elected school boards are making to preserve limited dollars to pay for educators and services for students.

From our members perspective, there is no compelling policy reason to single out contracts related to substitute teachers and treat them differently than all the other contracts that school districts are allowed to enter into under current law and rule.

If opponents of contracting of substitute teachers object to this practice, they already have many options at their disposal to share their objections or opposition:

- Substitutes and their representatives have the right to organize and bargain collectively for a contract;
- Substitutes and their representatives have the right to file complaints or legal challenges if they believe that a school district or ESD has violated state procurement and contracting law when using third-party providers for their substitute teachers, and
- Substitutes and their representatives have the right to petition their locally elected school board or attend school board meetings and provide feedback on their objections to the policy of contracting substitute services.

SB 323 creates additional barriers for one specific type of contract. The state should not treat this one type of contract differently and require additional unnecessary work for school districts. Please vote no on SB 323.