



**OREGON STATE SENATE**  
**900 COURT STREET ST NE**  
**SALEM, OREGON 97301**

February 11, 2026

RE: Clarity on SB 1537 – Student Representative/Executive Session Access

After the public hearing on SB 1537, the Oregon Community College Association (OCCA) brought me a concern that the language of the -1 amendment may be self-conflicting. Specifically, with regard to Section 3(2)(d) and Section 3(4). The concern is that while Section 3(4) provides that the student representative can only participate in executive sessions of the board insofar as board policies allow, which each board is required to adopt under the bill, that Section 3(2)(d) would still prohibit the board from adopting a policy that restricts the student's access to information distributed to other board members for or in an executive session.

I do not read the amendment that way, and I have consulted with Legislative Counsel for guidance. Legislative Counsel advises that, "as it is drafted in the --1 amendment to SB 1537, a board has a solid legal basis for withholding executive session relevant information anyway, if the board so provides by rule. In other words, I agree with your reading that the --1 amendment works, and that a board can withhold executive session information from a student member. Otherwise, the executive session rule makes no sense."

I understand OCCA's desire to remove ambiguity, so I submit this for the record for clarity. Timing precludes further amendment this session. At the request of for further clarity and to provide that reassurance, I will bring a technical fix in the next legislative session to completely remove any sort of ambiguity in this statute. In the meantime, boards should proceed as required by the law with adopting a policy for the student representative's participation in executive sessions, and that policy may include limiting access to materials distributed for executive sessions.

Sincerely,

Lew Frederick  
Senate Majority Whip | District 22 – N/NE Portland  
Chair, Senate Committee on Education