

**SB 1538 A STAFF MEASURE SUMMARY****Carrier:** Rep. Rieke Smith**House Committee On Education****Action Date:** 02/25/26**Action:** Do Pass the A-Eng bill.**Vote:** 5-3-0-0**Yeas:** 5 - Dobson, Fragala, Hudson, McDonald, Rieke Smith**Nays:** 3 - Harbick, McIntire, Wright**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Lisa Gezelter, LPRO Analyst**Meeting Dates:** 2/23, 2/25**WHAT THE MEASURE DOES:**

The measure creates a new protected class in educational antidiscrimination law, guarantees admission to Oregon school districts' instructional programs, requires the Oregon Department of Justice (DOJ) to modify the model policies it has created for school districts, and requires school districts to distribute those model policies to their employees. It takes effect July 1, 2026.

Detailed Summary

- Expands guaranteed enrollment to school districts' instructional programs
- Expands educational antidiscrimination law to include citizenship or immigration status as a protected class, with certain exceptions
- Expands requirements for the DOJ's model policies for public schools responding to immigration enforcement authorities
- Requires all school districts, education service districts, and public charter schools to distribute the DOJ's model policies to their employees
- Excludes immigration enforcement authorities from the requirement that school districts provide students' personally identifiable information to law enforcement in certain health or safety emergencies

**ISSUES DISCUSSED:**

- *Plyler v. Doe* and efforts to overturn it
- U.S. Immigration and Customs Enforcement (ICE) actions
- Experiences of immigrant and refugee communities

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

In 1982, the U.S. Supreme Court decided *Plyler v. Doe*, guaranteeing public school enrollment for students regardless of immigration documentation status. Oregon Revised Statutes 180.810 requires the DOJ to create [model confidentiality policies](#) for Oregon public bodies to limit, within the bounds of state and federal law, immigration enforcement at public schools and other public facilities. These policies were most recently updated in February 2025.

In 2011, ICE issued a [memo governing enforcement actions at sensitive locations](#), including K-12 schools and post-secondary institutions. The memo was [revoked](#) in January 2025. In September 2025, ICE issued a [statement](#) indicating that it does not generally conduct enforcement actions at schools and that secondary supervisor approval is required to do so. News reports in [Oregon](#) and [elsewhere](#) indicate that ICE enforcement actions can impact school operations.