



Date: February 11, 2026
To: House Committee on Labor and Workforce Development
From: Morgan Allen, COSA
Subject: House Bill 4011 - Class Size, Caseload, and Student Discipline as Mandatory Subjects of Bargaining

Chair Grayber, Vice Chairs Muñoz and Scharf, and Members of the House Committee on Labor and Workforce Development:

My name is Morgan Allen and on behalf of the Coalition of Oregon School Administrators and our 3,000 members, we ask you to consider the unintended consequences House Bill 4011 will have on our students and our schools. Our members would agree that reasonable class sizes with a highly qualified teacher are the best learning environments for our students. But without additional funding and learning space, HB 4011 is not the appropriate response to meeting this goal.

This bill takes the focus off what school districts and educators should be most concerned about: ensuring that every student has the tools and resources to succeed. And that means we need to invest more of our limited resources in our students who need the most academic, mental health, and social-emotional supports. A one-size fits all class size cap approach is not a research supported best practice and prohibitively expensive.

Addition of Student Discipline In the -2 Amendment Negatively Impacts Students

Unlike past iterations of HB 4011 which focused on class size and caseload, the proposed amendments include student discipline related to staff safety as new mandatory subjects of bargaining. All students have the right to a free and appropriate public education and we believe mandatory bargaining over student discipline raises significant legal concerns related to students' equal access to our public schools and education programs. Concerns about safety should focus on appropriate training for staff, appropriate staffing to meet the needs of students, and wraparound services, not collectively bargained student discipline mandates.

Poor disciplinary practices result in disproportionate, exclusionary outcomes for students of color, students with disabilities, and other students who have been historically marginalized. Bargaining over discipline raises many concerns related to state and federal anti-discrimination laws, the rights of students with disabilities under IDEA, and student rights to privacy under FERPA. We urge the committee to reject this proposal outright.



Mandatory Bargaining On Class Size Takes the Focus Off Student Needs & Outcomes

At a time when conversations about student outcomes and accountability are at the forefront, contract language requiring equivalent class sizes across schools will make it harder for districts to invest resources in students that need them the most.

Many school districts have chosen to invest more resources in their schools with the students who need the most support. Schools with large numbers of emerging bilingual students, students in poverty, or schools with large numbers of students at risk of dropping out need more resources in order to achieve improved outcomes. School districts should not be put in a position where they are required to bargain in order to keep making the targeted investments necessary for student success.

HB 4011, though well intentioned, will place an undue burden onto some of our most impacted student populations during challenging budget times. And more concerning, it takes the focus off improving outcomes for students who need the most support.

House Bill 4011 Doesn't Address Underlying Issues Like School Funding & Space

During the 2025 Session, there was much discussion about the \$700+ million biennial gap in Special Education Funding that is putting tremendous pressure on our public school budgets. Our school districts and ESDs are not funded at a level that allows us to reduce class sizes without making difficult budget choices. Many districts simply do not have the funding or space to add more teachers and classrooms to accommodate smaller class sizes.

COSA does not believe that this bill will have an appreciable effect on the number of students in a classroom without the associated funding to expand the number of teachers a district can hire and increasing availability of physical space for more classrooms.

We are concerned we will see more proposals requiring “verage” pay for teachers because it is the only practical alternative when funding and space are insufficient. This undermines a district’s ability to target funding to the schools and students who need the most supports to be successful. For example, Portland Public Schools officials estimate they will spend around \$5 million this school year on teacher “overages” due to insufficient funding and space to add more teachers.

Class Size is a Mandatory Subject for Title I Eligible Schools - It's Not Being Used

During the 2021 Legislative Session, SB 580 was passed and made class size and caseload limits at Title I eligible schools a mandatory subject of bargaining effective January 1, 2022. According to data from the Oregon Department of Education, there are 570 schools



statewide that are receiving Title I-A funding currently – that is more than 45% of the schools in Oregon where class size is already a mandatory subject of bargaining.

The thinking at the time was that there is some research that shows that smaller class sizes can be beneficial for students in poverty that need additional supports. We agreed to this compromise because it brought the focus of class size to our schools and students that need it the most.

What Has Happened in the Four Years Since That Law Went Into Effect?

Our members report that there are relatively few requests to bargain class size at a district's Title I schools. We recently asked our members to share information related to class size provisions in their contracts. The results affirm what we have heard from our members - reducing class size at Title I schools has not been a priority in local bargaining.

Question: Class size and caseload at Title I eligible schools became a mandatory subject of bargaining January 1st, 2022. Since that law went into effect, has your district entered into any contract agreements or provisions with your local teachers' association related to class size in Title I schools or other schools across the district?

Options	Summary of Responses
Yes, but just in our Title I schools	10 respondents (7.2%)
Yes, in all schools in the district	23 respondents (16.6%)
Yes, but just in some schools or grades	7 respondents (5%)
No	98 respondents (71%)
Total Respondents = 138 (133 School Districts, two ESDs, and three Charter Schools)	

While we have not had time to conduct a full survey of every school district, this initial data leads to a key question for our members: if class size is such a pressing issue, and it is a mandatory subject of bargaining at Title I schools, why aren't teachers demanding to bargain over it?



Making Class Size A Mandatory Subject - Not Just a Conversation

We have heard that adding non-Title I Schools to the list of mandatory subjects of bargaining just ensures that the “conversation” occurs during local contract negotiations. In reality, it significantly raises the stakes – and in today’s current environment – our members believe this will likely lead to more strikes.

In short, a mandatory subject of bargaining means that if the district and the teachers and their labor representatives can’t come to an agreement, the teachers can now strike over the failure to reach an agreement on hard class size caps, for example.

Expect Dramatic Impacts When the Next Recession Hits

School districts already spend around 85% of their resources on personnel – primarily teachers. The rest is needed to pay for supplies, utilities, busing and other operational expenses. When Oregon’s next recession hits, expect to see significant impacts on the school calendar.

If school districts are required to negotiate class size into contracts district-wide, we should anticipate challenges in sustaining class size reductions which creates further instability in our education system. You will see school days and programs cut during the next inevitable recession in Oregon; we already know Oregon has one of the shortest school years in the nation.

School district budgets are a zero sum game and when budgets need to be reduced you can really only reduce staff, shorten the school year, or cut programs. When budgets are short and cuts must be made – and there are class size requirements in contracts – that only leaves days and programs to cut, directly impacting our students.

House Bill 4011 is not the solution to class size issues. Funding and collaboration to maximize limited resources to improve student outcomes is. Class size is already a mandatory subject of bargaining for Title I schools, but is not being utilized across the state. If the bill passes, it will only make local negotiations more contentious. COSA asks you to reject this legislation and bring the focus back to policies that place student outcomes at the forefront.