

CHAPTER 95

AN ACT

SB 1552

Relating to education; creating new provisions; amending ORS 171.857, 192.690, 326.695, 327.026, 327.254, 332.544, 334.231, 336.680, 339.869, 341.013, 342.610, 342.940, 348.205, 348.250, 348.260, 348.263, 348.520, 348.752, 350.075, 350.355 and 670.280; repealing ORS 326.700, 326.712, 329.832 and 329.837; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

YOUTH ADVISORY GROUP

SECTION 1. (1) The Department of Education shall establish a work group to develop standards that are used to select the members of the youth advisory group established by section 4 of this 2024 Act.

(2) The work group shall consist of members selected by the Deputy Superintendent of Public Instruction in consultation with the Youth Development Division, the Oregon Health Authority and the Racial Justice Council.

(3) To the greatest extent practicable, the work group shall consist of:

(a) Youth representing tribal youth councils;

(b) Youth representing youth and student leadership organizations;

(c) Youth participating in alternative education pathways;

(d) Youth from immigrant and refugee communities;

(e) Individuals representing culturally and ethnically specific community-based organizations, including organizations that assist immigrant and refugee communities;

(f) Individuals who are administrators, teachers and other school staff who support youth and student leadership in public schools, including education service districts, school districts, schools and youth reengagement programs;

(g) Youth who serve as advisors to the State Board of Education or serve on Department of Education work groups related to student success initiatives;

(h) Youth who serve on the Youth Development Council or who participate in Youth Development Division programs;

(i) Youth who serve on Oregon Health Authority work groups;

(j) Youth who serve on Racial Justice Council work groups; and

(k) Additional members identified and recommended by the work group.

(4) Members of the work group selected as provided by subsection (3) of this section must consist of individuals who:

(a) Have lived experiences with, or a demonstrated understanding of, issues facing persons who are from racial or ethnic communities that historically have been, or currently are, underrepresented or underserved, including communities for which a statewide education plan has been developed and implemented;

(b) Have lived experiences with, or a demonstrated understanding of, issues facing persons who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex, asexual, nonbinary or another minority gender identity or sexual orientation;

(c) Are English language learners;

(d) Are identifiable as being a child with a disability, as defined in ORS 343.035;

(e) Are navigating poverty;

(f) Are a foster child or have a parent involved in the criminal justice system; or

(g) Have experienced disproportionate results in education due to historical practices, as identified by the State Board of Education by rule.

(5) Youth members of the work group selected as provided by subsection (3) of this section must be between the ages of 14 and 18 years during their term of service on the work group.

(6) The work group shall:

(a) Develop a process for individuals to apply to become a member of the youth advisory group, based on considerations of equity.

(b) Develop and implement a youth outreach and recruitment plan for connecting with prospective members of the youth advisory group.

(c) Review applications of prospective members of the youth advisory group and recommend to the Deputy Superintendent of Public Instruction prospective members of the youth advisory group.

(d) Develop the orientation for members of the youth advisory group.

(e) Work to reduce bias and remove barriers related to becoming a member of the youth advisory group and to support members of the youth advisory group.

(f) Develop recommendations and best practices for providing mentorship to youth members of the youth advisory group.

(g) Explore the viability of providing stipends and academic credit for youth members of the youth advisory group.

SECTION 2. The work group established by section 1 of this 2024 Act must first meet no later than October 31, 2024.

SECTION 3. Section 1 of this 2024 Act is repealed on August 30, 2025.

SECTION 4. (1) A youth advisory group is established for the purposes of this section.

(2)(a) The Deputy Superintendent of Public Instruction, in consultation with the work group established by section 1 of this 2024 Act, shall

select members of the youth advisory group as provided by this subsection. The term of office of each member is one year.

(b) The majority of the members of the youth advisory group must be youth between the ages of 14 and 18 years of age during their term of service on the youth advisory group. The youth members of the youth advisory group must include two youth from each education service district identified in ORS 334.013.

(c) When selecting the members of the youth advisory group, the Deputy Superintendent of Public Instruction shall:

(A) Consult with the Youth Development Division, the Oregon Health Authority and the Racial Justice Council to select members of the youth advisory group who are one or more of the following:

(i) Youth and staff representing tribal youth councils;

(ii) Youth and staff representing youth and student leadership organizations;

(iii) Youth and staff representing alternative education pathways;

(iv) Youth from immigrant and refugee communities;

(v) Individuals representing culturally and ethnically specific community-based organizations, including organizations that assist immigrant and refugee communities;

(vi) Individuals who are administrators, teachers and other school staff who support youth and student leadership in public schools, including education service districts, school districts, schools and youth reengagement programs;

(vii) Youth who serve as advisors to the State Board of Education or serve on Department of Education work groups related to student success initiatives;

(viii) Youth who serve on the Youth Development Council or who participate in Youth Development Division programs;

(ix) Youth who serve on Oregon Health Authority work groups;

(x) Youth who serve on Racial Justice Council work groups; and

(xi) Additional members identified and recommended by the youth advisory group.

(B) Consult with the Youth Development Division to select members of the youth advisory group who are youth who have been reengaged and to select program staff who support the statewide youth reengagement system developed and administered by the division under ORS 417.859 or who otherwise provide education opportunities to youth or support the educational success of youth.

(d) In addition to the members of the youth advisory group described in paragraphs (b) and (c) of this subsection, the youth advisory group may include any other members identified and recommended by the youth advisory group and

selected by the Deputy Superintendent of Public Instruction in consultation with the work group established by section 1 of this 2024 Act.

(e) The Deputy Superintendent of Public Instruction may provide for alternate members for the youth members of the youth advisory group described in paragraph (b) of this subsection.

(f)(A) When making selections under this subsection, the Deputy Superintendent of Public Instruction must ensure that:

(i) At least 70 percent of the members of the youth advisory group have lived experiences with, or a demonstrated understanding of, issues facing persons who are from racial or ethnic communities that historically have been, or currently are, underrepresented or underserved;

(ii) At least 50 percent of the youth members of the youth advisory group from each of the regions identified in paragraph (b) of this subsection have lived experiences with, or a demonstrated understanding of, issues facing persons who are from racial or ethnic communities that historically have been, or currently are, underrepresented or underserved; and

(iii) The youth members of the youth advisory group must include youth who:

(I) Have lived experiences with, or a demonstrated understanding of, issues facing persons who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex, asexual, nonbinary or another minority gender identity or sexual orientation;

(II) Are English language learners;

(III) Are identified as being a child with a disability, as defined in ORS 343.035;

(IV) Are navigating poverty;

(V) Are a foster child or have a parent involved in the criminal justice system; or

(VI) Have experienced disproportionate results in education due to historical practices, as identified by the State Board of Education by rule.

(B) For the purpose of this paragraph, racial or ethnic communities that historically have been, or currently are, underrepresented or underserved include communities for which a statewide education plan has been developed and implemented.

(g) A member of the youth advisory group may be selected for up to two terms. If there is a vacancy for any cause, the Deputy Superintendent of Public Instruction, in consultation with other members of the youth advisory group, shall make a selection to become immediately effective for the unexpired term.

(3) The Department of Education shall ensure that each youth member of the youth advisory group:

(a) Receives sufficient support to enable participation in youth advisory group meetings, including:

(A) Reimbursement for actual and necessary travel and other expenses incurred in the per-

formance of official duties in the manner and amounts provided in ORS 292.495; and

(B) Funding for any expenses not otherwise reimbursed under subparagraph (A) of this paragraph; and

(b) Has resources available to reimburse any adult who provides transportation or other supports in helping the youth member to participate in the youth advisory group.

(4) The youth advisory group, with support from the Department of Education, shall take into consideration racial equity and justice and align with other statewide efforts for racial equity and justice when performing the following duties:

(a) Developing the youth advisory group's goals, success criteria and progress measures related to youth and student leadership and engagement in the policymaking process in this state. When performing the duties described in this paragraph, the youth advisory group may modify the youth advisory group's decision-making process, scope of work, work plans and meeting structures, and the roles and responsibilities of youth advisory group members.

(b) Examining current Department of Education, Youth Development Division and Oregon Health Authority initiatives and practices related to youth and student leadership and engagement in the policymaking process and making recommendations on how to elevate and support youth and student leadership and youth-led and student-led accountability in the policymaking process at the state and local level. When performing the duties described in this paragraph, the youth advisory group must give careful consideration to youth and student leadership and to engagement by youth described in subsection (2)(f)(A)(ii) and (iii) of this section. The youth advisory group may recommend methods for evaluating current initiatives, practices and progress relating to youth and student leadership and engagement at the state level.

(c) Connecting with youth and student leaders and exploring youth and student leadership networks, including culturally and ethnically specific, community-based models and Youth Development Division programs, to identify best practices in youth-led and student-led accountability in this state and on a national level. Based on the performance of the duties described in this paragraph, the youth advisory group shall make recommendations to the State Board of Education, the Youth Development Council, the Legislative Assembly and the Governor on how to support youth and student leadership networks on a regional level for the purposes of connecting youths with youth organizations, connecting students with student organizations, elevating youth and student leadership and voice and supporting youth-led and student-led accountability, with special consid-

eration given to youth described in subsection (2)(f)(A)(ii) and (iii) of this section.

(d) Helping the Department of Education, the Youth Development Division and the Oregon Health Authority with the surveys that are administered to youth and students by assisting with reviews of the findings and making recommendations on the content and administration of the surveys.

(e) Evaluating current processes in this state to identify best practices for youth and students reporting a bias incident as defined in ORS 147.380 or a hate or bias crime. Based on the performance of the duty described in this paragraph, the youth advisory group shall make recommendations for providing support to youth and students who have experienced bias incidents or hate or bias crimes.

(f) Reporting on the youth advisory group's work, progress and recommendations to the Legislative Assembly and the Governor every two years and providing interim updates to youth and student leadership networks and organizations, education service districts, school districts and local entities that serve youth and students.

(5)(a) The youth advisory group shall meet at least six times each year on the dates determined by a majority of the members of the youth advisory group. The youth advisory group shall also meet at other times specified or requested by a majority of the members of the youth advisory group.

(b) The youth advisory group shall meet in the place and manner determined by a majority of the members of the youth advisory group. All or part of the members of the youth advisory group may attend the meetings electronically, unless otherwise provided by a majority of the members of the youth advisory group.

(6) The Department of Education shall:

(a) Provide staff support to the youth advisory group; and

(b) Support youth advisory group members in participating in the youth advisory group.

SECTION 5. (1) The Deputy Superintendent of Public Instruction, in consultation with the work group established by section 1 of this 2024 Act, shall select the members of the youth advisory group described in section 4 of this 2024 Act no later than June 30, 2025.

(2) The youth advisory group established in section 4 of this 2024 Act must first meet no later than December 15, 2025.

SECTION 6. Section 4 of this 2024 Act is amended to read:

Sec. 4. (1) A youth advisory group is established for the purposes of this section.

(2)(a) The Deputy Superintendent of Public Instruction, in consultation with [*the work group established by section 1 of this 2024 Act*] **current**

members of the youth advisory group, shall select members of the youth advisory group as provided by this subsection. The term of office of each member is one year.

(b) The majority of the members of the youth advisory group must be youth between the ages of 14 and 18 years of age during their term of service on the youth advisory group. The youth members of the youth advisory group must include two youth from each education service district identified in ORS 334.013.

(c) When selecting the members of the youth advisory group, the Deputy Superintendent of Public Instruction shall:

(A) Consult with the Youth Development Division, the Oregon Health Authority and the Racial Justice Council to select members of the youth advisory group who are one or more of the following:

(i) Youth and staff representing tribal youth councils;

(ii) Youth and staff representing youth and student leadership organizations;

(iii) Youth and staff representing alternative education pathways;

(iv) Youth from immigrant and refugee communities;

(v) Individuals representing culturally and ethnically specific community-based organizations, including organizations that assist immigrant and refugee communities;

(vi) Individuals who are administrators, teachers and other school staff who support youth and student leadership in public schools, including education service districts, school districts, schools and youth reengagement programs;

(vii) Youth who serve as advisors to the State Board of Education or serve on Department of Education work groups related to student success initiatives;

(viii) Youth who serve on the Youth Development Council or who participate in Youth Development Division programs;

(ix) Youth who serve on Oregon Health Authority work groups;

(x) Youth who serve on Racial Justice Council work groups; and

(xi) Additional members identified and recommended by the youth advisory group.

(B) Consult with the Youth Development Division to select members of the youth advisory group who are youth who have been reengaged and to select program staff who support the statewide youth reengagement system developed and administered by the division under ORS 417.859 or who otherwise provide education opportunities to youth or support the educational success of youth.

(d) In addition to the members of the youth advisory group described in paragraphs (b) and (c) of this subsection, the youth advisory group may include any other members identified and recommended by the youth advisory group and selected by the Deputy Superintendent of Public Instruction *in*

consultation with the work group established by section 1 of this 2024 Act].

(e) The Deputy Superintendent of Public Instruction may provide for alternate members for the youth members of the youth advisory group described in paragraph (b) of this subsection.

(f)(A) When making selections under this subsection, the Deputy Superintendent of Public Instruction must ensure that:

(i) At least 70 percent of the members of the youth advisory group have lived experiences with, or a demonstrated understanding of, issues facing persons who are from racial or ethnic communities that historically have been, or currently are, underrepresented or underserved;

(ii) At least 50 percent of the youth members of the youth advisory group from each of the regions identified in paragraph (b) of this subsection have lived experiences with, or a demonstrated understanding of, issues facing persons who are from racial or ethnic communities that historically have been, or currently are, underrepresented or underserved; and

(iii) The youth members of the youth advisory group must include youth who:

(I) Have lived experiences with, or a demonstrated understanding of, issues facing persons who identify as lesbian, gay, bisexual, transgender, queer, two-spirit, intersex, asexual, nonbinary or another minority gender identity or sexual orientation;

(II) Are English language learners;

(III) Are identified as being a child with a disability, as defined in ORS 343.035;

(IV) Are navigating poverty;

(V) Are a foster child or have a parent involved in the criminal justice system; or

(VI) Have experienced disproportionate results in education due to historical practices, as identified by the State Board of Education by rule.

(B) For the purpose of this paragraph, racial or ethnic communities that historically have been, or currently are, underrepresented or underserved include communities for which a statewide education plan has been developed and implemented.

(g) A member of the youth advisory group may be selected for up to two terms. If there is a vacancy for any cause, the Deputy Superintendent of Public Instruction, in consultation with other members of the youth advisory group, shall make a selection to become immediately effective for the unexpired term.

(3) The Department of Education shall ensure that each youth member of the youth advisory group:

(a) Receives sufficient support to enable participation in youth advisory group meetings, including:

(A) Reimbursement for actual and necessary travel and other expenses incurred in the performance of official duties in the manner and amounts provided in ORS 292.495; and

(B) Funding for any expenses not otherwise reimbursed under subparagraph (A) of this paragraph; and

(b) Has resources available to reimburse any adult who provides transportation or other supports in helping the youth member to participate in the youth advisory group.

(4) The youth advisory group, with support from the Department of Education, shall take into consideration racial equity and justice and align with other statewide efforts for racial equity and justice when performing the following duties:

(a) Developing the youth advisory group's goals, success criteria and progress measures related to youth and student leadership and engagement in the policymaking process in this state. When performing the duties described in this paragraph, the youth advisory group may modify the youth advisory group's decision-making process, scope of work, work plans and meeting structures, and the roles and responsibilities of youth advisory group members.

(b) Examining current Department of Education, Youth Development Division and Oregon Health Authority initiatives and practices related to youth and student leadership and engagement in the policymaking process and making recommendations on how to elevate and support youth and student leadership and youth-led and student-led accountability in the policymaking process at the state and local level. When performing the duties described in this paragraph, the youth advisory group must give careful consideration to youth and student leadership and to engagement by youth described in subsection (2)(f)(A)(ii) and (iii) of this section. The youth advisory group may recommend methods for evaluating current initiatives, practices and progress relating to youth and student leadership and engagement at the state level.

(c) Connecting with youth and student leaders and exploring youth and student leadership networks, including culturally and ethnically specific, community-based models and Youth Development Division programs, to identify best practices in youth-led and student-led accountability in this state and on a national level. Based on the performance of the duties described in this paragraph, the youth advisory group shall make recommendations to the State Board of Education, the Youth Development Council, the Legislative Assembly and the Governor on how to support youth and student leadership networks on a regional level for the purposes of connecting youths with youth organizations, connecting students with student organizations, elevating youth and student leadership and voice and supporting youth-led and student-led accountability, with special consideration given to youth described in subsection (2)(f)(A)(ii) and (iii) of this section.

(d) Helping the Department of Education, the Youth Development Division and the Oregon Health Authority with the surveys that are administered to youth and students by assisting with reviews of the findings and making recommendations on the content and administration of the surveys.

(e) Evaluating current processes in this state to identify best practices for youth and students reporting a bias incident as defined in ORS 147.380 or a hate or bias crime. Based on the performance of the duty described in this paragraph, the youth advisory group shall make recommendations for providing support to youth and students who have experienced bias incidents or hate or bias crimes.

(f) Reporting on the youth advisory group's work, progress and recommendations to the Legislative Assembly and the Governor every two years and providing interim updates to youth and student leadership networks and organizations, education service districts, school districts and local entities that serve youth and students.

(5)(a) The youth advisory group shall meet at least six times each year on the dates determined by a majority of the members of the youth advisory group. The youth advisory group shall also meet at other times specified or requested by a majority of the members of the youth advisory group.

(b) The youth advisory group shall meet in the place and manner determined by a majority of the members of the youth advisory group. All or part of the members of the youth advisory group may attend the meetings electronically, unless otherwise provided by a majority of the members of the youth advisory group.

(6) The Department of Education shall:

(a) Provide staff support to the youth advisory group; and

(b) Support youth advisory group members in participating in the youth advisory group.

SECTION 7. The amendments to section 4 of this 2024 Act by section 6 of this 2024 Act become operative on August 30, 2025.

NOTE: Section 8 was deleted by amendment. Subsequent sections were not renumbered.

STUDENT INFORMATION

SECTION 9. (1) The Department of Education shall develop a plan for the collection of course-level completion and grade data for all public school students in grades 6 through 12.

(2) No later than September 15, 2024, the Department of Education shall submit a report in the manner provided by ORS 192.245, and may include recommendations for legislation, to the interim committees of the Legislative Assembly related to education regarding:

(a) The plan developed under subsection (1) of this section; and

(b) The funding the department will require during the 2025-2027 biennium for the purposes of the plan.

SECTION 10. Section 9 of this 2024 Act is repealed on January 2, 2025.

DIRECT ADMISSIONS**SECTION 11.** ORS 350.075 is amended to read:

350.075. (1) As used in this section, “student access programs” means scholarship, loan, grant and access programs described in ORS chapter 348.

(2) The Higher Education Coordinating Commission shall be guided by the legislative findings in ORS 341.009, 350.001 and 350.005 and the goals and mission of post-secondary education set forth in ORS 350.009 and 350.014.

(3) The Higher Education Coordinating Commission shall:

(a) Develop state goals for the state post-secondary education system, including community colleges and public universities listed in ORS 352.002, and for student access programs.

(b) Determine strategic investments in the state’s community colleges, public universities and student access programs necessary to achieve state post-secondary education goals.

(c) Coordinate the post-secondary elements of data collection and structure, with the advice and recommendation of the state’s independent institutions, community colleges and public universities, as appropriate, in order to construct a state longitudinal data system.

(d) Adopt a strategic plan for achieving state post-secondary education goals, taking into consideration the contributions of this state’s independent institutions, philanthropic organizations and other organizations dedicated to helping Oregonians reach state goals. State post-secondary education goals as described in this section should include, but need not be limited to:

(A) Increasing the educational attainment of the population;

(B) Increasing this state’s global economic competitiveness and the quality of life of its residents;

(C) Ensuring affordable access for qualified Oregon students at each college or public university;

(D) Removing barriers to on-time completion; and

(E) Tracking progress toward meeting the state’s post-secondary education goals established in the strategic plan described in this paragraph.

(e)(A) Each biennium, after receiving funding requests from the state’s community colleges and public universities as authorized by law, recommend to the Governor a consolidated higher education agency request budget aligned with the strategic plan described in paragraph (d) of this subsection, including appropriations for:

(i) Student access programs;

(ii) Public universities listed in ORS 352.002, including but not limited to education and general operations, statewide public services and state-funded debt service;

(iii) Community colleges, including but not limited to education and general operations and state-funded debt service;

(iv) New facilities or programs;

(v) Capital improvements and deferred maintenance;

(vi) Special initiatives and investments; and

(vii) Any other program, duty or function a public university listed in ORS 352.002 is authorized to undertake.

(B) In the development of the consolidated higher education agency request budget:

(i) Determine the costs necessary to provide quality post-secondary education;

(ii) Solicit input from educators, education policy experts, appropriate legislative committees, students and other persons interested in the development of the funding model; and

(iii) Solicit public input regarding educational priorities.

(f) Adopt rules governing the distribution of appropriations from the Legislative Assembly to community colleges, public universities listed in ORS 352.002 and student access programs. These rules must be based on allocation formulas developed in consultation with the state’s community colleges and public universities, as appropriate.

(g) Approve or disapprove any significant change to the academic program of a community college or a public university listed in ORS 352.002. In reaching a decision under this paragraph, the commission shall consider the recommendation from the community college or public university seeking to make the change to an academic program that is issued pursuant to the obligation of the governing board of a community college or public university to review and approve academic programs. The commission shall ensure that approved programs:

(A) Are consistent with the mission statement of the community college or public university;

(B) Do not unnecessarily duplicate academic programs offered by Oregon’s other community colleges or public universities;

(C) Are not located in a geographic area that will cause undue hardship to Oregon’s other community colleges or public universities; and

(D) Are allocated among Oregon’s community colleges and public universities to maximize the achievement of statewide needs and requirements.

(h) For public universities listed in ORS 352.002:

(A) Approve the mission statement adopted by a governing board of a public university.

(B) Review and determine whether a proposed annual increase of resident undergraduate enrollment fees of greater than five percent is appropriate.

(C) Advise the Governor and the Legislative Assembly on issues of university governance.

(D) Approve and authorize degrees.

(E) Perform the evaluation and certification required by ORS 350.095.

(i) Authorize degrees to be offered by independent post-secondary institutions in this state under ORS 348.594 to 348.615.

(j) Oversee the licensing of career schools under ORS 345.010 to 345.340.

(k) Have the authority to enter into and administer interstate agreements regarding the provision

of post-secondary distance education. The participation by an educational institution that is not based in this state in distance learning courses or programs that are part of an interstate agreement entered into and administered under this paragraph does not constitute operating in this state for purposes of ORS 348.594 to 348.615. The commission, by rule, may impose a fee on any educational institution that seeks to operate under or participate in such interstate agreements. The fee amount shall be established to recover designated expenses incurred by the commission in participating in such agreements.

(L) Administer a statewide longitudinal data system.

(m) In coordination with the Department of Education, the Employment Department and other state agencies, conduct statewide longitudinal studies and reporting of early learning, kindergarten through grade 12 education, higher education and workforce programs. For the purposes of this paragraph:

(A) The commission shall enter into written interagency agreements with the Department of Education, the Employment Department and any other state agencies necessary for conducting statewide longitudinal studies and reporting.

(B) The commission may share data from the statewide longitudinal data system with persons or public bodies. For purposes of this subparagraph, the commission shall adopt rules to establish procedures for requesting or sharing data and may enter into written agreements for sharing data.

(C) The commission is considered an authorized representative of state educational agencies under applicable state and federal law for purposes of accessing, compiling and storing student data for research, audit and evaluation purposes.

(n) Establish a direct admissions program for community colleges in this state and public universities listed in ORS 352.002. The commission shall adopt rules to:

(A) Establish a method for the collection of student data necessary to implement the program, which may include collaborating with the Department of Education to the extent necessary to collect the student data; and

(B) Maximize opportunities for underserved students and first generation college students to participate in the program.

(4)(a) The Higher Education Coordinating Commission shall implement a process to review and appropriately act on student complaints regarding any school operating in this state. As part of the process implemented under this subsection, the commission may:

(A) Receive student complaints from students regarding a school;

(B) Specify the type of information that must be included in a student complaint;

(C) Investigate and resolve student complaints that relate to state financial aid;

(D) Refer a student complaint to another entity for investigation and resolution as provided in paragraph (b) of this subsection;

(E) Adopt rules to implement the provisions of this subsection; and

(F) Enter into agreements to implement the provisions of this subsection.

(b) The commission may refer the investigation and resolution of a student complaint to:

(A) An appropriate state agency if the complaint alleges that a school has violated a state law concerning consumer protection, civil rights, employment rights or environmental quality;

(B) A school's accrediting association if the complaint relates to the school's authorization to offer academic degree programs or to the quality of the school's academic degree programs; or

(C) The school at which the student is enrolled if the commission determines that the complaint should be resolved through the school's internal review process.

(c) As used in this subsection:

(A)(i) "School" means an independent institution of higher education that meets the requirements of ORS 348.597 (2)(a).

(ii) "School" does not mean a school that is exempt from ORS 348.594 to 348.615 under ORS 348.597 (2)(b) or (c).

(B) "Student" means a person who is enrolled at a school for the purpose of obtaining a degree, certificate or other recognized educational credential offered by that school.

(5) A student complaint that is received by the Higher Education Coordinating Commission, including but not limited to a student complaint filed under subsection (4) of this section, is not subject to disclosure under ORS 192.311 to 192.478.

(6) In addition to the duties described in subsections (2) to (4) of this section, the Higher Education Coordinating Commission shall advise the Legislative Assembly, the Governor, community colleges, public universities and other state boards and commissions on policies in order to:

(a) Ensure or improve access to higher education by diverse and underserved populations.

(b) Encourage student success and completion initiatives.

(c) Improve the coordination of the provision of educational services, including:

(A) Transfers and coenrollment throughout the higher education system;

(B) Accelerated college credit programs for high school students;

(C) Applied baccalaureate and other transfer degrees;

(D) Programs and grants that span multiple institutions; and

(E) Reciprocity agreements with other states.

(d) In coordination with the State Board of Education, enhance the use and quality of dual credit, career and technical pathways and efforts to create a culture of college attendance in this state.

(e) In coordination with the State Workforce and Talent Development Board, local workforce development boards, the Oregon Health and Science University and independent institutions, ensure that the state's colleges and universities offer programs in high-demand occupations that meet Oregon's workforce needs.

(f) Improve economies of scale by encouraging and facilitating the use of the shared services among post-secondary institutions in this state.

(7) The Higher Education Coordinating Commission, in a manner consistent with ORS chapter 183, may adopt administrative rules.

(8) With the exception of the rulemaking authority granted in subsection (7) of this section, the Higher Education Coordinating Commission may delegate any of its powers, duties or functions to a committee of the commission or to the executive director of the commission.

(9) The Higher Education Coordinating Commission may, subject to the Public Contracting Code, enter into contracts and agreements, including grant agreements, with public and private entities for those higher education and workforce development activities that are consistent with ORS 350.001 and 350.005, with the policies set forth in ORS chapters 341 and 348 and with statutory policies related to career schools and public universities.

(10)(a) The Higher Education Coordinating Commission may exercise only powers, duties and functions expressly granted by the Legislative Assembly. Except as otherwise expressly provided by law, all other authorities reside at the institutional level with the respective boards of the post-secondary institutions.

(b) The commission has implied and direct authority to implement the powers, duties and functions expressly granted to the commission by the Legislative Assembly.

(c) Notwithstanding paragraph (b) of this subsection, the commission may not exercise any authority, express or implied, statutorily provided to a governing board of a public university listed in ORS 352.002 or a community college operated under ORS chapter 341.

STATE FUNDING OF EDUCATION

SECTION 12. (1) The Legislative Policy and Research Director shall conduct a study of:

(a) The Quality Education Model; and
(b) The state's system of financing public education from kindergarten through grade 12.

(2) The study conducted under this section must include at least:

(a) A review of the education funding formula for public education for kindergarten through grade 12 in this state and an exploration of options that would provide a uniform and equitable design for financing the cost of an adequate education for all public school students in kindergarten through grade 12 in this state.

(b) A review and evaluation of the Quality Education Model, including the processes used to:

(A) Determine the best practices included in the model;

(B) Estimate school district operating expenses for purposes of the model;

(C) Select quality indicators for the model; and

(D) Accurately calculate the cost of a quality education for all students of this state.

(c) The identification of trends and disparities since the 2019-2020 school year in student performance across the state in kindergarten through grade 12 based on current school funding.

(d) The establishment of the baseline for the costs, programs, staffing and facilities needed to provide the opportunity for an adequate education.

(e) A review of the costs and existing funding for special education and related services and an exploration of possible alternative funding formulas.

(3) For the purpose of conducting the study described in this section, the director may enter into a contract with a public, private or non-profit research entity. When entering into a contract, the director shall give preference, to the greatest extent practicable, to a research entity that has conducted similar studies in other states.

(4) All agencies of state government, as defined in ORS 174.111, are directed to assist the director, and any entity working under contract with the director, in conducting the study and, to the extent permitted by laws related to confidentiality, to furnish information and advice necessary for the director or contractor to complete the study.

(5) The director shall submit a report in the manner provided by ORS 192.245 to the interim committees of the Legislative Assembly related to education no later than January 31, 2025.

SECTION 13. Section 12 of this 2024 Act is repealed on June 30, 2025.

SECTION 14. ORS 171.857 is amended to read: 171.857. (1) For each odd-numbered year regular session of the Legislative Assembly, the President of the Senate and the Speaker of the House of Representatives shall jointly appoint a special legislative committee to issue a report pursuant to section 8, Article VIII of the Oregon Constitution.

(2) The committee may not transact business unless a quorum is present. A quorum consists of a majority of committee members from the House of Representatives and a majority of committee members from the Senate.

(3) Action by the committee requires the affirmative vote of a majority of committee members

from the House of Representatives and a majority of committee members from the Senate.

[(4) *Members of the committee are entitled to compensation and expense reimbursement as provided in ORS 171.072.*]

[(5) *The Legislative Assembly in the report shall.*]

(4) In the report, the Legislative Assembly shall accomplish one of the following:

(a) Demonstrate that the amount within the budget appropriated for the state's system of kindergarten through grade 12 public education is the amount of moneys, as determined by the Quality Education Commission established by ORS 327.500, that is sufficient to meet the quality goals; *or*.

(b) Identify the reasons that the amount appropriated for the state's system of kindergarten through grade 12 public education is not sufficient, the extent of the insufficiency and the impact of the insufficiency on the ability of the state's system of kindergarten through grade 12 public education to meet the quality goals. In identifying the impact of the insufficiency, the Legislative Assembly shall include in the report how the amount appropriated in the budget may affect both the current practices and student performance identified by the commission under ORS 327.506 (4)(a) and the best practices and student performance identified by the commission under ORS 327.506 (4)(b).

[(6)(a)] **(5)(a)** Notwithstanding subsection [(5)] (4) of this section, the [*Legislative Assembly*] **committee** may make a determination that the report of the Quality Education Commission should not be used as the basis for carrying out the reporting requirements of section 8, Article VIII of the Oregon Constitution, and subsection [(5)] (4) of this section. If the report is not used, the [*Legislative Assembly*] **committee** shall identify the reasons for not using the report to meet the reporting requirements and shall outline an alternative methodology for making the findings required by section 8, Article VIII of the Oregon Constitution.

(b) The alternative methodology shall be based on:

(A) Research, data and public values; and

(B) The performance of successful schools, professional judgment or a combination of the performance of successful schools and professional judgment.

(c) The Legislative Assembly shall include in the report that uses the alternative methodology a determination of how the amount appropriated may affect the ability of the state's system of kindergarten through grade 12 public education to meet quality goals established by law, including expected student performance against those goals.

[(7)] **(6)** The Legislative Assembly shall identify in the report whether the state's system of post-secondary public education has quality goals established by law. If there are quality goals, the Legislative Assembly shall include in the report a determination that the amount appropriated in the

budget is sufficient to meet those goals or an identification of the reasons the amount appropriated is not sufficient, the extent of the insufficiency and the impact of the insufficiency on the ability of the state's system of post-secondary public education to meet those quality goals.

[(8)] **(7)** The report shall be issued within 180 days after the Legislative Assembly adjourns sine die.

[(9)] **(8)** The Legislative Assembly shall provide public notice of the report's issuance, including posting the report on the Internet and providing a print version of the report upon request.

FINANCIAL AID DISTRIBUTIONS

SECTION 15. ORS 348.205 is amended to read: 348.205. (1) The Oregon Opportunity Grant program is established within the Higher Education Coordinating Commission.

(2) Under the program, the cost of education of a qualified student shall be shared by the student, the family of the student, the federal government and the state.

(3) The [*Director of the Office of Student Access and Completion*] **commission** shall determine the cost of education of a qualified student based on the type of eligible post-secondary institution the student is attending. The cost of education equals:

(a) For a student attending a community college, the average cost of education of attending a community college in this state;

(b) For a student attending a public university listed in ORS 352.002, the average cost of education of attending a public university;

(c) For a student attending a two-year Oregon-based, generally accredited, not-for-profit institution of higher education, the average cost of education of attending a community college in this state; and

(d) For a student attending the Oregon Health and Science University or a four-year Oregon-based, generally accredited, not-for-profit institution of higher education, the average cost of education of attending a public university listed in ORS 352.002.

(4)(a) The [*director*] **commission** shall determine the amount of the student share. The student share shall be based on:

(A) The type of eligible post-secondary institution the student is attending;

(B) The number of hours of work that the [*director*] **commission** determines may be reasonably expected from the student; and

(C) The amount of loans that the [*director*] **commission** determines would constitute a manageable debt burden for the student.

(b) The student shall determine how to cover the student share through income from work, loans, savings and scholarships.

(c) The student share for a student who attends a community college may not exceed the amount that the [*director*] **commission** determines a student may earn based on the number of hours of work

reasonably expected from the student under paragraph (a) of this subsection.

(d) The student share for a student who attends an eligible post-secondary institution that is not a community college may not exceed the sum of the amount that the [director] **commission** determines a student may receive as loans plus the amount a student may earn based on the number of hours of work reasonably expected from the student under paragraph (a) of this subsection.

(5) The [director] **commission** shall determine the amount of the family share. The family share shall be based on the resources of the family.

(6) The [director] **commission** shall determine the amount of the federal share based on how much the student or the student's family is expected to receive from the federal government.

(7)(a) The [director] **commission** shall determine the amount of the state share **by rule**. The state share shall be equal to the cost of education reduced by the student share, family share and amount received by the student from the federal government.

(b) The [director] **commission** shall establish a minimum amount that a student may receive as a state share. If the [director] **commission** determines that the amount of the state share of a student is below the minimum amount, the student may not receive the state share.

(c) The [director] **commission** may not reduce the amount of the state share of a student based on amounts available to the student by virtue of being the designated beneficiary of a college savings network account established under ORS 178.300 to 178.360.

(8) Subject to subsection (9) of this section, if the [director] **commission** determines that there are insufficient moneys to award the state share to all qualified students, the [director] **commission**:

(a) May establish the maximum amount that a student may receive as a state share. This amount may vary based on whether the student is attending an eligible post-secondary institution on a half-time or full-time basis.

(b) May establish procedures that prioritize awarding Oregon Opportunity Grants to qualified students with the greatest financial need or whose circumstances would enhance the promotion of equity guidelines published by the [Higher Education Coordinating] commission.

(c) May not reduce the amount of the state share awarded to students in the low income range in a greater proportion than the amount that the state share for students in other income ranges is reduced.

[(9)(a) The Higher Education Coordinating commission shall adopt rules that prioritize current foster children and former foster children for receiving Oregon Opportunity Grants when the Oregon Opportunity Grant program does not have sufficient funding to serve all eligible Oregon students.]

[(b) For the purposes of this subsection, "former foster child" has the meaning given that term in ORS 350.300.]

(9) The commission shall adopt rules that implement the Oregon Opportunity Grant program. The rules adopted by the commission shall:

(a) Specify the manner by which the commission determines the state share.

(b) Prioritize current foster children and former foster children for receiving Oregon Opportunity Grants when the Oregon Opportunity Grant program does not have sufficient funding to serve all eligible Oregon students. As used in this paragraph, "former foster child" has the meaning given that term in ORS 350.300.

SECTION 15a. The amendments to ORS 348.205 by section 15 of this 2024 Act first apply to state shares determined for the 2025-2026 academic year.

SECTION 16. ORS 348.250 is amended to read: 348.250. (1) Grants established under ORS 348.260 shall be awarded by the Higher Education Coordinating Commission in the manner provided in this section.

(2) Persons interested in obtaining a grant established under ORS 348.260 may apply to the [Director of the Office of Student Access and Completion] **commission** for a grant.

(3) The [director] **commission** shall screen or cause to be screened the applications and shall determine for each available grant the person best qualified to receive that grant. A qualified applicant is eligible to receive a grant established under ORS 348.260 if:

(a) The applicant's financial need is such that in the opinion of the [director] **commission** financial aid is warranted; and

(b) The applicant plans to be a student at the eligible post-secondary institution where the grant is to be used.

(4) The [director] **commission** shall not discriminate for or against any applicant for a grant.

(5) Nothing in this section or ORS 348.260, 348.505 to 348.615, 348.696 or 348.992 shall be construed to require any institution to admit a grant recipient or to attempt to control or influence the policies of the institution.

(6) Whenever funds are not available to award grants to all qualified students, the [director] **commission** may give priority to applicants who are or plan to be full-time students at the eligible post-secondary institution where the grant is to be used. A student shall be considered to be a full-time student if the combination of credit hours at more than one eligible post-secondary institution equals full-time attendance, according to the institution disbursing the grant funds.

(7) As used in this section, "discriminate" has the meaning given "discrimination" in ORS 659.850.

SECTION 17. ORS 348.260 is amended to read: 348.260. (1) In addition to any other form of student financial aid authorized by law, the Higher Ed-

ucation Coordinating Commission may award Oregon Opportunity Grants to qualified students.

(2) The amount of a grant shall equal the state share of a qualified student's cost of education as determined by the [Director of the Office of Student Access and Completion] **commission** and comply with applicable rules and procedures described in ORS 348.205.

(3) Grant funds necessary to meet matching requirements for federal funds may also be used to award grants to qualified students in any eligible post-secondary institution approved by the commission.

(4) Grants may be awarded under this section to qualified students enrolled for any term, including summer term. The commission may prescribe the method and date or dates by which a student must apply to the commission to qualify for a grant.

(5)(a) A qualified student who receives a grant under this section may apply for renewal of the grant on an annual basis. The commission may not renew the grant if the qualified student has not made a timely application for renewal of the grant.

(b) The commission shall by rule establish academic standards and benchmarks that a qualified student must meet to have the student's grant renewed.

(c) If a qualified student who receives a grant under this section makes a timely application for renewal of the grant, meets the academic standards and benchmarks established by the commission under this subsection and continues to meet all other grant eligibility criteria, the grant shall be renewed for a second year of attendance at an eligible post-secondary institution.

(d) Upon timely application by a qualified student who meets the academic standards and benchmarks established by the commission under this subsection and who continues to meet all other grant eligibility criteria, the commission may continue to renew the grant until the qualified student has received the equivalent of four full-time undergraduate years of grant funding for an eligible program as defined by the commission.

(6)(a) The [Director of the Office of Student Access and Completion] **commission** shall inform eligible post-secondary institutions of the identity of qualified students who attend the institution and who receive a grant under this section for more than one academic year.

(b) To the extent possible, eligible post-secondary institutions shall ensure that qualified students identified under this subsection are made aware of the academic guidance and counseling services available at the institution.

(7) A qualified student who receives a grant under this section must attend the eligible post-secondary institution upon which the grant application is based unless the [Director of the Office of Student Access and Completion] **commission** authorizes the grant to be used at a different eligible post-secondary institution. A qualified student who receives a grant under this section may attend more

than one eligible post-secondary institution if the grant application was based on the qualified student attending more than one eligible post-secondary institution.

(8) The commission may not make a grant award to any qualified student enrolled in a course of study required for and leading to a degree in theology, divinity or religious education.

(9)(a) The commission shall report annually on or before February 1 to committees of the Legislative Assembly related to higher education regarding the academic success and performance of qualified students who receive grants under this section.

(b) In order to meet the reporting requirements set forth in paragraph (a) of this subsection:

(A) The commission shall by rule design a method for evaluating the academic success and performance of students who receive a grant under this section; and

(B) Upon a request from the commission, eligible post-secondary institutions must provide the commission with the data necessary for the commission to conduct its analysis.

SECTION 18. ORS 348.263 is amended to read:

348.263. (1) In addition to any other form of student financial aid authorized by law, the Higher Education Coordinating Commission may award moneys from the Oregon Opportunity Grant program to qualified students to reward student persistence and encourage completion of degree programs at eligible post-secondary institutions.

(2) Awards made under this section are not subject to the maximum Oregon Opportunity Grant amount established under ORS 348.205.

(3) The commission shall establish by rule eligibility criteria for awards made under this section. These criteria shall include, but not be limited to, whether the qualified student is attending an eligible post-secondary institution on a full-time or half-time basis.

(4)(a) The [Director of the Office of Student Access and Completion] **commission** shall administer, and determine the size of, awards made under this section.

(b) In determining the size of awards made under this section, the [director] **commission** shall consider basing the size of the awards on a percentage of the maximum Oregon Opportunity Grant amount established under ORS 348.205.

SECTION 19. ORS 348.520 is amended to read:

348.520. The [Director of the Office of Student Access and Completion] **Higher Education Coordinating Commission** shall:

(1) Make available to qualified persons financial aid from financial sources available to the [director] **commission**.

(2) Determine qualifications of persons to receive financial aid.

(3) Maintain reports and records on persons applying for and receiving financial aid from the [director] **commission**.

(4) Withhold any financial aid if the recipient thereof fails to maintain the standards established for receipt of that aid.

(5) Recommend to the Legislative Assembly not less than once every biennium matters relating to the establishment, administration, modification, transfer, reduction or cancellation of financial aid.

[(6) *Prior to implementing changes to the Oregon Opportunity Grant program, report to the Higher Education Coordinating Commission and the Legislative Assembly or the Emergency Board any proposed change:*]

[(a) *That increases or decreases the total amount awarded as Oregon Opportunity Grants that was approved as part of the budget enacted by the Legislative Assembly for the Higher Education Coordinating Commission; and*]

[(b) *To the methodology used to determine the student share, family share or state share under ORS 348.205.*]

[(7)] (6) Encourage the establishment of financial aid programs by private agencies.

[(8)] (7) Collect and disseminate information pertaining to all types of available financial aid.

[(9)] (8) Review the administrative practices and evaluate the effectiveness of all public and private post-secondary financial aid programs in Oregon.

[(10)] (9) Disburse state appropriations for financial aid in such a manner as to maximize its role in cooperative coordination of financial aid programs.

FUNDING FOR YOUTH EDUCATION PROGRAMS

SECTION 20. ORS 326.695 is amended to read: 326.695. (1) As used in [ORS 326.700 and 326.712] **this section:**

[(1)] (a) “Juvenile Detention Education Program” means the provision of educational services to:

[(a)] (A) Youths placed in a youth care center, as defined in ORS 420.855, that is within a detention facility, as defined in ORS 419A.004; and

[(b)] (B) Youths lodged overnight who receive educational services on consecutive days within a detention facility, as defined in ORS 419A.004.

[(2)] (b) “Youth Corrections Education Program” means the provision of educational services to youths in youth correction facilities, as defined in ORS 420.005.

(2) The Department of Education shall administer the Youth Corrections Education Program and the Juvenile Detention Education Program in a manner that provides youths in those programs with a quality education.

(3)(a) The Superintendent of Public Instruction may contract with an education service district or a school district to provide teachers, counselors or other personnel for the Youth Corrections Education Program and the Juvenile Detention Education Program.

(b) When a contract is entered into with an education service district, the Youth Corrections Education Program and the Juvenile Detention Education Program are not considered a component district of the education service district and the youths enrolled in the programs may not be counted when determining the number of pupils in average daily membership for purposes of ORS 334.175 (5).

(4) When determining the amount to be paid under a contract entered into as provided by subsection (3) of this section, the following shall be taken into consideration:

(a) The number of youths to be provided educational services;

(b) The characteristics of the facility where the educational services will be provided, including the number of classrooms required to provide educational services;

(c) The diversity of the population of youths to be provided educational services, including the number and percentage of youths who are from historically underserved populations;

(d) The number and percentage of youths to be provided educational services who qualify for special education and related services; and

(e) The level of transition supports provided to the youths.

(5) The Department of Education shall use moneys in the Juvenile Justice Education Fund established under section 22 of this 2024 Act for the purpose of paying contracts entered into under this section.

(6) The State Board of Education shall adopt rules necessary for the administration of this section, including establishing a process by which an education service district or a school district may appeal the amount received under a contract entered into under this section. When adopting the rules, the board shall consult with:

(a) The Oregon Youth Authority;

(b) School districts and education service districts under contract with the Department of Education to provide educational services to students enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program; and

(c) County juvenile departments.

SECTION 21. Sections 22 and 23 of this 2024 Act are added to and made a part of ORS chapter 327.

SECTION 22. (1) The Juvenile Justice Education Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Juvenile Justice Education Fund shall be credited to the fund.

(2) Moneys in the Juvenile Justice Education Fund are continuously appropriated to the Department of Education for distribution to the Youth Corrections Education Program and the Juvenile Detention Education Program, as those

terms are defined in ORS 326.695, to provide educational services to youths in those programs under contracts entered into as provided by ORS 326.695.

(3) The Juvenile Justice Education Fund shall consist of:

(a) Moneys allocated from the State School Fund for students enrolled in the Youth Corrections Education Program and the Juvenile Detention Education Program under ORS 327.026;

(b) Moneys made available for the Youth Corrections Education Program and the Juvenile Detention Education Program from the Statewide Education Initiatives Account under ORS 327.254;

(c) Moneys appropriated or otherwise transferred to the fund by the Legislative Assembly; and

(d) Other amounts deposited into the Juvenile Justice Education Fund from any source.

SECTION 23. (1) Each even-numbered year, the Department of Education shall prepare a target funding level for the Juvenile Justice Education Fund for the following biennium. Moneys in the Juvenile Justice Education Fund shall be distributed as provided by ORS 326.695 to the Youth Corrections Education Program and the Juvenile Detention Education Program, as those terms are defined in ORS 326.695.

(2)(a) The target funding level of the Juvenile Justice Education Fund shall be calculated by multiplying:

(A) The average funding level per classroom, as calculated based on all classrooms operated under the Youth Corrections Education Program and the Juvenile Detention Education Program; and

(B) The total number of classrooms the Department of Education expects to be operated under the Youth Corrections Education Program and the Juvenile Detention Education Program for the following biennium.

(b) For the purpose of determining the average funding level per classroom under paragraph (a) of this subsection, the department shall:

(A) Determine the average funding level per classroom for the 2024-2025 school year; and

(B) Adjust the amount determined under subparagraph (A) of this paragraph based on the same percentage by which the amount appropriated to the State School Fund increased for the biennium in which the calculation is being made as compared with the amount appropriated for the 2021-2023 biennium.

(3) The department shall estimate the expected difference between the target funding level calculated under subsection (2) of this section and the amount anticipated to be made available to the Juvenile Justice Education Fund under section 22 (3)(a) and (d) of this 2024 Act. If, after all funding available under section 22

(3)(a), (c) and (d) of this 2024 Act has been accounted for, the department determines that the amount required for the target funding level for the fund has not been met, the department may transfer from the Statewide Education Initiatives Account to the fund any needed amounts.

(4) If, at any time during the biennium, the amount available in the Juvenile Justice Education Fund and from other sources is not sufficient to pay for costs incurred in relation to the Youth Corrections Education Program or the Juvenile Detention Education Program, the department shall inform the Legislative Assembly or the Emergency Board of the lack of funding and shall provide an accounting of the amount needed to pay those costs.

(5) No later than August 31 of each even-numbered year, the department shall submit to the Legislative Assembly and the Office of the Governor a report that explains the target funding level calculated under this section. When applicable, the report shall include any determinations by the department that the amounts available for the Youth Corrections Education Program and the Juvenile Detention Education Program will not be adequate to pay the costs of the programs.

SECTION 24. ORS 327.026 is amended to read:
327.026. *[(1) In order to accomplish the purpose described in ORS 326.700, the State Board of Education shall adopt by rule definitions and procedures to be applied to the computation of the State School Fund allocations where necessary to make students enrolled in the Youth Corrections Education Program, as defined in ORS 326.695, and the Juvenile Detention Education Program, as defined in ORS 326.695, equivalent to students enrolled in common and union high school districts for purposes of distribution of the fund.]*

(1) The State Board of Education shall adopt by rule definitions and procedures to be applied to the computation of State School Fund allocations for students enrolled in the Youth Corrections Education Program and the Juvenile Detention Education Program, as those terms are defined in ORS 326.695. The computations shall be equivalent to students enrolled in common and union high school districts.

(2)(a) The Youth Corrections Education Program shall receive from the State School Fund for each school year a special State School Fund grant, consisting of a general purpose grant that is equal to the Youth Corrections Education Program extended ADMw multiplied by Funding Percentage and further multiplied by Statewide Target per ADMw Grant. For the purpose of the calculation made under this paragraph:

(A) ADMw equals ADM multiplied by 2.0 multiplied by the additional per student weight, as calculated in ORS 327.013 (1)(c)(A)(i).

(B) Extended ADMw equals ADMw or ADMw of the prior year, whichever is greater.

(b) Notwithstanding paragraph (a) of this subsection, the Youth Corrections Education Program may not receive moneys under this section from the State School Fund for any youth in the program who:

- (A) Has received a high school diploma; or
- (B) Is 21 years of age or older.

(3) The Juvenile Detention Education Program shall receive from the State School Fund for each school year a special State School Fund grant, consisting of a general purpose grant that is equal to the Juvenile Detention Education Program extended ADMw multiplied by Funding Percentage and further multiplied by Statewide Target per ADMw Grant. For the purpose of the calculation made under this subsection:

(a) ADMw equals ADM multiplied by 1.5.

(b) Extended ADMw equals ADMw or ADMw of the prior year, whichever is greater.

(4) Funds allocated to the Youth Corrections Education Program and the Juvenile Detention Education Program from the State School Fund shall *[remain with the Department of Education and]* **be deposited in the Juvenile Justice Education Fund. The amount of funds to be allocated** shall be adjusted in the year following the distribution to reflect the actual ADMw of students in the Youth Corrections Education Program and the Juvenile Detention Education Program in the same manner as for the school districts under ORS 327.101.

SECTION 25. ORS 327.254 is amended to read:

327.254. (1) The Department of Education shall use moneys in the Statewide Education Initiatives Account to provide funding for statewide education initiatives, including:

(a) Funding the High School Graduation and College and Career Readiness Act at the levels prescribed by ORS 327.856;

(b) Expanding school breakfast and lunch programs;

(c) Operating youth reengagement programs or providing youth reengagement services;

(d) Establishing and maintaining the Statewide School Safety and Prevention System under ORS 339.341;

(e) Developing and providing statewide equity initiatives, including any statewide education plan developed and implemented by the department;

(f) Providing summer learning programs at schools that are considered high poverty under Title I of the federal Elementary and Secondary Education Act of 1965;

(g) Funding early warning systems to assist students in graduating from high school, as described in ORS 327.367;

(h) Developing and implementing professional development programs and training programs, including programs that increase educator diversity and retain diverse educators;

(i) Planning for increased transparency and accountability in the public education system of this state;

(j) Providing additional funding to school districts participating in the intensive program under ORS 327.222;

(k) Providing technical assistance, including costs incurred for:

(A) The coaching program described in ORS 327.214; and

(B) The intensive program described in ORS 327.222, including costs for student success teams;

(L) Funding public charter schools, as described in ORS 327.362;

(m) Funding the Early Literacy Success School Grant program, as provided by ORS 327.833;

(n) Funding the Early Literacy Success Community Grant program, as established by ORS 327.843;

(o) Funding any additional amounts for approved recovery schools, as provided by rules of the State Board of Education adopted under ORS 327.029;

(p) Funding education service districts, as described in subsection (2) of this section; *[and]*

(q) Funding the Youth Corrections Education Program and the Juvenile Detention Education Program through the Juvenile Justice Education Fund established under section 22 of this 2024 Act, when necessary as provided by section 23 of this 2024 Act; and

[(q)] (r) Funding costs incurred by the department in implementing this section and ORS 327.175 to 327.235 and 327.274.

(2)(a) The amount of a distribution to an education service district under this section shall be made as provided by paragraph (b) of this subsection after calculating the following for each education service district:

(A) One percent of the total amount available for distribution to education service districts in each biennium.

(B) The education service district's ADMw \times (the total amount available for distribution to education service districts in each biennium \div the total ADMw of all education service districts that receive a distribution).

(b) The amount of the distribution to an education service district shall be the greater of the amounts calculated under paragraph (a) of this subsection, except that, for distributions made as provided by paragraph (a)(B) of this subsection, the total amount available for distribution to education service districts shall be the amount remaining after any distributions required under paragraph (a)(A) of this subsection have been made.

(c) For purposes of this subsection, ADMw equals the ADMw as calculated under ORS 327.013, except that the additional amount allowed for students who are in poverty families, as determined under ORS 327.013 (1)(c)(A)(v)(I), shall be 0.5.

(d) An education service district shall use moneys received under this section as provided by a plan developed by the school districts located within the education service district. A school district that declines to participate in the development of the plan or that has withdrawn from an education service

district as provided by ORS 334.015 is not entitled to any moneys distributed to the education service district under this subsection.

(e) A plan developed under this subsection must:

(A) Align with and support the meeting of performance growth targets established for recipients of moneys under ORS 327.195 that are located within the education service district;

(B) Include the provision, to recipients of moneys under ORS 327.195 that are located within the education service district, of technical assistance in developing, implementing and reviewing a plan for receiving a grant from the Student Investment Account;

(C) Provide for coordination with the department in administering and providing technical assistance to recipients of moneys under ORS 327.195 that are located within the education service district, including coordinating any coaching programs established under ORS 327.214; and

(D) Be adopted and amended as provided for local service plans under ORS 334.175 and approved by the department.

(f) For the purposes of paragraph (e) of this subsection, recipients of moneys under ORS 327.195 that are located within the education service district include, as applicable:

(A) Common school districts and union high school districts;

(B) Any charter school that is an eligible applicant, as defined in ORS 327.185; and

(C) The Youth Corrections Education Program or the Juvenile Detention Education Program.

(g) Each education service district must submit an annual report to the department that:

(A) Describes how the education service district spent moneys received under this subsection; and

(B) Includes an evaluation of the education service district's compliance with the plan from the superintendent of each school district that participated in the development of the plan.

(3) The State Board of Education shall adopt rules necessary for the distribution of moneys under this section.

SECTION 26. ORS 326.700 and 326.712 are repealed.

SECTION 27. The amendments to ORS 326.695, 327.026 and 327.254 by sections 20, 24 and 25 of this 2024 Act and the repeal of ORS 326.700 and 326.712 by section 26 of this 2024 Act become operative on July 1, 2024.

OREGON'S OPEN EDUCATIONAL RESOURCES PROGRAM

SECTION 28. ORS 348.752 is amended to read: 348.752. (1) The Higher Education Coordinating Commission shall regularly convene faculty, staff and librarians from public universities listed in ORS

352.002 and community colleges for the purpose of coordinating Oregon's Open Educational Resources (OER) Program by:

(a) Assisting and advising faculty at public universities and community colleges on the adoption, implementation and storage of open educational resource materials that are transferable between public universities and community colleges;

(b) Determining whether to develop a statewide repository of open educational resource materials for the purpose of supporting the program and, if applicable, developing a plan for the development of the repository; and

(c) Developing criteria that may be used to provide up to \$150,000 to public universities and community colleges for the purpose of increasing the creation, adoption or implementation of open educational resources.

(2) The commission may enter into contracts or agreements with public or private entities for the purpose of fulfilling its obligations under [this section] **ORS 348.748 to 348.757.**

SHORT-ACTING OPIOID ANTAGONIST SCHOOL POLICIES

SECTION 29. ORS 339.869 is amended to read:

339.869. (1) The State Board of Education, in consultation with the Oregon Health Authority, the Oregon State Board of Nursing and the State Board of Pharmacy, shall adopt:

(a) Rules for the administration of prescription and nonprescription medication to students by trained school personnel and for student self-medication. The rules shall include age appropriate guidelines and training requirements for school personnel.

(b) Rules for the administration of premeasured doses of epinephrine by school personnel trained as provided by ORS 433.815 to any student or other individual on school premises who the personnel believe in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

(c)(A) Rules for the administration of medication that treats adrenal insufficiency by school personnel trained as provided by ORS 433.815 to any student on school premises whose parent or guardian has provided for the personnel the medication as described in ORS 433.825 (3) and who the personnel believe in good faith is experiencing an adrenal crisis, as defined in ORS 433.800.

(B) Rules adopted under this paragraph must:

(i) Include guidelines on the designation and training of school personnel who will be responsible for administering medication; and

(ii) Specify that a school district is only required to train school personnel when the school district has been notified by a parent or guardian that a student enrolled in a school of the school district has been diagnosed with adrenal insufficiency.

(d) Guidelines for the management of students with life-threatening food allergies and adrenal insufficiency, which must include:

(A) Standards for the education and training of school personnel to manage students with life-threatening allergies or adrenal insufficiency.

(B) Procedures for responding to life-threatening allergic reactions or an adrenal crisis, as defined in ORS 433.800.

(C) A process for the development of individualized health care and allergy or adrenal insufficiency plans for every student with a known life-threatening allergy or adrenal insufficiency.

(D) Protocols for preventing exposures to allergens.

(e) Rules for the administration of a short-acting opioid antagonist to any student or other individual on school premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an opioid overdose.

(2)(a) School district boards shall adopt policies and procedures that provide for:

(A) The administration of prescription and non-prescription medication to students by trained school personnel, including the administration of medications that treat adrenal insufficiency;

(B) Student self-medication; and

(C) The administration of premeasured doses of epinephrine to students and other individuals.

(b) Policies and procedures adopted under paragraph (a) of this subsection shall be consistent with the rules adopted by the State Board of Education under subsection (1) of this section. A school district board shall not require school personnel who have not received appropriate training to administer medication.

(3)(a) School district boards may adopt policies and procedures that provide for the administration of a short-acting opioid antagonist.

(b) Policies and procedures adopted under paragraph (a) of this subsection shall be consistent with the rules adopted by the State Board of Education under subsection (1) of this section.

(4)(a) A school district [board] shall provide to the parent or legal guardian of each minor student enrolled in a school in the school district information regarding short-acting opioid antagonists. The information described in this subsection must include at least:

(A) A description of short-acting opioid antagonists and their purpose;

(B) A statement regarding, in an emergency situation, the risks of administering to an individual a short-acting opioid antagonist and the risks of not administering to an individual a short-acting opioid antagonist;

[(C) A statement that all schools within the school district have access to short-acting opioid antagonists and the necessary medical supplies to administer the short-acting opioid antagonist on site; and]

(C) A statement identifying which schools, if any, in the school district will have short-acting opioid antagonists, and the necessary medical

supplies to administer short-acting opioid antagonists, on site and available for emergency situations; and

(D) A statement that a representative of a school may administer to a student a short-acting opioid antagonist in an emergency if the student appears to be unconscious and experiencing an opioid overdose.

(b) A school district board shall ensure that the parent or legal guardian of a minor student enrolled in a school within the school district is immediately notified when a short-acting opioid antagonist is administered to the student if the short-acting opioid antagonist is administered while the student is at school, on school property under the jurisdiction of the school district or at any activity under the jurisdiction of the school district.

(c) The State Board of Education shall adopt rules that prescribe minimum requirements for the information provided under paragraph (a) of this subsection.

SECTION 30. Nothing in ORS 339.869 (4)(a)(C) (2023 Edition) shall be construed to:

(1) Require a school, a school district or a school district board to provide access to short-acting opioid antagonists, and the necessary medical supplies to administer the short-acting opioid antagonist, on site in all schools of the school district; or

(2) Allow a school, a school district, a school district board, a school district employee or a school district board member to be held liable in a criminal action or for civil damages for failure to provide access to short-acting opioid antagonists, and the necessary medical supplies to administer the short-acting opioid antagonist, on site in all schools of the school district.

EDUCATOR ADVANCEMENT COUNCIL

SECTION 31. ORS 342.940 is amended to read:
342.940. *[(1) As used in this section and ORS 342.943, "educator" means a teacher, administrator or other school professional who is licensed, registered or certified by the Teacher Standards and Practices Commission.]*

(1) As used in this section and ORS 342.943, "educator" means a person who is:

(a) A teacher, an administrator or another school employee who is employed to provide instruction or support to students in early childhood education or in kindergarten through grade 12; or

(b) Entering into or enrolled in an educator preparation program.

(2)(a) The Educator Advancement Council shall be established and function under an intergovernmental agreement, pursuant to ORS 190.003 to 190.130, between state agencies and one or more school districts and education service districts. The state agencies that must be parties to the

intergovernmental agreement are the Department of Education, the Department of Early Learning and Care, the Teacher Standards and Practices Commission and the Higher Education Coordinating Commission.

(b) The purposes of the council are to provide resources related to educator professional learning and to provide other educator supports.

(3) The intergovernmental agreement establishing the council shall outline the governance framework and the administrative details necessary for the efficient and effective implementation of the duties of the council.

(4)(a) The council shall consist of:

(A) Members who are representatives of the parties to the intergovernmental agreement establishing the council.

(B) No more than 10 members who are practicing educators, classified staff in a public school or for an education service district, early learning providers and professionals and school district board members.

(C) No more than 10 members who are representatives of educator preparation providers, education-focused nonprofit organizations, education-focused philanthropic organizations, professional education associations, community-based education organizations that represent families and students, post-secondary institutions of education and federally recognized Indian tribes of this state.

(b) Subject to any limits designated as provided by the intergovernmental agreement establishing the council, the majority of the members of the council identified under paragraph (a) of this subsection may propose additional members of the council. The inclusion of additional members on the council shall be subject to the procedures established by the council under the intergovernmental agreement.

(5) The council shall:

(a) Establish a system of educator networks, as described in ORS 342.943, by which every educator in this state has access to professional learning opportunities;

(b) Administer the beginning teacher and administrator mentorship program under ORS 329.788 to 329.820;

(c) Coordinate the distribution of moneys to educator networks from the Educator Advancement Fund based on the needs of the educators identified by the networks;

(d) Connect educator networks and facilitate communications within and among the networks to improve teaching and learning; and

(e) Continuously assess the needs of educators in this state and coordinate priorities based on the moneys available for distribution from the Educator Advancement Fund.

(6) The Department of Education shall provide support to the strategic direction of the council by:

(a) Conducting and coordinating research to monitor:

(A) Teaching and learning conditions;

(B) Educator workforce supply and demand; and

(C) Common outcomes and measures anticipated to promote improvement in teaching and learning.

(b) Assisting the council in coordinating and connecting educator networks, supporting professional learning priorities, enabling access to professional learning and supports, leveraging funding sources and managing innovation funds.

(c) Recommending statutory and agency rule changes needed to support the purposes of the council.

(d) Supporting programs that help to achieve the purposes of the Educators Equity Act.

(e) Supporting a statewide plan for increasing:

(A) The supply of culturally diverse teacher candidates; and

(B) The successful recruitment of effective educators to work in high-need schools and in practice areas with a shortage of educators.

(f) Identifying high-leverage educator practices to be developed by educators throughout their careers.

(g) Providing accountability of the council by ensuring that the council:

(A) Gives preference, when making recommendations about funding distributions, to entities that have demonstrated success in improving student indicators.

(B) Considers the delivery of services for the benefit of all regions of this state when establishing the system of educator networks.

(C) Works toward improving student progress indicators identified by the Department of Education or set forth in ORS 350.014.

(D) Includes and connects education providers and leaders from prekindergarten through post-secondary education.

(h) Providing staff support for the administrative functions of the council.

(i) Developing a system that allows for the statewide dissemination of emerging practices and evidence-based models.

(j) Providing technical assistance to the council, including online systems for sharing professional learning resources and supporting educator networks.

(k) Administering the distribution of grant and contract funds for programs described in this section.

(L) Providing administrative support to the educator networks, including:

(A) Making recommendations to the council about the selection of the sponsors of educator networks;

(B) Providing technical assistance to educator networks; and

(C) Entering into grant agreements or contracts for the distribution of funds to educator networks.

(7)(a) The State Board of Education and the Teacher Standards and Practices Commission may adopt any rules necessary at the request of the council to support the council or to perform any duties assigned to the board or commission under this section.

(b) The council may adopt rules pursuant to ORS chapter 183 for the purposes of ORS 329.788 to 329.820 and 342.943.

(8) The council shall be considered a board for purposes of ORS chapter 180.

SECTION 32. Notwithstanding ORS 329.805 (2), grants awarded under ORS 329.805 during the 2023-2025 biennium are not required to be awarded on a competitive basis.

COREQUISITE STUDENT SUPPORT

SECTION 33. (1) As used in this section, “corequisite” means a course or requirement related to mathematics or writing that a student must take or satisfy at the same time that the student is taking or satisfying another course or requirement in mathematics or writing that is required for a program of study or a degree.

(2) The Higher Education Coordinating Commission shall convene a work group to study evidence-based corequisite student support models, including models that use in-class tutoring, online learning labs, paired courses and other aligned academic supports. The work group shall provide information to the commission to assist the commission in:

(a) Determining whether to require the community colleges in this state to implement evidence-based corequisite student support models and identifying the most effective models to implement;

(b) Identifying the steps and resources required for community colleges in this state to transition from traditional prerequisite development education to evidence-based corequisite student support models;

(c) Identifying the steps and resources required for community colleges in this state to implement corequisite student support models in conjunction with courses of study in mathematics;

(d) Determining whether evidence-based corequisite student support models should be funded by Community College Support Fund grants;

(e) Identifying any statutory changes or administrative rule changes necessary to provide and fund evidence-based corequisite student support models; and

(f) Identifying how to determine if a person should participate in a corequisite, and whether participation should be voluntary or mandatory.

(3)(a) The work group convened under this section shall be appointed by the executive director of the Higher Education Coordinating Commission and shall include:

(A) The Director of the Office of Community Colleges and Workforce Development, or the director’s designee;

(B) One representative of a research center focused on the policies and practices of community colleges in this state;

(C) Three community college faculty members who have experience in teaching corequisite or developmental education;

(D) Three community college faculty members who have experience in teaching the first credit-bearing college-level course in mathematics or writing;

(E) One representative of a statewide organization representing community college faculty members;

(F) One community college president;

(G) One chief academic officer or chief instructional administrator for a community college;

(H) One developmental education or adult basic education administrator for a community college;

(I) One student services administrator or professional for a community college; and

(J) One community college student.

(b) The commission shall solicit nominations from organizations representing faculty, students and community colleges to determine the membership of the work group.

(4) No later than December 15, 2024, the work group shall submit to the Higher Education Coordinating Commission a report on the study conducted as provided by this section.

SECTION 34. Section 33 of this 2024 Act is repealed on January 2, 2025.

APPLIED BACCALAUREATE PROGRAMS

SECTION 35. ORS 341.013 is amended to read: 341.013. (1) As used in this section:

(a) “Applied baccalaureate degree” has the meaning given that term in ORS 348.910.

(b) “Bachelor of Science: Nursing degree” means a post-licensure degree program in which individuals who have already received an associate degree in nursing receive a bachelor’s degree in nursing.

(2) A community college may offer applied baccalaureate degrees and Bachelor of Science: Nursing degrees under the provisions of this section.

(3) For each applied baccalaureate degree program or Bachelor of Science: Nursing degree program a community college wants to offer to its students, the community college shall submit to the Higher Education Coordinating Commission:

(a) A description of the program to be offered;

(b) The method by which the program will be created, including any necessary accreditation by the relevant accrediting agency;

(c) Documentation of local unmet workforce needs that would be addressed by offering the program; and

(d) Documentation that the community college has the expertise, resources and student interest necessary to make the program successful.

(4) A proposed applied baccalaureate degree program or Bachelor of Science: Nursing degree program must be approved by the commission. The commission shall approve a proposed applied baccalaureate degree program or Bachelor of Science: Nursing degree program if:

(a) The community college submits all of the information and documentation required under subsection (3) of this section; and

(b) The commission determines that the criteria set forth in ORS 350.075 (3)(g) are satisfied.

(5) An applied baccalaureate degree program or Bachelor of Science: Nursing degree program that is approved by the commission is eligible for funding from the Community College Support Fund established in ORS 341.620.

[(5)] (6) The commission may adopt rules to implement this section.

SECTION 36. (1) The amendments to ORS 341.013 by section 35 of this 2024 Act become operative January 1, 2025.

(2) The amendments to ORS 341.013 by section 35 of this 2024 Act first apply to expenses incurred for the 2025-2026 academic year.

SECTION 37. As part of the Higher Education Coordinating Commission's budget presentation during the 2025 regular session of the Legislative Assembly, the commission shall include in a report prepared in the manner required under ORS 192.245 the following information:

(1) The estimated impact of funding the applied baccalaureate degree program and the Bachelor of Science: Nursing degree program from the Community College Support Fund established in ORS 341.620.

(2) The extent the commission can determine the approximate cost of funding the applied baccalaureate degree program and the Bachelor of Science: Nursing degree program from the Community College Support Fund for the 2025-2026 academic year.

(3) Any recommendations for funding the applied baccalaureate degree program or the Bachelor of Science: Nursing degree program in a manner other than from the Community College Support Fund.

SECTION 38. Section 37 of this 2024 Act is repealed on June 30, 2025.

FACULTY HEALTH CARE BENEFITS

SECTION 39. ORS 350.355 is amended to read: 350.355. (1)(a) Except as provided in paragraph (b) of this subsection, a part-time faculty member at

a public institution of higher education is eligible for the same employee-only health care benefits, including dental benefits and vision benefits, as full-time faculty members if the part-time faculty member is eligible for membership in the Public Employees Retirement System or another plan authorized under ORS chapter 238 or 238A by *[teaching]* **working** either at a single public institution of higher education or in aggregate at multiple public institutions of higher education during the previous academic year.

(b) The total cost of providing any health benefit plan offered by a public institution of higher education to a part-time faculty member under this section may not increase annually by more than the annual increase in premium amounts paid for contracted health benefit plans that is permitted under ORS 243.135 (8)(b) or 243.866 (9)(b).

(2)(a) In order to receive employee-only health care benefits under this section, a part-time faculty member must select a home public institution of higher education for the duration of the benefit year under a process established by each institution. A home public institution of higher education selected under this subsection:

[(A) Must be one at which the part-time faculty member is working during the academic term at the time of the application; and]

(A) Must be one from which the part-time faculty member received a salary, a grant or other payment for work performed by the part-time faculty member that is substantially similar to work performed by a full-time faculty member, including teaching, research or student mentorship and advising;

(B) Must be one from which the part-time faculty member received payment, as described in subparagraph (A) of this paragraph, at:

(i) The time of the application; or

(ii) Any time during the previous benefit year, if the part-time faculty member is not currently receiving payment from any public institution of higher education but otherwise is eligible for employee-only health care benefits; and

[(B)] (C) Is responsible for:

(i) Determining whether the part-time faculty member is eligible to receive health care benefits under this section;

(ii) Determining, on an annual basis, whether a part-time faculty member who was found to be eligible to receive health care benefits under subparagraph (i) of this subparagraph continues to be eligible to receive health care benefits under this section;

(iii) Collecting the premiums for health benefit plans that must be paid by the part-time faculty member under subsection (3) of this section;

(iv) Paying the full cost of the insurance premiums for providing health benefit plans to the part-time faculty member, subject to reimbursement as described in subsection (4) of this section; and

(v) Administering and providing health benefit plans to the part-time faculty member in the manner described in this section.

(b) In order to receive health care benefits under this section, a part-time faculty member must provide the home public institution of higher education with all information necessary for the institution to determine the eligibility of the part-time faculty member to receive health care benefits under this section.

(c) No later than 30 days before the deadline to submit an application to receive health care benefits under this section, each public institution of higher education must notify all part-time faculty members who have been employed by the institution during the current academic year and the previous academic year of:

(A) The eligibility requirements to receive health benefits under this section;

(B) The health care benefits and associated costs available to qualifying part-time faculty members; and

(C) Instructions on how part-time faculty members may apply to receive health care benefits under this section.

(3)(a) Except as provided in paragraph (b) of this subsection, a part-time faculty member at a public institution of higher education shall pay 10 percent of all insurance premiums for health benefit plans.

(b) A public institution of higher education may provide by collective bargaining at the institution to pay for some or all of the insurance premiums that must otherwise be paid by a part-time faculty member under paragraph (a) of this subsection. The public institution of higher education may not be reimbursed under subsection (4) of this section for the costs the institution incurs to provide health benefit plans under this paragraph.

(4)(a) Every three months a public institution of higher education may request reimbursement from the Higher Education Coordinating Commission for the cost of paying insurance premiums for providing health benefit plans to each part-time faculty member who has selected the institution as the faculty member's home public institution of higher education under subsection (2) of this section.

(b) The commission shall use moneys from the Part-Time Faculty Insurance Fund established under ORS 350.357 to fully reimburse each public institution of higher education for all documented costs requested by the institution under this subsection, except for any costs described in subsection (3) of this section.

(5) Unless otherwise provided for by collective bargaining, a part-time faculty member at a public institution of higher education who is eligible for health care benefits under subsection (1) of this section may receive health care benefits only in the manner provided by this section.

(6) Each agency request budget filed by the Higher Education Coordinating Commission under ORS 291.208 must include, as part of the budget,

moneys sufficient to provide health care benefits to part-time faculty members in the manner required by this section.

(7) The Higher Education Coordinating Commission may adopt rules necessary to implement subsection (4) of this section.

FORESTRY WORKFORCE STUDY

SECTION 40. (1) As used in this section:

(a) "Forestry sector" means private businesses, nonprofit organizations, educational and workforce providers and public entities that are engaged in logging, forestation, wildland fire prevention and suppression, construction and maintenance of roads required for forestry, aggregate production of forestry products, trucking related to forestry, tree services, technical and professional services required for forestry, forest surveying, fuel mitigation efforts related to forestry, forestry habitat restoration, watershed improvement, crop tree release and stand improvement, forest tract management, tree nurseries, mechanical services for forestry, provision of forestry products, training resources for the forestry workforce, educational resources for the forestry workforce, human resources for the forestry workforce and other in-forest or forest-affiliated services.

(b) "Forestry workforce" means the owners, proprietors, partners and employees of companies and organizations composing the forestry sector.

(2) The Higher Education Coordinating Commission shall conduct a forestry workforce study to assist the commission in understanding and addressing challenges in Oregon's forestry workforce.

(3) The study conducted under this section shall:

(a) Identify existing secondary and post-secondary education, training, apprenticeship and workforce development programs that prepare Oregonians for careers in the forestry workforce;

(b) Collect data on participation in, completion of and employment outcomes for programs identified in paragraph (a) of this subsection;

(c) Identify the number, type and location of businesses, nonprofit organizations, education and workforce providers and public entities composing the forestry sector in this state;

(d) Collect data on the number, occupations, industries, wages and demographics of the forestry workforce in this state;

(e) Assess current and projected forestry workforce needs;

(f) Identify challenges faced by the forestry sector in retaining and recruiting the forestry workforce; and

(g) Develop recommendations to enhance the recruitment and retention of the forestry workforce.

(4) When conducting the study under this section, the commission shall:

(a) Assess the current forestry workforce, the workforce’s demographics and needs and the community benefits of forestry. The assessment required under this paragraph shall take into consideration state plans and initiatives related to forest health, climate and economic development that may influence the demands on the forestry workforce.

(b) Collaborate with Oregon business associations that represent private forest employers and forest management enterprises to assess the future forestry workforce capacity requirements, as well as the potential impacts, benefits and opportunities for the forestry workforce.

(c) Consult with state and federal economic development, labor, employment and licensing agencies to account for current tracking and monitoring techniques for the forestry workforce and to ensure that the study is not duplicative of other studies.

(d) Consult with state and federal natural resource agencies to align priorities and understand future forestry workforce needs.

(e) Consult with state training and education agencies to fully understand career pathways and training opportunities for the forestry workforce.

(5) The commission may enter into a contract with a public or private entity for the purpose of conducting the study described in this section.

(6) The commission shall submit a report in the manner provided by ORS 192.245 to the interim committees of the Legislative Assembly related to natural resources, education and higher education no later than June 30, 2025.

SECTION 41. Section 40 of this 2024 Act is repealed on January 2, 2026.

SECTION 42. In addition to and not in lieu of any other appropriation, there is appropriated to the Higher Education Coordinating Commission, for the biennium ending June 30, 2025, out of the General Fund, the amount of \$300,000, for the purpose of the study described in section 40 of this 2024 Act.

TRANSFER COUNCIL SUBCOMMITTEES

SECTION 43. ORS 192.690 is amended to read: 192.690. (1) ORS 192.610 to 192.705 do not apply to any of the following:

(a) Deliberations of the Psychiatric Security Review Board or the State Board of Parole and Post-Prison Supervision.

(b) Deliberations of state agencies conducting hearings on contested cases in accordance with the provisions of ORS chapter 183.

(c) Deliberations of the Workers’ Compensation Board or the Employment Appeals Board of similar hearings on contested cases.

(d) Meetings of the state lawyers assistance committee operating under the provisions of ORS 9.568.

(e) Meetings of the personal and practice management assistance committees operating under the provisions of ORS 9.568.

(f) Meetings of county child abuse multidisciplinary teams required to review child abuse cases in accordance with the provisions of ORS 418.747.

(g) Meetings of child fatality review teams required to review child fatalities in accordance with the provisions of ORS 418.785.

(h) Meetings of peer review committees in accordance with the provisions of ORS 441.055.

(i) Mediation conducted under ORS 36.252 to 36.268.

(j) Any judicial proceeding.

(k) Meetings of the Oregon Health and Science University Board of Directors or its designated committee regarding candidates for the position of president of the university or regarding sensitive business, financial or commercial matters of the university not customarily provided to competitors related to financings, mergers, acquisitions or joint ventures or related to the sale or other disposition of, or substantial change in use of, significant real or personal property, or related to health system strategies.

(L) Oregon Health and Science University faculty or staff committee meetings.

(m) Meetings of Transfer Council subcommittees that are established under ORS 350.426 and that relate to the common course numbering system and the coordination, establishment, alignment, effectiveness and maintenance of foundational curricula.

[(m)] (n) Communications between or among members of a governing body that are:

(A) Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the governing body;

(B) Not related to any matter that, at any time, could reasonably be foreseen to come before the governing body for deliberation and decision; or

(C) Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters.

(2) Because of the grave risk to public health and safety that would be posed by misappropriation or misapplication of information considered during such review and approval, ORS 192.610 to 192.705 shall not apply to review and approval of security programs by the Energy Facility Siting Council pursuant to ORS 469.530.

EDUCATION FOR OCCUPATIONAL OR PROFESSIONAL LICENSE

SECTION 44. ORS 670.280 is amended to read:
670.280. (1) As used in this section:

(a) "License" includes a registration, certification or permit.

(b) "Licensee" includes a registrant or a holder of a certification or permit.

(2) Except as provided in ORS 342.143 (3) or 342.175 (3), a licensing board, commission or agency may not deny, suspend or revoke an occupational or professional license solely for the reason that the applicant or licensee has been convicted of a crime, but it may consider the relationship of the facts which support the conviction and all intervening circumstances to the specific occupational or professional standards in determining the fitness of the person to receive or hold the license. There is a rebuttable presumption as to each individual applicant or licensee that an existing or prior conviction for conduct that has been classified or reclassified as a Class E violation does not make an applicant for an occupational or professional license or a licensee with an occupational or professional license unfit to receive or hold the license.

(3) Except as provided in ORS 342.143 (3) and 342.175 (3), a licensing board, commission or agency may deny an occupational or professional license or impose discipline on a licensee based on conduct that is not undertaken directly in the course of the licensed activity, but that is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required. In determining whether the conduct is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required, the licensing board, commission or agency shall consider the relationship of the facts with respect to the conduct and all intervening circumstances to the specific occupational or professional standards. There is a rebuttable presumption as to each individual applicant or licensee that an existing or prior conviction for conduct that has been classified or reclassified as a Class E violation is not related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required.

(4)(a) **Prior to beginning an education, a training or an apprenticeship program for an occupational or professional license, a person who was convicted of a crime may petition a licensing board, commission or agency for a determination as to whether a criminal conviction will prevent the person from receiving an occupational or professional license. The licensing board, commission or agency may charge a reasonable fee to pay the costs of making the determination.**

(b) **A determination from a licensing board, commission or agency that a criminal con-**

viction will not prevent the person from obtaining an occupational or professional license may be rescinded if, at the time the person submits a complete application, the person:

(A) **Has allegations or charges pending in criminal court;**

(B) **Has failed to disclose a previous criminal conviction;**

(C) **Has been convicted of another crime during the period between the determination and the person's submission of a completed application for an occupational or professional license; or**

(D) **Has been convicted of a crime that, during the period between the determination and the person's submission of a completed application for an occupational or professional license, became subject to a change in state or federal law that prohibits licensure for an occupational or professional license because of a conviction of that crime.**

(c) **A licensing board, commission or agency shall reconsider a determination that a criminal conviction will prevent the person from obtaining an occupational or professional license if the person submits a completed application for an occupational or professional license.**

(d) **A determination made under this subsection:**

(A) **Shall be made by the same entity that reviews completed applications for an occupational or professional license for the licensing board, commission or agency;**

(B) **Shall be subject to the same confidentiality requirements that are applicable to completed applications for an occupational or professional license for the licensing board, commission or agency; and**

(C) **Is not considered a final determination of the licensing board, commission or agency.**

(e) **Nothing in this subsection prohibits a licensing board, commission or agency from denying licensure for a reason other than conviction of a crime.**

(f) **A licensing board, commission or agency may adopt rules necessary to implement the provisions of this subsection.**

(g) **This subsection does not apply to the Department of Public Safety Standards and Training or to any regulation of psilocybin services.**

SECTION 44a. (1) **The amendments to ORS 670.280 by section 44 of this 2024 Act become operative on July 1, 2025.**

(2) **Notwithstanding the operative date set forth in subsection (1) of this section, a licensing board, commission or agency may choose to make determinations as described in ORS 670.280 (4) before the operative date set forth in subsection (1) of this section.**

RECOVERY SCHOOLS

SECTION 45. ORS 336.680 is amended to read:

336.680. (1) As used in this section, “approved recovery school” means a school that is under an agreement with the Department of Education to provide students enrolled in the school with a holistic approach to:

(a) Educational services for grades 9 through 12; and

(b) Health care services related to recovery from substance use disorders.

(2) The department shall provide or cause to be provided appropriate education for students enrolled in an approved recovery school. For the purpose of paying the costs of providing education to students enrolled in an approved recovery school, the Superintendent of Public Instruction shall make the following:

(a) Payments from amounts available from the State School Fund under ORS 327.029.

(b) Payments from the Statewide Education Initiatives Account, as provided by rule adopted by the State Board of Education in collaboration with the advisory committee convened under ORS 336.685. The rules adopted as provided by this paragraph may include a minimum amount, a maximum amount or both for approved recovery schools.

(3) The Superintendent of Public Instruction may contract with a school district, an education service district or a public charter school to provide or cause to be provided appropriate education to students enrolled in an approved recovery school. Unless otherwise specified, any educational services provided under a contract entered into under this subsection shall be paid as described in this section and not by any other state moneys distributed based on average daily membership that are available to the school district, education service district or public charter school for the purpose of providing educational services.

(4) The State Board of Education shall adopt by rule the standards for a recovery school to become and operate as an approved recovery school. The standards must provide that:

(a) The recovery school must align, to the extent identified by the board, with standards for accreditation established by a nonprofit accrediting organization composed of representatives of recovery schools and individuals who support the growth of recovery schools. The standards must include requirements that:

(A) The recovery school, in compliance with timelines established by the department, be accredited by a nonprofit accrediting organization that establishes standards for recovery schools. Nothing in this subparagraph requires the recovery school to be accredited at the time the superintendent first enters into a contract with the recovery school.

(B) Student enrollment in the recovery school is voluntary. No school district or state or local agency may compel or otherwise require a student

to enroll in a recovery school. Students enrolled in an approved recovery school may not be counted in determining the number of pupils in average daily membership for purposes of ORS 334.175 (5).

(C) All students who reside in this state and who meet the eligibility criteria established under subsection (8) of this section may enroll in an approved recovery school if space is available. If space is not available, the approved recovery school may prioritize for enrollment student groups identified in ORS 327.180 (2)(b).

(D) The school district, education service district or public charter school with which the department has entered into a contract for a recovery school must agree to award high school diplomas, modified diplomas, extended diplomas and alternative certificates as provided by ORS 329.451 and 339.877. An entity that awards high school diplomas as provided by this subparagraph:

(i) May not impose requirements for a high school diploma that are in addition to the requirements prescribed by ORS 329.451 (2)(a) or by rule of the State Board of Education; and

(ii) Must accept any credits previously earned by students in another school or educational program in this state and apply those credits toward the requirements prescribed by ORS 329.451 (2)(a) or by rule of the State Board of Education.

(E) Except as provided by [subparagraph (F)] **subparagraphs (F) and (G)** of this paragraph, the recovery school must satisfy the same laws that apply to public charter schools under ORS 338.115.

(F) All administrators and teachers at the recovery school must be licensed by the Teacher Standards and Practices Commission.

(G) An approved recovery school is not required to comply with the enrollment requirements prescribed by ORS 338.115 (1)(bb) or (5).

(H) An approved recovery school must comply with the requirements of the uniform budget and accounting system adopted by rule of the State Board of Education under ORS 327.511.

(b) Recovery schools will be approved, to the greatest extent practicable, in a manner that:

(A) Represents a geographic distribution across this state; and

(B) Takes into consideration the needs for services by the community in which the recovery school would be located.

(5) Any school that provides the services of a recovery school may enter into a contract with the superintendent to become an approved recovery school, including schools already providing the services of a recovery school and schools that are proposing to provide the services of a recovery school.

(6) An approved recovery school may enter into agreements with other entities, including community-based organizations and federally recognized tribes of this state, for the purposes of providing educational and health care services to students enrolled in the approved recovery school.

(7)(a) The department shall be responsible for:

(A) Identifying, locating and evaluating students enrolled in an approved recovery school who may be in need of special education and related services; and

(B) Ensuring that eligible students receive special education and related services.

(b) For the purpose of this subsection, the department may enter into a contract with a school district or an education service district.

(8) The department shall establish eligibility criteria for students to enroll in an approved recovery school, based on input from the advisory committee convened under ORS 336.685 and based on research from a nonprofit organization composed of representatives of recovery schools and individuals who support the growth of recovery schools and other relevant organizations.

(9) For the purposes of administering this section:

(a) The State Board of Education shall adopt any necessary rules.

(b) The department shall collaborate with the Oregon Health Authority, the Youth Development Division, the Alcohol and Drug Policy Commission, the Oregon Youth Authority, the Department of Human Services and local public health and mental health authorities or providers and shall coordinate, to the greatest extent practicable, funding of services provided in relation to approved recovery schools.

(10) Each biennium, the Department of Education shall prepare a report on the progress, successes and challenges of approved recovery schools and submit that report to:

(a) The interim committees of the Legislative Assembly related to education; and

(b) The advisory committee convened under ORS 336.685.

EMPLOYMENT OF CLASSIFIED SCHOOL EMPLOYEES

SECTION 46. ORS 332.544 is amended to read:

332.544. (1) As used in this section, “classified school employee” includes all employees of a school district **in a position represented by a collective bargaining unit**, except those for whom a teaching or administrative license is required as a basis for employment in a school district.

(2) A classified school employee shall have the right to be dismissed, demoted or disciplined only for just cause.

(3) School district employees subject to the civil service provisions of ORS 242.310 to 242.640 are exempt from the provisions of this section.

SECTION 47. ORS 334.231 is amended to read:

334.231. (1) As used in this section, “classified school employee” includes all employees of an education service district **in a position represented by a collective bargaining unit**, except those for

whom a teaching or administrative license is required as a basis for employment in an education service district.

(2) A classified school employee shall have the right to be dismissed, demoted or disciplined only for just cause.

SUBSTITUTE TEACHER PAY

SECTION 48. ORS 342.610 is amended to read:

342.610. (1)(a) A teacher employed as a substitute teacher may not be paid less per day than 85 percent of 1/190th of the statewide average salary of a beginning teacher who holds a bachelor’s degree.

(b) The Department of Education shall compute the statewide average salary of a beginning teacher who holds a bachelor’s degree to be used for purposes of this subsection by:

(A) Using the latest data available to the department; and

(B) Not using data from earlier than the preceding school year.

(2) A school district shall set the working hours for a substitute teacher and, when a teacher is employed as a substitute teacher for the school district, the school district shall pay the substitute teacher a salary that is:

(a) No less than one-half of the daily minimum salary computed under subsection (1) of this section if the teacher is employed as a substitute teacher for **one-half day or less than one-half day**; or

(b) No less than the daily minimum salary computed under subsection (1) of this section if the teacher is employed as a substitute teacher for **more than one-half day [or more]**.

(3)(a) Notwithstanding subsection (1) of this section, a teacher employed as a substitute teacher for more than 10 consecutive days in any one assignment for the same teacher shall not be paid after the 10th day of the assignment less per day than:

(A) For school districts with no salary scale, 100 percent of 1/190th of the statewide average salary computed in subsection (1) of this section; or

(B) For school districts with a salary scale, the higher of:

(i) 1/190th of the employing school district’s salary for a beginning teacher who holds a bachelor’s degree; or

(ii) The daily minimum salary computed under subsection (1) of this section.

(b) Used sick leave, whether paid or unpaid, and weekends, school holidays and days when schools are closed by weather or other conditions and when substitute teachers are not required to appear in person at the school may not be considered in determining consecutive days for purposes of this subsection.

(c) When substituting for a part-time teacher, the part of the day worked by the substitute teacher shall count as a full day in determining consecutive days for purposes of this subsection.

(4) Notwithstanding subsections (1) and (3) of this section, if a school district has a class schedule based on a four-day week:

(a) The daily minimum salary computed under subsection (1) or (3) of this section must be multiplied by 1.125; and

(b) Calculations described in subsection (3) of this section must be made after a teacher has been employed as a substitute teacher for more than eight consecutive days in any one assignment for the same teacher.

(5)(a) A school district shall classify a substitute teaching assignment as a temporary position when the school district determines that a teacher will be employed as a substitute teacher for 60 or more consecutive days in any one assignment for the same teacher.

(b) The designation under paragraph (a) of this subsection must occur either:

(A) At the beginning of the substitute teaching assignment; or

(B) As soon as practicable, but no later than 10 consecutive days, after the school district determines that a substitute teaching assignment will be extended to 60 or more consecutive days.

(c) If a school district has a class schedule based on a four-day week, the school district shall:

(A) Classify a substitute teaching assignment as a temporary position when the school district determines that a teacher will be employed as a substitute teacher for 48 or more consecutive days in any one assignment for the same teacher; and

(B) Make the designation described in paragraph (b)(B) of this subsection when the school district determines that a teacher will be employed as a substitute teacher for 48 or more consecutive days in any one assignment for the same teacher.

(d) Nothing in this subsection prohibits a school district from making the classification required under paragraph (a) or (c) of this subsection after fewer consecutive days.

(6) A teacher employed by a school district as a substitute teacher shall be paid for any training that is required for that teacher to apply for or be assigned to a substitute teaching assignment.

(7) This section does not apply to substitute teachers represented in a bargaining unit in the school district by which they are employed.

SECTION 49. The amendments to ORS 342.610 by section 48 of this 2024 Act apply to hours worked on or after the effective date of this 2024 Act.

EARLY SUCCESS READING INITIATIVE

SECTION 50. ORS 329.832 and 329.837 are repealed.

FISCAL PROVISIONS

SECTION 51. Notwithstanding any other provision of law, the General Fund appropriation made to the Department of Education by section 1 (1), chapter 449, Oregon Laws 2023, for the biennium ending June 30, 2025, for operations, is increased by \$198,739, for the costs associated with implementing sections 1 to 7 of this 2024 Act.

SECTION 52. Notwithstanding any other provision of law, the General Fund appropriation made to the Higher Education Coordinating Commission by section 1 (1), chapter 454, Oregon Laws 2023, for the biennium ending June 30, 2025, for Higher Education Coordinating Commission programs and operations, is increased by \$158,865, for the costs associated with the implementation of section 11 of this 2024 Act.

SECTION 53. Notwithstanding any other provision of law, the General Fund appropriation made to the Legislative Policy and Research Committee by section 15, chapter 383, Oregon Laws 2023, for the biennium ending June 30, 2025, is increased by \$363,817, for the costs associated with the implementation of section 12 of this 2024 Act.

SECTION 54. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (4), chapter 591, Oregon Laws 2023, for the biennium ending June 30, 2025, for public health, is increased by \$135,937, for the costs associated with the implementation of section 44 of this 2024 Act.

SECTION 55. Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon Health Authority by section 1 (7), chapter 591, Oregon Laws 2023, for the biennium ending June 30, 2025, for state assessments and enterprise-wide costs, is increased by \$7,200, for the costs associated with the implementation of section 44 of this 2024 Act.

MISCELLANEOUS

SECTION 56. The unit captions used in this 2024 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2024 Act.

SECTION 57. This 2024 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is de-

**clared to exist, and this 2024 Act takes effect on
its passage.**

Approved by the Governor April 4, 2024
Filed in the office of Secretary of State April 4, 2024
Effective date April 4, 2024
