

2020 SUMMARY OF LEGISLATION



Education



TASK FORCES AND REPORTING REQUIREMENTS

There were no task forces or reporting requirements created by bills in this policy area.

Picture: Soap Creek School, Benton County – [Gary Halvorson, Oregon State Archives](#)

[Senate Bill 1501-A](#)

Not Enacted

Student Athletes' Compensation for Name, Image, or Likeness**Chief Sponsors:** Sens. Courtney, Fagan**Committees:** Senate Education, House Education, House Rules

Background and Current Law: In September 2019, California Governor Gavin Newsom signed Senate Bill 206, which allowed student athletes at California's universities to receive compensation for use of their name, image, or likeness. Prior to passage of this bill, the National Collegiate Athletic Association (NCAA)'s rules prohibited student athletes from receiving any compensation other than scholarships. In October 2019, the NCAA Board of Governors (Board) directed NCAA's divisions to consider updates to policies relating to students' names, images, and likenesses. The Board directed its three divisions to begin gathering feedback in April 2020 and to have new rules for consideration by January 2021.

Bill Summary: Senate Bill 1501-A would have established the right of student athletes to earn compensation for coaching and for use of their name, image, or likeness as well as the right of student athletes to retain professional representation and earn compensation for coaching at market rates. The measure would have prohibited student athletes from entering into contracts that conflict with the student athlete's team rules or contracts entered into by the student's post-secondary institution of education and a third party. The measure would have prohibited universities, athletic associations, conferences, or organizations from infringing on any of these rights or penalizing a student athlete for exercising those rights. It would have taken effect January 1, 2023.

[Senate Bill 1521-A](#)

Not Enacted

Credit Transfer**At the request of:** Senate Interim Committee on Education**Committees:** Senate Education, Joint Ways and Means

Background and Current Law: Ensuring the efficient transfer of community college credits to public universities is a long-standing issue in Oregon's higher education system. The legislature acted to increase the transferability of community college credits to public universities in 1987, 2005, 2011, 2013, 2015, and 2017. In response to legislative action and other factors, Oregon's higher education system has developed common course initiatives, statewide transfer degrees, the Oregon Transfer Module, core transfer maps, and major transfer maps.

Bill Summary: Senate Bill 1521-A would have added foundational curricula and unified statewide transfer agreements into the Transfer Student Bill of Rights and Responsibilities, shifted reporting responsibilities from each public higher education institution to the Higher Education Coordinating Commission (HECC), and changed certain reporting requirements. The measure would have required HECC to establish an advisory committee relating to the Transfer Student Bill of Rights and Responsibilities, submit a report relating to an electronic system for disseminating information on foundational curricula and unified statewide transfer agreements, and convene a group of stakeholders to assist with aligning credits earned through dual credit programs with requirements of foundational curricula. Additionally, the measure would have allowed Oregon's regional universities to offer professional doctorate degrees and allowed the use of Oregon Opportunity Grant funds to pay for scholarships for children of public safety officers. The measure would have appropriated money from the General Fund to the HECC to carry out the provisions contained therein.

[Senate Bill 1539-A](#)**Not Enacted****Oregon's Polytechnic University****Chief Sponsors:** Sens. Courtney, Johnson, Linthicum; Rep. Smith DB**Committees:** Senate Education, House Education

Background and Current Law: Oregon Institute of Technology (OIT) recently worked with its stakeholders and the Higher Education Coordinating Commission to refine its mission. The mission reaffirms the university's focus on professional degree programs and applied research linked with Oregon industry. According to OIT, the designation as Oregon's Polytechnic University may increase awareness of the unique role that polytechnic universities serve for the state, for industry, and for students and their families.

Bill Summary: Senate Bill 1539-A would have designated the Oregon Institute of Technology as Oregon's Polytechnic University.

[Senate Bill 1540-B](#)**Not Enacted****Student Loan Servicer Licensing****Chief Sponsors:** Sen. Taylor; Rep. Power**Committees:** Senate Judiciary, Joint Ways and Means

Background and Current Law: Federal reports estimate that there are over 45 million Americans with student loan debt totaling more than \$1.6 trillion. Billing and processing payments for student loans are handled by a variety of loan servicers.

Bill Summary: Senate Bill 1540-B would have required student loan servicers to obtain a license from the Department of Consumer and Business Services (DCBS). The measure would have given DCBS authority to regulate student loan servicers and provided a variety of requirements for a servicer before they could do business in Oregon.

[Senate Bill 1544-A](#)**Not Enacted****Standards for For-Profit Colleges and Career Schools**

At the request of: Senate Interim Committee on Veterans

Committees: Senate Education, Joint Ways and Means

Background and Current Law: In 1992, Congress enacted the 85/15 rule to combat abuse of federal financial aid programs for higher education. The 85/15 rule limited the share of revenues that for-profit higher education institutions could receive from federal aid to 85 percent. The rule was intended to ensure quality by ensuring that funders other than the federal government were supporting these schools. In 1998, the rule was changed to 90/10. Currently, veterans' benefits do not count as federal aid subject to the 90 percent limit at the federal level.

Bill Summary: Senate Bill 1544-A would have required the Higher Education Coordinating Commission (HECC) to adopt rules establishing minimum standards for all for-profit private colleges and career schools that ensure that at least 10 percent of the annual tuition revenue received by the private colleges and schools comes from sources other than institutional loans or federal funds. The measure would have also established penalties for violating rules enacted by HECC.

[House Bill 4055](#)**Not Enacted****Food and Housing Insecurity in Higher Education**

At the request of: House Interim Committee on Education for Oregon Council of Presidents and Oregon Student Association

Committees: House Education, Ways and Means

Background and Current Law: The Hope Center for College, Community, and Justice surveyed 86,000 students at 123 colleges and universities in 24 states. The survey found that 47 percent of community college students and 42 percent of university students were food insecure in the 30 days preceding the survey. The survey also found that students with food insecurity were more likely to have lower grades than other students. Some examples of the way Oregon universities and colleges have responded to food insecurity include: a campus food pantry, a harvest share free food market, food packages, and meal swipe donation programs.

Bill Summary: House Bill 4055 would have required the Higher Education Coordinating Commission (HECC) to conduct a study on the prevalence of food and housing insecurity among higher education students in Oregon and develop recommendations for Oregon community colleges and public universities. The measure would have specified data solicitation required by the HECC.

[House Bill 4056-A](#)

Not Enacted

Klamath Falls Boundary Change

At the request of: House Interim Committee on Education for Higher Education Coordinating Commission

Committees: House Education, Senate Education

Background and Current Law: ORS 341.565 assigns the Higher Education Coordinating Commission (HECC) responsibility for recommending to the legislature any changes to the boundaries of community college districts. The Commissioners voted on December 12, 2019 to issue a *Proposed and Final Order* to transition a portion of Lake County from the Central Oregon Community College Service District to the Klamath Community College Service District. HECC staff held public hearings in the affected territories to engage the community throughout the process, and the Commission cited receiving broad support for shifting the territory from one district to another. The Commission's order is not final unless approved by the Legislative Assembly.

Bill Summary: House Bill 4056-A would have approved the *Proposed and Final Order* of the Higher Education Coordinating Commission dated December 12, 2019 to the boundaries of the Central Oregon Community College Service District and the Klamath Community College Service District. It would have required that the transferred area remains liable for its share of debt that existed at the time of transfer. House Bill 4056-A would have removed an existing requirement that funding allocations be made in proportion to the number of persons in each district according to the latest federal census.

[House Bill 4099-A](#)

Not Enacted

Resident Tuition and Fees

Chief Sponsors: Reps. Reardon, Clem, Helt, Smith G; Sens. Hansell, Dembrow

Committees: House Education, Ways and Means

Background and Current Law: The Compact of Free Association (COFA) is an international agreement between the United States and the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia. Under the COFA agreement, citizens of these nations may work in the U.S. as nonimmigrants for an unlimited length of time. A refugee is a person who is granted refugee status for admission to the United States by U.S. Citizen and Immigration Services. A special immigrant visa holder is a person from Iraq or Afghanistan who is provided the status of special immigrant by the U.S. Department of Homeland Security under the 2006 National Defense Authorization Act, the 2007 Refugee Crisis in Iraq Act, or the 2009 Afghan Allies Protection Act.

Bill Summary: House Bill 4099-A would have permitted students who are Compact of Free Association (COFA) islanders, refugees, or special immigrant visa holders to qualify for in-state tuition and fees at a public university if they have not established residency in another U.S. state or territory beginning with the 2020-2021 academic year. It would have allowed public universities that enroll a certain number of COFA students to receive mission differentiation funding in the public university support fund distribution formula provided by the Higher Education Coordinating Commission.

[House Bill 4128-A](#)

Not Enacted

Academic Evaluation using Multiple Assessments**Chief Sponsors:** Reps. Helt, Doherty**Committees:** House Education, Ways and Means

Background and Current Law: From September 2018 through July 2019, Regional Educational Laboratories (REL) Northwest worked with four Oregon community colleges to provide information on the effectiveness of multiple-measure assessments. The study found that in most cases a higher proportion of students pass college-level math and English by the end of their first academic year when assessed using multiple measure assessments. Some cases show positive results for low-income students and students of color, suggesting that multiple measure assessments close the equity gaps in education.

Bill Summary: House Bill 4128-A would have prevented public post-secondary institutions from requiring a student to enroll in lower-division collegiate coursework in writing or mathematics unless the student was evaluated using multiple assessments. It would have required that faculty and administrators collaborate and develop the assessment system to place students appropriately. It would have allowed the institution to require that a student be placed in a course designed to prepare the student for a lower-division collegiate course in writing or mathematics if the assessment found that with additional support the student is unlikely to be successful. It would have required each institution report to the Higher Education Coordinating Commission a list of what measurements will be used in the assessment system no later than December 31, 2020.

[House Bill 4146](#)

Not Enacted

Part-Time Faculty Health Insurance**Chief Sponsors:** Reps. McLain, Evans, Doherty, Drazan, Leif, Neron, Reardon, Smith G.; Sens. Wagner, Dembrow**At the request of:** AFT-Oregon, Oregon Education Association, Oregon Student Association, AAUP-Oregon, SEIU-503**Committees:** House Education, Joint Ways and Means

Background and Current Law: ORS 350.355 requires that each community college and public university calculates whether part-time faculty members' hours make them eligible for health care benefits. Some institutions calculate this by reviewing classroom instruction hours, research hours, paid committee hours, and other required duties. Others review employment status, teaching versus teaching and research, and position descriptions.

Bill Summary: House Bill 4146 would have allowed part-time faculty members at public institutions of higher education who qualify for health care benefits to pay 10 percent of insurance premiums for employee coverage. It would have required the state to pay for the remaining costs of insurance premiums for health benefit plans out of the moneys appropriated to the Oregon Educators Benefit Board. It would have permitted institutions to agree, through either institution policy or collective bargaining, to pay a portion of health care benefits paid for by the employee. The measure would have prevented institutions from increasing the eligibility

requirements that must be met for part-time faculty to be eligible for health benefit plans. It would have established a Part-Time Faculty Insurance Fund in the State Treasury. The measure would have appropriated money from the General Fund to the Oregon Educators Benefit Board beginning July 1, 2019 and would have applied to plans offered on or after October 1, 2020.

[House Bill 4160](#)

Not Enacted

Student Success for Underrepresented Students in Higher Education

Chief Sponsors: Reps. Alonso Leon, Bynum, Meek; Sens. Manning Jr, Dembrow, Wagner

Committees: House Education, Joint Ways and Means

Background and Current Law: The Joint Committee on Student Success traveled around the state of Oregon to help identify policy recommendations to further student success in Oregon's Prekindergarten through grade 12 schools while studying methods of funding high-quality K-12 education. The Committee's work was based around five foundational principles: 1) Early childhood education is important to school success; 2) Attendance and having sufficient learning time are crucial; 3) Oregon must improve high school graduation rates; 4) The school system needs to be accountable and transparent; and 5) Schools need stable and sufficient resources.

Bill Summary: House Bill 4160 would have established the Task Force on Student Success for Underrepresented Students in Higher Education (Task Force). It would have required the Task Force to visit public post-secondary institutions to meet with stakeholders who represent populations and student populations that are underrepresented in student bodies, including: communities of color, rural communities in Oregon, low-income families, students with disabilities, students experiencing mental health issues, those who identify as LGBTQ+, parents, adult learners, current foster children or former foster children, students who earned a diploma for passing the high school equivalency test, and first-generation students. The measure would have defined "communities of color" and "students from rural communities." It would have required findings be reported no later than September 1, 2020 to the Legislative Assembly and a final report be submitted by December 1, 2020 to an interim committee of the Legislative Assembly related to higher education.

[Senate Bill 1520](#)**Not Enacted****Technical Fixes to Student Success Act****At the request of:** Senate Interim Committee on Education**Committees:** Senate Education, House Education

Background and Current Law: House Bill 3427 (2019), the Student Success Act, enacted a modified corporate activity tax and directed the revenue from that tax into the Fund for Student Success (FSS). The FSS funds student investment grants to school districts, early learning programs throughout Oregon, and certain statewide kindergarten through twelfth grade (K-12) programs.

Bill Summary: Senate Bill 1520 would have adjusted the definition of "eligible student" for free and reduced-price lunches, changed meal programs' reimbursement rate to that established by the U.S. Department of Agriculture, and changed the effective date of provisions relating to summer learning programs so that programs could have been funded for the summer of 2020.

[Senate Bill 1522-A](#)**Not Enacted****Technical Fixes to Sexual Conduct Reporting and Investigations****At the request of:** Senate Interim Committee on Education**Committees:** Senate Education, House Rules

Background and Current Law: Senate Bill 155 (2019) enacted several new provisions relating to abuse and sexual conduct by school staff, allowing school districts to rely on investigations conducted by state agencies and use the information generated in those investigations to make employment determinations.

Bill Summary: Senate Bill 1522-A would have allowed school districts and employees accused of sexual conduct to receive investigative reports from the Teacher Standards and Practices Commission and the Oregon Department of Education and allowed districts to use those reports to make discipline and employment determinations. The measure would have created exceptions to the verbal communication portion of the sexual conduct definition for classes such as health. It would have created an exception to the sexual conduct definition for students who also work for school districts so that they could have consensual relationships with their peers. The measure would have added education service district board members to the list of mandatory reporters in ORS 419B.005; allowed for a gradual phase-in of Oregon's statutory year-round physical education requirement; and allowed aggrieved employees in cases of sexual violence, sexual harassment, or sexual conduct to request closed disciplinary hearings for perpetrators of the alleged conduct. It would have established that income paid to members of the Public Employees Retirement System (PERS) for services to public charter schools during continuous periods of employment shall be treated as if it were taxable income under Oregon law if the member was hired in a qualifying position between August 29, 2003, and December 31, 2017, inclusive, and the member resided and performed those services anywhere in the United States.

[Senate Bill 1572-A](#)

Not Enacted

High School Graduation Requirements

Chief Sponsors: Sens. Hass, Wagner

Committees: Senate Education, Joint Ways and Means

Background and Current Law: State law currently establishes only a portion of the requirements for a high school diploma--math and English language arts credits. Additional credit requirements, along with requirements such as demonstrating proficiency in nine essential skills, having personalized education plans, and education profiles, currently exist in Oregon Administrative Rule 581-022-2000.

Bill Summary: Senate Bill 1572-A would have established the Task Force on High School Diploma Requirements and the task force's membership, responsibilities, and reporting requirements. The measure would have sunset on June 30, 2021.

[House Bill 4044](#)

Not Enacted

Repeal Sunset on Foreign Exchange Student Dormitory Funding

Chief Sponsors: Reps. Barker, Smith G, Doherty; Sen. Findley

At the request of: Oregon Education Association, Oregon Small Schools Association, Oregon School Boards Association, Confederation of Oregon School Administrators, Oregon School Employees Association, Stand for Children

Committees: House Education, Ways and Means

Background and Current Law: The provision that allows children who are foreign exchange students and reside in dormitories operated by school districts to be considered residents of those school districts for funding purposes, sunsets on June 30, 2020. Districts that host these students receive funding for them, because the State School Fund distribution formula distributes the legislatively appropriated budget to school districts based on the number of students the district has, as well as specific characteristics of those students.

Bill Summary: House Bill 4044 would have made permanent small school district grants and school district funding for foreign exchange students who reside in dormitories. It would have allowed individuals who are foreign exchange students and residing in dormitories in Oregon to be considered residents of the school district where the dormitory is located. The measure would have required the Oregon Department of Education to transfer \$2.5 million each fiscal year from the State School Fund to the Small School District Supplement Fund.

[House Bill 4098-A](#)

Not Enacted

STEM Statewide Plan

Chief Sponsors: Reps. Hernandez, Sollman

Committees: House Education, Ways and Means

Background and Current Law: The Oregon Department of Education (ODE) has statewide plans on African American/Black Student Success, American Indian/Alaska Native Student Success, and Latinx Student Success. The state does not have a statewide plan on computer science education.

Bill Summary: House Bill 4098-A would have directed the Oregon Department of Education (ODE), in consultation with the STEM Investment Council, to develop a statewide long-term strategic plan by the 2025-2026 school year to provide computer science education opportunities to every public-school student. The measure would have required ODE to convene a work group and submit a report no later than November 15 of each year to an interim committee of the Legislative Assembly related to education. The plan would have been repealed on January 2, 2026.

[House Bill 4127-A](#)

Not Enacted

Oral Health Instruction and Pilot Program

Chief Sponsors: Reps. Hayden, Keny-Guyer; Sen. Monnes Anderson

At the request of: Healthy Teeth Bright Futures, Oregon Community Foundation

Committees: House Education, Joint Ways and Means

Background and Current Law: According to the Oregon Oral Health Coalition, oral disease is almost 100 percent preventable if students have access to oral health education. The American Dental Association created the Community Dental Health Coordinator (CDHC) program in 2006. The purpose of the program is to provide community-based prevention, care coordination, and patient navigation to connect them to dentists.

Bill Summary: House Bill 4127-A would have directed school districts to provide age-appropriate instruction in oral health to students in kindergarten through grade 12 as part of their health education curriculum beginning July 1, 2025. It would have required the State Board of Education to adopt any health education content standards necessary, no later than September 1, 2024, to enable school district compliance with the oral health instruction requirement. The measure would have directed the Oregon Health Authority to establish and maintain a Community Dental Health Coordinator Pilot Program (Pilot Program) to support school-based oral health programs through the deployment of four coordinators beginning January 1, 2021. It would have directed the Pilot Program toward students who are ethnic or racial minorities, English Language Learners, and students enrolled at schools eligible for financial assistance. It would have directed the Oregon Health Authority to seek funding through gifts, grants, or other contributions from public and private sources, and required the pilot program to only be implemented if \$200,000 becomes available in the fund by January 1, 2022.

[House Bill 4132-A](#)

Not Enacted

Expansion of Oregon Healthy Teens Survey

Chief Sponsors: Reps. Smith Warner, McLain, Salinas, Neron; Sen. Wagner

At the request of: former Representative Jennifer Williamson, Healthy Kids Learn Better Coalition

Committees: House Education, Ways and Means

Background and Current Law: Oregon Healthy Teens is an anonymous and voluntary statewide research-based survey for 8th and 11th graders. The survey includes topics such as tobacco and alcohol usage, access to tobacco and alcohol, personal safety behaviors, diet and exercise, extracurricular activities, sexual activity, and knowledge of HIV/AIDS, etc. The survey is anonymous, and teens are not asked for their names, however, parental consent is required. Parents and guardians receive a letter asking permission for their student to fill out the survey, and the parent/guardian has the option to refuse consent. The student also has the same option to decline the survey or skip questions.

Bill Summary: House Bill 4132-A would have required the Oregon Health Authority (OHA) to administer and collect data from student health surveys of adolescents that assess physical, mental, emotional, and social factors impacting health, well-being, and educational achievement. The measure would have defined an adolescent as a person who is at least 10 years of age and not older than 21 years of age and it would have required they be enrolled in grades 5 through 12. The measure would have required the reports be made available to the public, including printed copies or posting to the OHA webpage, and that they be maintained by OHA. It would have required that processes be in place to inform adolescents and parents or guardians that survey participation is voluntary. It would have required OHA to submit a report on June 30 of each odd-numbered year to the interim committee of the Legislative Assembly related to education, as specified. It would have appropriated money from the General Fund to OHA for the biennium ending June 30, 2021.

[House Bill 4136-A](#)

Not Enacted

Student Transportation Grants

Chief Sponsors: Reps. McKeown, Lively, Smith DB; Sen. Roblan

Committees: House Education, Ways and Means

Background and Current Law: House Bill 4130 (2018) established a matching grant fund for school districts to offset transportation costs; however, student transportation grants were not prioritized. It allocated \$250,000 to fund the matching provision, allowing a dollar-for-dollar match.

Bill Summary: House Bill 4136-A would have narrowed the requirement that grants for student transportation costs be prioritized for school districts that have not received money for transit passes under ORS 184.758. It would have appropriated \$1,250,000 out of the General Fund for the biennium ending on June 30, 2021 and taken effect July 1, 2020.

[House Bill 4139-A](#)**Not Enacted****Notification of Harassment, Intimidation, Bullying, or Cyberbullying****Chief Sponsors:** Rep. Drazan; Sen. Boles**Committees:** House Education, Joint Ways and Means

Background and Current Law: ORS 339.356 requires school districts to adopt policies prohibiting harassment, intimidation, bullying, and cyberbullying. The policy must include: (1) a statement from the school district prohibiting harassment, intimidation, or bullying and prohibiting cyberbullying; (2) a statement of the scope of the policy; (3) a description of expected behavior from students; (4) uniform procedures for reporting inappropriate acts; and (5) other items as identified.

Bill Summary: House Bill 4139-A would have required school districts to notify parents or guardians if a person finds the student was subjected to harassment, intimidation, bullying, or an act of cyberbullying. It would have required the notification take place within a reasonable period of time, or promptly for acts that cause physical harm. The measure would have allowed parents or guardians to not be notified if the student requests notification not be provided. This would have applied to acts of harassment, intimidation, bullying, or cyberbullying that occur on or after effective date.

[House Bill 4140](#)**Effective Date: January 1, 2021****Academic Accommodation for Brain Injuries and Concussions****Chief Sponsors:** Reps. Neron, Meek; Sens. Hass, Thomsen**Committees:** House Education, Senate Education

Background and Current Law: Senate Bill 348 (2009) passed the Oregon Legislative Assembly in response to sports-related concussion injuries as a result of inappropriate treatment and diagnosis. It requires coaches be trained annually to recognize the signs and symptoms of a concussion, along with seeking proper medical treatment for injured students. It also requires that students not participate in athletic events if they exhibit the signs and symptoms consistent with a concussion or have been diagnosed with one. The training does not extend to academic accommodations, or teaching staff working with students after a concussion.

Bill Summary: House Bill 4140 requires the Oregon Department of Education to develop a form by August 1, 2021 for public education programs to use when a student has been diagnosed with a concussion or other brain injury. It requires that the form describe academic accommodations that a public education program may provide for students diagnosed with brain injuries and requires that accommodations be nonmedical. The form must be available for use by educators, other program employees, students, parents, and guardians by August 1, 2021.

Oregon Laws 2020: Chapter 3, (2020 Laws)