

HB 2001 -6, -7 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 4/30, 5/4, 5/21

WHAT THE MEASURE DOES:

Defines diverse and diversity ratio. Modifies definition of merit. Requires school districts facing budgetary constraints to prioritize teachers for retention based on seniority, unless a teacher being retained has more merit and the retention of the teacher maintains the school district's diversity ratio. Applies to contracts entered into on or after the measure's passage. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Benefits of educator diversity for students
- Current policies that discourage retention of diverse educators

EFFECT OF AMENDMENT:

-6 Replaces Sections 1 and 2 of the measure. Requires school districts reducing teaching positions due to budgetary constraints or administrative decisions to prioritize teachers for retention based on seniority, unless the release of a less-senior teacher with cultural or linguistic expertise would reduce the school district's diversity ratio. Restores current statutory definition of merit. Modifies definition of diversity ratio to be ratio of diverse teachers employed by district to diverse students enrolled in district non-chartered public schools calculated over a three-year period. Adds definition of cultural or linguistic expertise, including linguistic ability; participation in efforts to advance the goal of equity or related work; or certain work assignments. Among teachers without cultural or linguistic expertise, requires school districts to prioritize seniority but allows districts to prioritize competence or merit if the district determines that the teacher being retained has more competence or merit than a teacher with more seniority. Adds exception to lots-based system of breaking ties in seniority for situations in which the release of a qualified teacher with cultural or linguistic expertise and equal seniority would reduce the school district's diversity ratio.

FISCAL: Fiscal impact issued (indeterminate)

REVENUE: No revenue impact

-7 Replaces Sections 1 and 2 of the measure. Removes definitions of diverse and diversity ratio. Restores current statutory definition of merit. Establishes definition of cultural or linguistic expertise, including consideration of a teacher's linguistic ability, completion of certain teacher pathway programs, or current work assignment. Requires school districts to make every reasonable effort to maintain proportion of teachers with cultural or linguistic expertise compared to teachers without cultural or linguistic expertise prior to making any layoff decisions relating to teaching staff. Requires school districts reducing teaching positions due to budgetary constraints or administrative decisions to prioritize teachers for retention based on seniority, unless the release of a teacher with cultural or linguistic expertise who has less seniority would result in a lesser proportion of teachers with cultural or linguistic expertise compared to teachers without such expertise. Among teachers without cultural or linguistic expertise, requires school districts to prioritize seniority but allows districts to prioritize competence or merit if the district determines that the teacher being retained has more competence or merit than a teacher with more seniority. Adds exception to lots-based system of breaking ties in seniority for situations in which the release of a qualified teacher with cultural or linguistic expertise and equal seniority would result in a lesser proportion of teachers with cultural or linguistic expertise compared to teachers without such expertise.

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BACKGROUND:

Currently, ORS 342.934 requires school districts to prioritize the retention of its most senior teachers in the event of layoffs, and allows a district to retain a teacher with less experience only if it can determine that the teacher being retained is more competent or has more merit.

House Bill 2001 requires districts to prioritize seniority but retain teachers that would not reduce the district's diversity ratio in the event of layoffs, and defines diversity ratio as the ratio of teachers that meet the statutory definition of diverse to students who share those characteristics. The measure maintains the current permissive structure for districts to retain teachers with less seniority but who are determined to have more competency or merit.