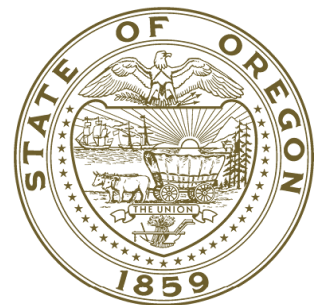


Final Report and Recommendations

Joint Task Force on Substitute Teachers



About this Report

This Task Force was created in 2023 by [Senate Bill 283](#) to examine the utilization of third-party employment service providers for substitute teachers, in, and by school districts.

The Task Force was charged with making findings and recommendations, including legislation, for standards for contracts for substitute teachers through third-party employment service providers and establish a model policy for ensuring that substitute teachers are supervised by licensed administrators. This report includes a set of seven [recommendations](#) related to utilization of substitute teachers by school districts.



Task Force Members

Legislative Members (Non-voting):

Senator Michael Dembrow, Senate District 7, Chair

Senator Suzanne Weber, Senate District 23

Representative Tracy Cramer, House District 22

Representative Hoa Nguyen, House District 48

Non-Legislative Members (Voting):

Morgan Allen*, representing school administrators

Shawn Cleave, representing third-party employment service providers

Debbie Fery, representing substitute teachers

Anna Higgins, representing education service districts

Audrey Hood, representing licensed educators

Teri McClain, representing the Oregon Department of Education

Lori Sattenspiel, representing school boards

Robert Waltenburg, representing the Teacher Standards & Practices Commission

Note: Morgan Allen replaced Michael Beck in May 2024

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Report:

Joint Task Force on Substitute Teachers

DATE: September 12, 2024

Executive Summary

The Joint Task Force on Substitute Teachers (Task Force) was created by [Senate Bill 283 \(2023\)](#) to examine the utilization of third-party employment service providers for substitute teachers, in and by school districts. The Task Force was charged with making findings and recommendations, including legislation, for standards for contracts for substitute teachers through third-party employment service providers and establish a model policy for ensuring that substitute teachers are supervised by licensed administrators.

Membership

The Task Force is comprised of 12 members: four non-voting legislative members and eight voting, non-legislative members. The four legislative members of the Task Force were appointed by the Speaker of the House and President of the Senate on August 14, 2023. The eight non-legislative members were appointed by the Governor on September 26, 2023. The non-legislative members included representatives from state education agencies, third-party employment service providers, substitute teachers, and education associations.

Process

The Task Force met monthly from November 2023 through July 2024 with two meetings in August and September 2024.

The Task Force approved Values, Finding, and Goals on August 8, 2024. The Task Force considered policy recommendations that operationalized the approved goals. On August 22, 2024 and September 5, 2024, the Task Force discussed 12 recommendations and adopted 7 recommendations, and on September 12, 2024, adopted this final report.



Values, Findings, and Goals

In August 2024, the task force adopted three values and 14 findings and goals to guide the development of recommendations. The three adopted values were:

1. We value high-quality educational instruction for all Oregon students from all educators.
2. We value stable classrooms and practices that respect the contributions of substitute teachers.
3. We value thoughtful solutions that are responsive and adaptable to local context.

Recommendations

In August and September 2024, the task force adopted seven recommendations. Each recommendation title is linked to a more detailed summary document.

Adopted August 22, 2024:

- [Statewide, standardized, and tiered paid professional development for substitute teachers.](#)
- [Clarifying expectations of school districts when contracting with a third party for substitute teachers.](#)
- [Improving the analysis of potential fiscal impacts of legislation on districts.](#)

Adopted September 5, 2024:

- [Establishment of the Office of Substitute Teachers under the Department of Education.](#)
- [Create funded access to Oregon Educators Benefits Board \(OEBB\) for substitutes working half-time or more over multiple institutions.](#)
- [Pathway from restricted substitute teaching license to substitute teaching license.](#)
- [Providing substitute teachers with tools for success.](#)

Access to Full Report

The full report can be found online at:



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Report:

Joint Task Force on Substitute Teachers

DATE: September 12, 2024

Section 1: Task Force Process

Charge and Background

Senate Bill 283 (2023) created the Joint Task Force on Substitute Teachers with the following charges:

- Review school district requests for proposal related to substitute teachers.
- Conduct a cost savings analysis of providing substitute teachers through third-party employment service providers.
- Examine policies in other states related to the use of third-party employment service providers for substitute teachers.
- Explore a model that provides the services of substitute teachers through education service districts.
- Explore processes that ensure substitute teachers are provided access to electronic mail and Internet service, as is necessary for their service as a substitute teacher.
- Establish a model policy for ensuring that substitute teachers are supervised by licensed administrators.
- Develop recommendations for legislation related to standards for contracts for substitute teachers through third-party employment service providers.

Needs Assessment

Prior to the first meeting, Task Force members completed a questionnaire and participated in a one-on-one conversation with Legislative Policy and Research Office (LPRO) staff. The needs assessment included questions about member goals, priorities for the Task Force's work, and initial information requests. LPRO utilized the information to assist the Chair in drafting the Task Force workplan; overall goals for the work; ideas regarding policy needs and opportunities; and what tools are necessary to help develop recommendations.



Workplan and Meeting Materials

The 12-member Task Force includes appointments made by the Senate President, Speaker of the House, and the Governor. The four legislative members of the Task Force were appointed by the Speaker of the House and President of the Senate on August 14, 2023. The eight non-legislative members were appointed by the Governor on September 26, 2023. The Task Force met monthly from November 2023 through July 2024 with two meetings in August 2024 and September 2024.

The workplan was organized into three distinct phases of work:

- **Phase #1: Getting Started:** November 11, 2024
- **Phase #2: Information Gathering:** December 7, 2023-June 13, 2024
- **Phase #3: Deliberations:** July 11, 2024-September 14, 2024

Table 1 shows the meeting timeline. Each meeting date is linked to meeting video and each topic is linked to a detailed meeting summary. See Appendix A for a hyperlinked list of meeting materials.

Table 1: Timeline of Task Force Meetings

Meeting Date	Topics	Issues Discussed
November 11, 2023	<i>Introductions</i>	Task Force Rules and Operating Procedures Senate Bill 283 requirements Discussion Of The Task Forces’ Goals, Research/Information Requests, And Available Data Overview of OLIS Overview of Public Records Election of Chair
December 7, 2023	<i>Substitute Teacher Statutory/Regulatory Landscape</i>	Review Work Plan For Task Force Statutory Background regarding Substitute Teachers Overview of Substitute Teacher Licensure Overview of Administration, Eligibility, and Reporting of PERS Benefits for Substitute Teachers in Oregon Overview of Cost-Saving Analysis and Contracting Authority (ORS 279B.030)
January 8, 2024	<i>How we employ substitute teachers/Use of Third-Party Administrators (TPAs)</i>	Overview of Third-Party Employment Service Providers for Substitute Teachers Overview of Regulation of Third-Party Employment Service Providers for Substitute Teachers in Other States



Meeting Date	Topics	Issues Discussed
<u>March 14, 2024</u>	<i>Professionalization of Substitute Teachers</i>	Professional Development Opportunities for Substitute Teachers Discussion of Best Practices and Resources for Substitute Teachers
<u>April 11, 2024</u>	<i>Professionalization of Substitute Teachers</i>	Teacher Standards and Practices Commission and Substitute Teaching Review of House Bill 4030 (2022) Overview of Substitute Teachers in the Umatilla School District Overview of Oregon Research Schools Network Substitute Teacher Training Program
<u>May 9, 2024</u>	<i>Professionalization, Cost-Saving Analysis, and Alternative Models for Providing Substitute Teachers</i>	Overview of Substitute Teachers in the Beaverton School District Overview of Substitute Teachers in the Lincoln County School District Continued Overview of Third-Party Employment Service Providers for Substitute Teachers Overview of Substitute Teachers in the High Desert Education Service District Discussion of Alternative Models for Providing Substitute Teachers and Engaging Substitute Teachers
<u>June 13, 2024</u>	<i>Cost-Saving Analysis and Development of Model Policy and Policy Recommendations</i>	Review Cost-Saving Analysis For School Districts That Contract With Third-Party Administrators. Overview Of Final Report Process. Overview And Discussion Of Draft Values, Findings, And Goals. Discussion Of Model Policy To Ensure That Substitute Teachers Are Supervised By Licensed Administrators. Discussion Of Possible Policy Recommendations For Standards For Contracts For Substitute Teachers Through Third-Party Administrators.
<u>July 11, 2024</u>	<i>Draft Model Policy and Policy Recommendations</i>	Overview and Discussion of Values, Findings, and Goals Task Force Discussion
<u>August 9, 2024</u>	<i>Draft Model Policy and Policy Recommendations</i>	Task Force Discussion of Members' Proposed Recommendations Review and Discussion of Task Force Work Plan
<u>August 22, 2024</u>	<i>Draft Final Report/Finalize Policy and Recommendations</i>	Task Force Work Plan Update Task Force Discussion of Members' Proposed Recommendations Adoption of Recommendations



Meeting Date	Topics	Issues Discussed
September 5, 2024	<i>Finalize Policy and Recommendations</i>	Task Force Work Plan Update Task Force Discussion of Members' Proposed Recommendations Adoption of Recommendations
<i>September 12, 2024</i>	<i>Finalize Report</i>	Adoption of Task Force Report

Source: Legislative Policy and Research Office

Meeting Summaries

Phase 1: Getting Started

November 09, 2023

Members Present: Sen. Michael Dembrow, Co-Chair, Sen. Suzanne Weber, Rep. Tracy Cramer, Rep. Hoa Nguyen, Michael Beck, Shawn Cleave, Debbie Fery, Anna Higgins, Audrey Hood, Teri McClain, Lori Sattenspiel, and Robert Waltenburg

Organizational Meeting

The first Task Force meeting began with an organizational meeting covering introduction of members and staff, adoption of Task Force rules, and LPRO staff providing an overview of operating procedures. The Task Force rules were adopted without objections by all voting members of the Task Force.

Overview of Senate Bill 283 Section 21 and Task Force Requirements

LPRO staff provided an overview of Senate Bill 283 Section 21 from the 2023 session, which created the Task Force. The overview outlined the legislative process that led to enactment of Senate Bill 283, Task Force composition, LPRO and agency roles, charge of the Task Force, and the final report to the Legislative Assembly.

Discussion of Task Force Objectives, Scope, And Potential Research Requests

Before the first Task Force meeting, LPRO staff provided members with a needs assessment to complete to help assess individual member’s objectives and goals. LPRO staff also met one-on-one with Task Force members before the first meeting to discuss the needs assessment and goals. LPRO staff began this discussion at the first meeting by providing preliminary information on the goals and purpose of the needs assessment.

Sen. Dembrow facilitated the discussion. He began by providing background information into the impetus for the creation of Task Force and the important role



of substitute teachers in the education system. The discussion identified several possible objectives and research topics, including

- use of training reimbursement grant funds under House Bill 4030 (2022);
- the role of substitute teacher management;
- mandatory training for substitute teachers;
- information on all legislation and statutes that impact substitute teachers;
- licensing requirements for substitute teachers;
- data of number of substitute teachers by license type across Oregon;
- addressing workforce shortage issues in a sustainable manner for all school districts and responsive to local context;
- the need for professional development;
- reviewing and understanding various models for employing substitute teachers; and
- the need to understand how Oregon Public Employees Retirement System (PERS) benefits impact substitute teachers;

LPRO staff provided an overview of the Task Force charges and the process for development of a work plan. Senator Dembrow emphasized the need to learn what is sustainable funding and the costs involved with administration of providing substitute teachers. More information was requested as to what was intended by the Task Force directive to develop recommendations for legislation related to standards for contracts for substitute teachers through third-party employment providers. Members also discussed an interest in exploring the professionalism or need for professionalism of the substitute teacher workforce.

Overview of Oregon Legislative Information System

LPRO staff provided the Task Force with information on how to navigate the Oregon State Legislature Website (OLIS). Members were shown how to navigate to the Task Force page, where member information, agendas, and meeting materials can be found. Information was also provided on how to obtain general information on navigating the Capitol and registering for email alerts for the Task Force. Language Access Services and live-streaming of Task Force meetings were also described.

Overview of Public Records Requirements

The public records attorney from the Office of Legislative Counsel presented to the Task Force about public records and open meetings laws. Geared to Task Forces, the presentation explained applications of and exceptions to the public records law; what constitutes a “public record;” records retention; and exemptions to disclosure of public records. The process for requesting and responding to public records



requests as well as the requirements for open meetings were explained. Topics included the definition of “open to the public,” notice requirements, written minutes, and meeting recordings.

Election of Task Force Chair

After considering nominations for Sen. Suzanne Weber, Lori Sattenspiel, and Sen. Michael Dembrow, voting members elected Sen. Dembrow as chair of the Task Force.

Phase 2: Information Gathering

December 7, 2023

Members Present: Sen. Michael Dembrow, Co-Chair Rep. Tracy Cramer, Michael Beck, Shawn Cleave, Debbie Fery, Anna Higgins, Teri McClain, Lori Sattenspiel, and Robert Waltenburg

Members Excused: Sen. Suzanne Weber, Rep. Hoa Nguyen, and Audrey Hood

Statutes related to Substitute Teachers

LPRO staff presented information to the Task Force on Oregon statutes specifically related to substitute teachers, including ORS 342.610, which governs minimum pay for substitute teachers; ORS 342.125, which permits the conversion of a teaching license to a substitute teaching license within three years of retirement; and changes made to those statutes by Senate Bill 283 (2023).

Members discussed the change in minimum pay for substitute teachers working precisely one half day, which changed from half day pay to full day pay in Senate Bill 283 (2023). The member representing TSPC observed that in rural districts, substitute teachers rarely accept jobs that are less than half a day, and those districts typically offer at least half day assignments to get substitute teachers into the classroom. The member representing substitute teachers noted that in her experience, substitute teachers are often reassigned to other duties for the second half of the day in order to fulfill a full day of work.

Members also discussed additional statutes, such as ORS 339.400, that mandate training for all school employees, including substitute teachers. The Chair suggested that a list of mandatory trainings that apply to substitute teachers would be useful to the task force.



Substitute Teacher Licensure

The Director of Licensure and Professional Practices at the Teacher Standards and Practices Commission (TSPC) presented to the task force on the requirements for the substitute license, restricted substitute license, and district substitute license.

The Task Force discussed the history and development of the district substitute license. The TSPC director noted that the administrator in the sponsoring district remains responsible for a substitute teacher with a restricted or district license while that person is teaching outside of their sponsoring district, and that the administrator could potentially be held accountable in cases of egregious misconduct by the sponsored substitute teacher.

The Task Force discussed the 10-day limitation on assignments for substitute teachers with a restricted license as well as allegations that some districts avoid the limitation by assigning a teacher for nine days, changing their assignment on the 10th day, and returning them to the original classroom on the 11th day.

The member representing substitute teachers raised several points where the state is lacking data, including:

- The number of substitute teachers using each license type;
- The types of licenses most commonly used by substitute teachers working for third-party providers compared to direct-hire districts; and
- The number of restricted or district licenses sponsored by each district.

The TSPC director stated that the sponsoring district is not recorded as part of the licensure record for restricted licenses but is recorded for district licenses. She also noted that the Oregon Department of Education (ODE), rather than TSPC, collects employment data on the educator workforce.

Finally, the Task Force discussed the lack of requirements for professional development to renew any substitute license type. The TSPC director provided background information on the suspension of substitute teacher professional development requirements, the attempt to reinstate the requirements in 2014, and the opposition to the requirements from substitute teachers who did not have a clear path to fulfill complete professional development. The member representing ESDs noted that timing of and funding for professional development is also an important component to its success. The member representing substitute teachers described confusion among licensees as to what qualifies as professional development and noted a need for centralized tracking of the trainings completed by substitute teachers working in multiple districts.



The member representing substitute teachers observed a need for substitute teachers to have training and preparation in skills such as classroom management and reading individualized education programs (IEPs) and Section 504 plans. The Chair suggested that some responsibility to train or prepare substitute teachers who have a restricted or district license could lie with the sponsoring district for those licenses.

Oregon Public Employees Retirement System (PERS) Benefits

A senior policy advisor for Oregon's Public Employees Retirement System (PERS) presented information to the Task Force on the structure of state retirement benefit plans, system membership requirements, and public employer reporting. She noted that PERS does not collect information on the job titles of PERS members, and thus does not have data on how many substitute teachers are PERS members.

Questions from Task Force members focused on the PERS contributions made by districts for retired teachers working in substitute positions; the initial qualifying period of six months uninterrupted employment; the limited ability of PERS to estimate the number of qualifying substitute teachers; and the presumption by PERS of whether employment is with a public employer (such as a school district) or a nonpublic employer (such as a third-party employment service provider).

Cost-Saving Analysis and Contracting Authority (ORS 279B.030)

A state procurement officer from the Oregon Department of Administrative Services (DAS) presented to the Task Force on the public contracting code and the requirements for public contracting agencies (including school districts and ESDs) to evaluate costs and determine feasibility when contracting for personnel services.

Questions from Task Force members focused on

- the frequency with which public contracting agencies need to conduct a cost evaluation or feasibility analysis;
- oversight and evaluation of the cost determinations made by public contracting agencies;
- the distinction between cost analysis and feasibility determinations; and
- the Attorney General's model contracting rules for local governments, including school districts.

Task Force Work Plan and Research Requests

LPRO staff presented the initial draft work plan and solicited feedback from Task Force members.



January 8, 2024

Members Present: Sen. Michael Dembrow, Co-Chair Rep. Tracy Cramer, Rep. Hoa Nguyen, Shawn Cleave, Debbie Fery, Anna Higgins, Audrey Hood, Teri McClain, Lori Sattenspiel, and Robert Waltenburg

Members Excused: Sen. Suzanne Weber, Michael Beck, and Audrey Hood

Third-Party Employment Service Providers for Substitute Teachers

The member representing third-party employment service providers presented information to the Task Force on the services provided by two companies operating in Oregon, ESS and Edustaff. The presentation covered the services, compensation and benefits, and professional development offered by those companies; the demographics of the substitute teachers they employ; and the feedback process and management software that they use.

Task Force members discussed the rate of substitute teachers who would theoretically qualify for membership in the Public Employee Retirement System (PERS), which ESS and Edustaff estimated would be 18 percent if those substitutes all worked for a single public employer; however, many substitutes work in multiple districts and hours worked for third-party providers do not count toward PERS membership or contributions.

Presenters from the third-party providers noted several possible advantages for both substitute teachers and school district administrators as a result of the third-party provider model. The third-party providers stated that substitute teachers receive consolidated weekly or bi-weekly pay, benefits for qualifying employees, and professional development opportunities. The presenters also noted that school district administrators have access to a potentially broader pool of substitutes and higher fill rate, as well as tracking and management of payroll, credentials, and disciplinary actions.

Task Force members extensively discussed the rating systems and job posting availability in personnel management systems such as Frontline, which is used by both third-party employment service providers and direct-hire school districts. Members discussed two systems:

- a star rating system, which company representatives stated is optional for districts to use but disabled in most districts; and
- a preference system that allows classroom teachers to list their preferred substitute teachers, which company representatives stated establishes the



order in which substitute teachers will be called to fill a position in that classroom.

An ESS employee stated that no districts with the company use the star rating system, that doing so had previously led to feedback not reaching the appropriate supervisors, and that districts contracting with ESS were instead trained to contact the company directly with feedback. An Edustaff employee stated that turning off the star rating system is part of the best practices that Edustaff recommends to its contracting districts.

Questions from Task Force members focused on

- how pay varies across districts;
- how often pay rates are adjusted;
- retirement status and license type of employees;
- the number of employees who qualify for retirement account contributions from ESS and Edustaff;
- training offered by the companies beyond mandatory training;
- how feedback processes play out for individual substitute teachers on the ground;
- rates of exclusion and reinstatement for substitute teachers who receive complaints from school districts;
- the employer relationship between substitute teachers, school districts, and third-party service providers; and
- payment to substitute teachers for statutorily required training.

Regulation of Third-Party Employment Service Providers

LPRO staff presented information to the Task Force on the regulation of third-party employment service providers in Oklahoma, Michigan, and Illinois.

Questions from Task Force members focused on

- whether annual reporting requirements in Illinois included district-level data;
- what percentage of school districts in the relevant states contract with a third-party provider;
- whether the Task Force could review a standard contract with a third-party provider;
- how compensation for substitute teachers varies by school district; the staffing fee paid by school districts to third-party providers; and
- the cost elements involved in managing substitute teacher pools and conducting a cost-savings analysis for a contract with a third-party provider.



Task Force Work Plan

LPRO staff presented the draft work plan and solicited feedback from Task Force members.

March 14, 2024

Members Present: Sen. Michael Dembrow, Co-Chair Sen. Suzanne Weber, Rep. Hoa Nguyen, Shawn Cleave, Debbie Fery, Anna Higgins, Teri McClain, and Robert Waltenburg

Members Excused: Rep. Tracy Cramer, Michael Beck, Audrey Hood, and Lori Sattenspiel

Professional Development Opportunities for Substitute Teachers

The Task Force reviewed the history and structure of the Educator Advancement Council (EAC), including its Regional Educator Networks (RENs) and Grow Your Own (GYO) programs. Members discussed how substitute teachers could get involved in EAC programs, including how substitute teachers could learn about professional learning opportunities and how RENs largely rely on relationships with school districts to engage with educators.

EAC staff acknowledged that substitute teachers potentially have limited access to GYO programs, which may require applicants to be district employees, but noted that the qualifications are set at the district level and are inconsistent across the state. Programming and professional development opportunities offered by the RENs are accessible to substitute teachers regardless of employer.

Based on a survey conducted by the EAC, districts provided six examples of professional learning and development opportunities specifically designed for substitute teachers.

Discussion of Best Practices and Resources for Substitute Teachers

Task Force members discussed meeting the needs of a variety of substitute teachers, including retired teachers, emerging teachers, and existing teachers. Multiple members noted that substitute teachers prioritize flexibility and the ability to direct their own work, and that these priorities should be accounted for in the Task Force's recommendations.



Members also emphasized the importance of building community among substitute teachers, both formally and informally, and the importance of developing relationships between substitute teachers and the schools that they work in.

The discussion identified current practices regarding a number of practical considerations, including

- placement of substitute teachers with the appropriate subject area endorsements;
- differences between short-term and long-term placements;
- variation in the quality of lesson plans and other materials provided by the regular classroom teacher;
- responsibilities of classroom teachers, office managers, and administrators toward substitute teachers;
- policies and procedures for disciplining and excluding substitute teachers from a district;
- costs and benefits of investing time into the training and development of a substitute teacher;
- the need for substitute teachers to receive training in classroom management, technology, and science of reading; and
- professional development requirements for substitute teachers.

The Task Force considered the mandate in SB 283 (2023) to explore “access to electronic mail and Internet service” for substitute teachers. Members identified professionalism and cybersecurity as reasons that some districts and ESDs are moving toward providing email addresses to substitute teachers but noted the cost as well as the potential liability associated with access to student information. The discussion identified a wide range in current practices among districts, including entirely paper records for substitute teachers and generic or single sign on access to classroom management tools and student information systems.

The Chair requested that the member representing third party providers follow up with additional information on the practices around school-specific policies and information, discipline and exclusion procedures, and any liabilities a third-party employer might incur.

Task Force Work Plan

LPRO staff presented the draft work plan and solicited feedback from Task Force members.



April 11, 2024

Members Present: Sen. Michael Dembrow, Co-Chair, Sen. Suzanne Weber, Rep. Tracy Cramer, Rep. Hoa Nguyen, Shawn Cleave, Debbie Fery, Anna Higgins, Teri McClain, Lori Sattenspiel, and Robert Waltenburg

Members Excused: Michael Beck, Audrey Hood

Teacher Standards and Practices Commission and Substitute Teaching

The Task Force reviewed the history and structure of the Teacher Standards and Practices Commission (TSPC), including its role in licensure, investigations and discipline, and educator preparation programs (EPPs). TSPC's interim executive director provided information on recent policies other states, including California, Louisiana, Michigan, Delaware, Tennessee, Arizona, and Hawaii.

The director of professional practice at TSPC presented to the Task Force about the Commission's complaint and discipline process, including the mandatory reporting role of a superintendent. The interim executive director stated that administrators, particularly principals, have an obligation to supervise teachers in their school, regardless of whether that teacher is hired by the school district directly or through a third-party service provider. TSPC is in regular communication with third-party service providers and often receives reports from both the school district and the third-party service provider when there is a complaint.

With regard to the issue of districts placing individuals with restricted substitute or district substitute licenses in classrooms for multiple nine-day assignments to avoid legal limits on long-term assignments, TSPC clarified that the Commission has disciplinary authority over licensed individuals, while the Oregon Department of Education (ODE) is responsible for oversight of school districts.

House Bill 4030 (2022)

The director of school facilities and special projects at ODE presented a review of the reimbursement grant for training substitute teachers and instructional assistants that was approved in House Bill 4030 (2022). Out of \$19.5 million appropriated by the Legislative Assembly, school districts and ESDs claimed \$3 million. Out of 216 eligible entities, only 53 ultimately applied for reimbursement.

ODE identified structural roadblocks to the rollout of the grants, including the one-time nature of the funding, the administrative costs of the reimbursement process, fatigue from school districts applying for a wide array of concurrent grant programs, and communication challenges with third-party service providers. The Task Force



member representing ESDs identified a lack of infrastructure in terms of readily available trainings as well as the lack of reimbursement for administrative costs as additional issues.

The Task Force discussed the need for sustainable funding in addition to prior planning and communication to make programs successful, as well as the potential value of spending one-time dollars to pilot new programs. Several Task Force members suggested alternative strategies for structuring the program.

- The member representing substitute teachers suggested allowing substitute teachers and instructional assistants to apply for and receive reimbursement directly.
- The member representing third-party service providers suggested setting up a tax deduction for education or professional development expenses.
- The member representing school administrators suggested having a fund continuously available to districts, funded on a per employee basis, that would allow them to provide trainings at appropriate times and on a less compressed timeline.

Umatilla School District

The superintendent of Umatilla School District presented to the Task Force on her district's strategy for ensuring the district has sufficient substitute teaching coverage, which centered on the paraprofessional education assistants employed by the district.

The district's shortage of substitute teachers acutely affected its instructional coaching, whereby a more experienced teacher works with another teacher to improve the quality of their teaching. When substitute teachers were not available, instructional coaching sessions were cancelled. Umatilla School District hired full-time roaming substitute teachers who were assigned to instructional coaches to ensure that those teachers would be available for coaching sessions and that teachers received the appropriate level of support.

Based on the success of this roaming substitute-instructional coach model, the district reassigned its paraprofessionals so as to have one paraprofessional assigned to each classroom. Through reassignment and seven new positions, the district was able to create a 1:1 ratio of classroom teachers to paraprofessionals. In addition, Umatilla School District hired a paraprofessional instructional coach to develop the skills of its education assistants.



The district offers a 40-hour certification to its paraprofessional staff. Staff who complete the certification and attend monthly trainings receive an additional \$2 per hour.

The district sponsors restricted substitute licenses and district substitute licenses for high-performing paraprofessionals. When a substitute teacher is needed in a classroom, a licensed paraprofessional can take unpaid leave from their contracted position and instead receive the daily pay rate for a substitute teacher.

As a result of this staffing model, the superintendent noted three advantages:

- Teachers were no longer losing preparation time in order to substitute for another teacher's classroom. In the first year it was implemented, teachers lost an average of one preparation period per year.
- Classroom teachers were using less paid leave, saving money for the district. Classroom teachers were taking one hour off for appointments and returning to class instead of taking a half day, as they traditionally had so that the district could hire a substitute for the minimum half-day pay.
- Paraprofessionals who were paired with a classroom knew the students and the curriculum and could keep the classroom running smoothly in the teacher's absence.

The Task Force discussed long term substitute teaching positions, which are filled by roaming substitute teachers with regular substitute or professional licenses; the daily pay for roaming substitute teachers, which is higher than the minimum daily pay for substitute teachers; and the financial outcome of the new model for the district, which the superintendent predicted would ultimately be equivalent to what the district had previously been spending.

ORSN Substitute Teacher Training Program

The assistant director of the Oregon Research Schools Network (ORSN) presented to the Task Force on the history and purpose of ORSN at the University of Oregon and the professional development modules that it offers. Starting in spring 2023, ORSN worked with High Desert ESD to develop a substitute training module in order to make use of House Bill 4030 (2022) funds. ORSN reported that 692 substitute teachers in High Desert ESD and La Grande SD participated in the training.

The assistant director identified cost as a barrier to accessing ORSN's training for smaller districts, which don't benefit from economies of scale. She also noted that she had seen confusion in districts with third-party contracts on whether the school district or the third-party service provider is responsible for training, and whether the



district could mandate training. The Task Force member representing ESDs discussed the need for ongoing funding to ensure that districts can pay substitute teachers to continue receiving the training that ORSN developed.

Task Force Work Plan

LPRO staff presented the draft work plan and solicited feedback from Task Force members.

May 9, 2024

Members Present: Sen. Michael Dembrow, Co-Chair, Sen. Suzanne Weber, Rep. Tracy Cramer, Rep. Hoa Nguyen, Morgan Allen, Shawn Cleave, Debbie Fery, Anna Higgins, Teri McClain, Lori Sattenspiel, and Robert Waltenburg

Members Excused: Audrey Hood

Beaverton School District

The executive administrator for human resources from Beaverton School District spoke about policies and practices around substitute teachers in her district, which is one of three in the state in which substitute teachers are covered by a collective bargaining agreement. The district employs roughly 900 substitute teachers. The administrator noted that under the agreement, substitute teachers have access to many of the same benefits as regular classroom teachers, including healthcare benefits and tuition reimbursement, as long as they work a certain number of hours.

Regarding supervision, the administrator identified the principal at each school as the supervisor responsible for discipline, investigation, and exclusion. Beaverton School District holds memorandums of understanding with 20 substitute teachers who serve as deployable substitutes, a position that can be assigned to a different school each day depending on the district's needs. Substitute teachers have access to optional trainings on a range of topics, including curriculum and technology. In addition, those with a restricted substitute license must complete a set of required trainings to prepare them for the classroom. The administrator noted that the district offers an annual session with substitute teachers at the beginning of the year to answer questions about the district.

Questions from task force members focused on healthcare and retirement benefits, due process policies, literacy training, deployable substitute positions, union membership, and daily pay rates.



Lincoln County School District

The human resources director for Lincoln County School District (LCSD) presented to the Task Force on her district's decision to end its contract with a third-party service provider and directly hire its substitute teachers. LCSD began contracting with ESS to provide substitute teacher services in 2019, and then returned to directly hiring substitute teachers in 2022. The director identified a desire for greater connection with substitute teachers as the primary reason that the district returned to a direct hire model. For LCSD, the advantages of directly employing substitute teachers included the ability to

- develop relationships with substitute teachers who could potentially serve in long term positions;
- identify training opportunities that would best serve the district's substitute pool;
- strengthen building administrators' ability to provide feedback to substitute teachers working in their schools; and
- include substitute teachers who wanted to pursue licensure in the district's Grow Your Own program.

The district provides online training modules and includes substitute teachers in trainings offered on early release days. It employs three deployable substitute teachers. The Task Force discussed the costs and benefits, and cost savings, associated with a third-party contracting model versus a direct hire model.

Third-Party Employment Service Providers

Representatives of two third party service providers, ESS and EduStaff, as well as school districts who contract for substitute teacher services, including McMinnville School District (MSD), Corvallis School District (CSD), and Hillsboro School District (HSD) presented to the Task Force.

The human resources director for MSD stated that the district does not see substitute teachers as any different from any other employee in the building with regard to feedback, evaluation, and support. She later clarified that the district views its responsibility and liability as extending to all adults on school campuses, including parents and volunteers, and was not necessarily indicative of an employer-employee relationship between the district and substitute teachers.

The human resources director for CSD and the district financial officer for HSD both noted that each of their districts and its administrators are ultimately responsible for the safety of students and potentially liable for anything that happens on school



campuses. All districts on the call described taking an active role in working with their third-party service providers to supervise, investigate, and provide training to substitute teachers who work on their campuses.

The human resources director for EduStaff and the human resources manager for ESS provided information on the companies' procedures regarding substitute teacher feedback, evaluation, and discipline. The member representing third-party service providers stated that the two companies had similar policies and procedures in place.

According to ESS, building administrators can submit an incident report to the company when an issue arises, at which point the company's human resources team reaches out to both the substitute teacher and to the building administrator. The building administrator has the discretion to discipline the substitute teacher, for example, by issuing a warning. The ESS team reviews the incident with the substitute teacher and engages in coaching and training. ESS policies and procedures are available on the company's resource portal and included in employee orientation materials.

MSD's HR director described working directly with the substitute teacher to communicate concerns, inform them of any exclusions, and provide opportunities for improvement, before referring an issue to the third-party service provider. The director stated that this procedure is specific to MSD and not formalized in district policy, although she noted that doing so could provide clear expectations and that she was open to the possibility.

According to ESS, engagement with substitute teachers in Oregon is directed by a local team of 25 staff members who are in regular contact with both substitute teachers and partner districts. The ESS human resources manager noted that supervision and evaluation was necessarily a partnership with the relevant district since ESS needed to engage with both the district and the substitute in order to provide appropriate feedback and training.

The Task Force discussed the employer relationship between substitute teachers, school districts, and third-party service providers; districts' decisions to enter into partnerships with third-party service providers; and the relationship and degree of connectedness between districts with third-party contracts and the substitute teachers working in their schools.



High Desert Education Service District (ESD)

The recruitment, retention, and substitute specialist for the High Desert Education Service District (High Desert ESD) described the ESD's processes and procedures for managing substitute teachers for its member school districts. These include paid training opportunities for its substitute teachers, efforts to build community between and give recognition to substitute teachers, and strategies for recruiting substitute teachers locally.

When asked about the strengths of using an ESD to manage substitute teachers for multiple member school districts, the specialist identified strong relationships between the ESD and the school districts, and between the ESD and its substitute teachers. In addition, the ESD provides the single point of contact for substitute teachers when questions or issues arise, and centralizes the administration of onboarding, pay, and training. For other ESDs who might consider providing substitute teacher services, the specialist suggested that support, coaching, and strategic planning would be essential, because the program requires significant work and coordination to be successful.

The Task Force member representing ESDs, who was also the assistant superintendent of High Desert ESD, provided additional details on the funding for the substitute teacher services program, which includes both funding from the ESD's local service plan for three full-time employees and an additional fee-for-service from participating districts.

The Task Force discussed the varying needs, challenges, and regional variation that potentially limits other ESDs from providing substitute services on the same scale as High Desert ESD. Members also described the need to avoid treating substitute teachers as either a widget or an afterthought. Members acknowledged that both an increase in the number of requests for substitute teachers since 2020-2021, and an increase in long term absences with the rollout of Paid Leave Oregon, have created additional pressures on the substitute teacher workforce.

The human resources director for McMinnville School District, a former employee of Northwest Regional ESD, also provided input from her experience with Cascade Technology Alliance (CTA), a collaboration between Northwest Regional ESD, Willamette ESD, and Multnomah ESD that formerly provided substitute services across the three ESDs. She observed that the primary barrier to that program's success was that none of the participating ESDs served as an employer, instead continuing to have multiple districts separately employ substitute teachers.



Task Force Work Plan

LPRO staff presented the draft work plan and solicited feedback from Task Force members.

June 13, 2024

Members Present: Sen. Michael Dembrow, Co-Chair, Sen. Suzanne Weber, Rep. Tracy Cramer, Rep. Hoa Nguyen, Morgan Allen, Shawn Cleave, Debbie Fery, Anna Higgins, Teri McClain, Lori Sattenspiel, and Robert Waltenburg

Members Excused: Audrey Hood

The Legislative Policy and Research Office (LPRO) research analysts presented information on background of the process for the cost savings analysis review, the material received, and observations from reviewing the cost savings analysis.

Key points from the presentation included the following:

- Requirements of Section 21 of Senate Bill 283 (2023).
- LPRO worked with representatives from the Oregon School Boards Association, Coalition of School Administrators, and the Oregon Association of School Business Officials to access requested cost analysis and feasibility documents.
- The public contracting code requires contracting agencies to conduct a cost analysis for services contracts over \$250,000 unless the contracting agency is contracting based on feasibility.
- A feasibility determination requires the contracting agency to make specified findings in writing.
- LPRO received requested documents from 9 school districts and 2 education service districts.
- LPRO's review of the documents was focused on the presence of statutorily required elements in the materials provided.
- LPRO did not receive any feasibility determination documents in the materials provided to them.
- LPRO did not determine or evaluate whether the provided documents demonstrated compliance with cost analysis requirements. LPRO noted that there was variation in the information contained within the cost savings analysis documents provided.

Task Force members asked the following questions during the presentation:



- The Chair asked to clarify whether the materials received from education service districts included information from the school districts they serve.
- The member representing substitute teachers asked why information was not obtained from the Oregon Substitute Teachers Association (OSTA).
- The Chair asked for clarification on feasibility determination documentation.
- The Chair asked what date the material from David Douglas School District was prepared.
- The member representing substitute teachers asked if there was a determination made about whether contracting laws were followed.

The Task Force concluded this presentation by discussing the report and future work that the Task Force may need to engage in.

LPRO staff provided information on the process for the final report and creating of the Values, Findings, and Goals document.

Key points from the presentation included the following:

- Timeline for drafting and adoption of Values, Findings, and Goals, recommendations, and the task force report.
- A value is a broad principle the task force uses to consider the merits of proposed recommendations.
- Findings are the problems the task force is attempting to solve.
- Goals are the desired end results the task force would like to achieve for Oregon.
- Recommendations are developed by task force members and propose changes to state policy.
- The task force will be able to vote to recommend, recommend with reservations, or do not recommend in relation to proposed recommendations.
- Task force members may also submit brief statements related to each recommendation for inclusion in the final task force report.
- LPRO staff will draft and edit the final report.

Task Force members asked the following questions during the presentation:

- The Chair asked about quorum issues with emails amongst task force members when discussing task force matters.
- The member representing substitute teachers asked for clarification on how recommendations relate to the values, findings, and goals.



The Chair informed the task force that the final report would be presented to the Senate Committee on Education during September legislative days and provided information on bill drafting deadlines.

LPRO staff presented the draft Values, Findings, and Goals document.

Following the overview of the draft by LPRO staff, the Chair provided opening comments to the task force discussion on the draft. The Chair facilitated the task force discussion of the Values, Findings, and Goals draft and provided background information on the creation of the document. Task Force members discussed each of the values, findings, and goals. Clarification was requested around what was intended by “education employers” and “education providers.” The Chair directed LPRO staff to consider flexibility of individual substitute teachers and funding needs in future revision of the values, findings, and goals based on the task force discussion. Task Force members discussed numerous ideas related to each of the findings and goals and the relationship to possible recommendations. Task force members also provided feedback and illustrative information related to the values, findings, and goals.

The member representing the Teacher Standards & Practices Commission suggested that there may be a need for an additional finding and goal related to the different substitute teacher licensure types. The member representing school administrators suggested that the draft be revised to be more nuanced and asked whether there is a way to acknowledge the impact of covid on increased demand for substitute teachers. The Chair had LPRO staff provide information to the Task Force on legislation from Delaware related to funding for provision of substitute teachers. Clarification was requested around Finding 7. The Chair inquired as to why some education service districts are shifting toward third party contracts for the provision of substitute teacher services.

The Chair closed the discussion by reminding task force members that LPRO staff would be contacting them individually for feedback on the values, findings, and goals draft.

Task Force Work Plan

LPRO staff presented the draft work plan and solicited feedback from Task Force members.



Phase #3: Deliberations

July 11, 2024

Members Present: Sen. Michael Dembrow, Co-Chair, Sen. Suzanne Weber, Rep. Tracy Cramer, Rep. Hoa Nguyen, Morgan Allen, Shawn Cleave, Debbie Fery, Anna Higgins, Audrey Hood, Lori Sattenspiel, and Robert Waltenburg

Members Excused: Teri McClain

The Legislative Policy and Research Office (LPRO) staff presented the revised Values, Findings, and Goals draft. LPRO staff highlighted overall changes to the draft. LPRO staff then reviewed each value, finding, and goal and the revisions made to them from the draft presented at the June task force meeting. Finally, LPRO staff explained the addition of Finding and Goal 14.

Following the overview of the draft by LPRO staff, The Chair provided opening comments to the task force discussion on the revised draft. The Chair facilitated the task force discussion of the Values, Findings, and Goals revised draft and provided information on the purpose of several of the findings and goals.

Task Force members made several comments and asked questions during the discussion of the revised draft:

- Several members noted that substitute teachers serve in their position for a variety of reasons.
- The member representing substitute teachers requested to add the statutory definition of substitute teacher to Finding and Goal 1.
- Members discussed whether Goal 3 has sufficient clarity and purpose.
- Members discussed whether school districts have complied with current public contracting laws in relation to Finding and Goal 8.
- The member representing substitute teachers asked what was intended by "state government" in Finding 9.
- The member representing Teacher Standards & Practices Commission stressed the importance of Finding and Goal 11.
- The member representing substitute teachers asked if there was any data on how many substitute teachers serve in multiple school districts in relation to Finding and Goal 11 and how substitute teaching differs from one school district to another.
- The member representing substitute teachers asked what or who regulated the services Education Service Districts provide to their member schools in relation to Finding and Goal 12.



- The member representing substitute teachers commented on the role Education Service Districts may have in providing substitute teacher services.
- The member representing school administrators commented on the impact prior legislation has had on Education Service Districts.
- The member representing third-party employment service providers explained the impetus for suggesting some language for Finding and Goal 14.
- The member representing substitute teachers raised concerns with Finding and Goal 14.
- The member representing school administrators commented that a large portion of the education workforce is outsourced.

The Task Force adopted the Values, Findings, and Goals as presented by LPRO staff. All voting members of the task force present voted aye to adopt the Values, Findings, and Goals (7-0-1 Excused McClain)

LPRO staff began the Task Force discussion by utilizing the Chair's healthcare recommendation as an example to explain the process for task force members to collaborate on and submit their own recommendations.

The Chair explained his draft healthcare recommendation and similar past legislation with part-time higher education employees. The recommendation attempts to assist substitute teachers in accessing affordable health insurance. The Chair explained that there may be difficulty with reporting from OEBC, given challenges in determining who is teaching at which location. The member representing third-party employment service providers expressed the need to assess fiscal impact to schools. The member representing substitute teachers discussed how this recommendation would impact substitute teachers that work through third party employment service providers.

The Chair next provided an overview of his draft recommendation related to the public contracting code. This recommendation addresses enforcement and reporting for contracting of substitute teacher services. The member representing substitute teachers asked if there would be sanctions for noncompliance with this recommendation and if there would be any costs associated with the recommendation.

The Chair provided a brief overview of a third recommendation that he also proposed in another task force. This recommendation was not yet ready to be posted to OLIS. The recommendation was related to improving the analysis of potential fiscal impacts of legislation on school districts.



August 9, 2024

Members Present: Sen. Michael Dembrow, Co-Chair, Rep. Tracy Cramer, Rep. Hoa Nguyen, Morgan Allen, Shawn Cleave, Debbie Fery, Anna Higgins, Teri McClain, Lori Sattenspiel, and Robert Waltenburg

Members Excused: Sen. Suzanne Weber and Audrey Hood,

The Task Force discussed 10 policy recommendations proposed by members. A summary of the discussion related to each proposal is included below in the Recommendation Section with the respective proposal.

August 22, 2024

Members Present: Sen. Michael Dembrow, Co-Chair, Sen. Suzanne Weber, Rep. Tracy Cramer, Morgan Allen, Shawn Cleave, Debbie Fery, Anna Higgins, Teri McClain, Lori Sattenspiel, and Robert Waltenburg

Members Excused: Rep. Hoa Nguyen and Audrey Hood

The Task Force discussed 10 policy recommendations proposed by members. The Task Force voted to adopt three recommendations and failed to adopt one recommendation. A summary of the discussion and vote related to each proposal is included below in the Recommendation Section with the respective proposal.

September 5, 2024

Members Present: Sen. Michael Dembrow, Co-Chair, Sen. Suzanne Weber, Morgan Allen, Shawn Cleave, Debbie Fery, Anna Higgins, Audrey Hood, Teri McClain, Lori Sattenspiel, and Robert Waltenburg

Members Excused: Rep. Tracy Cramer and Rep. Hoa Nguyen

The Task Force discussed eight policy recommendations proposed by members. The Task Force voted to adopt four recommendations and failed to adopt four recommendations. A summary of the discussion and vote related to each proposal is included below in the Recommendation Section with the respective proposal.

September 12, 2024

Members Present:

Members Excused:



Section 2: Values, Findings, and Goals

The Task Force was responsible for the development of recommendations for legislation related to standards for contracts for substitute teachers through third-party employment service providers. This process began with the development and adoption of a series of Values, Findings, and Goals to guide the development of policy recommendations.

Values are broad statements that act as guideposts and as principles that the task force will use to consider the merits of proposed recommendations. Pairs of findings and goals nest under each value. A finding is a statement outlining a problem that the task force is attempting to solve, while a goal is an ideal outcome that corresponds to each finding. Findings represent the desired end results the task force would like to achieve for the state of Oregon. The findings made by the Task Force were derived from presentations, materials, and discussions with subject matter experts regarding the relationship between substitute teachers and employers.

The first draft of this document was emailed to task force members on June 11 and discussed at the June 13 meeting. This second draft was informed by the June 13 task force discussion, one-on-one meetings staff had with individual members, and conversations between staff and the chair. Members voted unanimously (8-0-0) to adopt the Value, Findings, and Goals at the July 11 meeting.

The order in which these values, findings, and goals appear below does not reflect their relative importance. The order below does not indicate that the task force prioritizes any value or goal over any other. Task force members represent a variety of perspectives, and their policy priorities may differ.

The Task Force adopted three values and 14 findings and goals related to substitute teachers.

Value #1: We value high-quality educational instruction for all Oregon students from all educators.

Substitute Teachers

- **Finding 1:** Persons serve as substitute teachers for a variety of personal and professional reasons. Substitute teachers may want flexibility in their schedule, diversity in opportunities, and limited/short-term commitment to a teaching job. Others may



seek long-term substitute positions and integration into a specific classroom or school community.

- **Goal 1:** Professional development, best practices, policy development, and supervision of substitute teachers should recognize the variety of personal and professional reasons, length of service a substitute teacher may serve in a classroom, and the varied background and professional needs of substitute teachers.

Professional Development

- **Finding 2:** Professional development may not be readily available and accessible to all substitute teachers, even when new state standards and curricula are adopted.
- **Goal 2:** State government should collaborate with employers to provide contextualized opportunities for professional development for substitute teachers.

Supervision and Evaluation

- **Finding 3:** Methods for supervising and evaluating substitute teachers in Oregon vary across districts and by employment model.
- **Goal 3:** Employers should ensure that substitute teachers have access to timely feedback and due process. The relationship between Education Service District and third-party employment service provider employers and school administrators should be clearly defined for each school district.

Career Support

- **Finding 4:** Substitute teachers have varying access to the professional learning and career support opportunities across Oregon.
- **Goal 4:** Expand opportunities for substitute teachers to access professional learning and career support opportunities when appropriate and desired by the substitute teacher.



Value #2: We value stable classrooms and practices that respect the contributions of substitute teachers.

Recruitment and Retention

- **Finding 5:** School districts across Oregon have increasingly struggled to find sufficient substitute services for teacher absences.
- **Goal 5:** State government and employers should incentivize and collaborate in the development of new models and innovative practices for recruiting and retaining substitute teachers.

Pay and Benefits

- **Finding 6:** Substitute teachers pay and benefits impact delivery models, recruitment, and retention.
- **Goal 6:** Oregon will seek ways to pay for improved substitute teacher pay and benefits.

Workplace Culture

- **Finding 7:** School cultures and practices that integrate substitute teachers into classrooms provide better environments for teaching and learning.
- **Goal 7:** Employers should foster and enhance workplace environments that welcome substitute teachers and provide them with the appropriate tools they need to succeed in the classroom.

Public Contracting

- **Finding 8:** Public contracting requirements are characterized by a lack of specific directives for public bodies and this deficiency contributes to disparities in the available information and reports across various school districts.
- **Goal 8:** The public should have access to transparent records, accurate data, and clear contract terms, including performance analysis when contracts are renewed.



Value #3: We value thoughtful solutions that are responsive and adaptable to local context.

Best Practices

- **Finding 9:** State government has not developed policies or best practices for the delivery of substitute teacher services.
- **Goal 9:** Oregon should have a clear vision for delivery of substitute services that empowers local decision-making while ensuring the best outcomes for the students in the classrooms and fair treatment of substitute teachers.

Employment Models

- **Finding 10:** Models for employing and deploying substitute teacher services vary across Oregon.
- **Goal 10:** Oregon should develop models for providing substitute teacher services that provide employment opportunities, fair pay and benefits, and pathways for professional growth as desired by the substitute teacher.

Local Context

- **Finding 11:** Each school district and education service district in Oregon has unique needs and challenges that need to be addressed.
- **Goal 11:** Policies and delivery models should be adaptable to the unique needs of each school district and education service district. School districts and education service districts should have access to a variety of tools that best fit their needs while providing the best quality of service for students and fair treatment for substitute teachers.

Education Service Districts

- **Finding 12:** Utilizing Education Service Districts to provide substitute services on a regional basis has advantages, but education service districts require direction from their component school districts and other services may take priority. The resources and tools offered by Education Service Districts vary across Oregon.



- **Goal 12:** Oregon should seek ways to clarify the role of Education Service Districts and support the needs of Education Services Districts in meeting the needs of substitute teachers and school districts across Oregon.

Careful Implementation

- **Finding 13:** Policy changes and implementation have not always successfully considered the needs of substitute teachers, students, and school districts.
- **Goal 13:** Policy changes should be based on collaboration, research, key performance measures, and shared data with carefully planned and fully funded implementation.

Third-Party Employment Service Providers for Substitute Teachers

- **Finding 14:** The utilization of a third-party employment service provider may offer cost savings, both direct and indirect, to school districts; improve fill rates, and meet the needs of substitute teachers. However, some believe that student, teacher, and school district needs are better met by having substitute teachers directly employed by school districts or education service districts.
- **Goal 14:** Oregon should ensure that school districts have the ability to choose between working with a third-party employment service provider or hiring substitute teachers through another model as long as the employer meets best practices.

Section 3: Recommendations

In July and August, task force members drafted proposed recommendations. Members presented and discussed a total of 12 recommendations over the course of three meetings, August 9, August 22, and September 5.

The Task Force adopted 3 recommendations on August 22, 2024 and 4 recommendations on September 5, 2024. In voting, members had three choices: Yes, Yes with Reservations, or No. Proposals for which a majority of voting members voted Yes or Yes with Reservations were adopted as recommendations.



The following sections detail each recommendation, provides background information, and defines a problem statement. Of the 12 recommendations that the Task Force considered, they approved 7 recommendations and did not approve 5. The recommendations approved by the Task Force appear first, however the order does not reflect a prioritization. The 5 recommendations that the Task Force did not approve are listed second.

Task force members represent a variety of perspectives, and their policy priorities may differ.



APPROVED RECOMMENDATIONS

1. Statewide, standardized, and tiered paid professional development for substitute teachers

Author.

Anna Higgins, Robert Waltenburg, Lori Sattenspiel, and Morgan Allen

Vote.

Yes		No	Excused
Yes	with Reservations		
7	0	0	1
Allen			Hood
Cleave			
Fery			
Higgins			
McClain			
Sattenspiel			
Waltenburg			

Value/Finding/Goal Number.

Goal 2: Professional Development and Goal 13: Careful Implementation

Problem Statement.

To be skillfully prepared in the variety of settings and the inconsistent longevity of work assignments, substitute teachers need professional development opportunities that are responsive and adaptive to their individual level of professional experience and the educational contexts they are working within. As a uniquely autonomous workforce, substitute teachers need opportunities to access universal and foundational professional development as well as content focused learning to stay up to speed and savvy as the educational professionals that they are. It is in everyone’s benefit (substitute teachers, employers, school districts and students) to have a consistently trained substitute teacher workforce. Office Name | Oregon State Legislature August 6, 2024. Currently, there is no dedicated source of revenue to pay



for high quality substitute professional development/training. This lack of professional development system leads to statewide inequity and inconsistency for substitute teachers and students.

Policy Recommendation.

State to contract with training provider (such as ORSN) to design and deploy modern and current on-line training modules on a set of standard and highly relevant topics (example: Office Name | Oregon State Legislature August 6, 2024 3 trauma informed practice, EDI, classroom/behavior management, SPED, basic technology skills) to be deployed on a tiered model based on experience.

Tiers: Universal (all subs, annually) Restricted subs (lowest level of classroom experience) Beginner (0-3 years of classroom experience) Establish (4-8 years of classroom experience) Veteran (8+ years of classroom experience) These would be paid training opportunities, reimbursed to substitute employer.

Number of substitutes engaging and completing trainings • Quality assessments of training by substitutes (levels of reporting feeling more prepared, knowledgeable, skilled as a professional)

Discussion.

The recommendation was presented by Task Force Member Anna Higgins. She explained that recommendation is aimed at establishing a well-structured, funded training mechanism for substitute teachers across the state. The recommendation is based on the substitute teacher training model that High Desert Education Service District developed using House Bill 4030 (2022) money. High Desert Education Service District partnered with Oregon Research Schools Network (ORSN) to provide training to substitutes on foundational topics, real-time topics, and topics in which substitutes lacked training before coming to the classroom.

The training would be scaled statewide, provide opportunities for training in recognition that substitutes come to the profession with different experience, expectations, and objectives. The framework would provide trainings that are modern, responsive, consistent, and be paid for via reimbursement to the substitute teacher's employer.

Members of the Task Force supported the recommendation, speaking specifically to the idea that it would be adaptive, provide consistent trainings, track trainings, and be deployed statewide. The Task Force did identify places where additional clarity



would be needed for implementation, including how much is the state responsible for funding the training vs the school district; what state agency (Teachers Standards and Practices Commission or Oregon Department of Education) should be responsible for deploying the training or responsible for contracting with a 3rd-party to contract to deploy the training; and the role of the Education Advisory Council.

Finally, the Task Force clearly identified that the training would be paid training for substitute teachers and that there would be funding requirements for the development of the training and wages for substitute teachers.



2. Clarifying Expectations of School Districts When Contracting with a Third Party for Substitute Teachers

Author.

Sen. Michael Dembrow

Vote.

Yes		No	Excused
Yes	with Reservations		
0	5 Allen Fery Higgins Sattenspiel Waltenburg	2 Cleave McClain	1 Hood

Value/Finding/Goal Number.

Goal 8: Public Contracting

Problem Statement.

In an effort to increase transparency and clarity, and avoid unnecessary disputes, this proposal seeks to clarify the process used by districts to produce and report complete data regarding cost-savings when third-party contracts are entered into and renewed.

Policy Recommendation.

Legislation will be drafted to clarify expectations regarding the analyses and public notification. The proposed contracts and cost-savings will be presented to the district board in a public meeting, with notice and opportunity for the public to participate. Upon renewal, the district will be expected to show actual savings based on the contract and usage. Contracts and cost-savings analyses will be transmitted to the Oregon Department of Education.

Contracts and cost-savings analyses will be publicly posted on the district website. Districts will send their contracts and their cost-savings analyses to ODE when first



produced and upon renewal. ODE will provide an annual report to LPRO and the Education Committees detailing utilization and compliance.

Discussion.

The recommendation was presented by Chair Dembrow, speaking specifically to the reasons that he developed the recommendation. The reasons included the lack of availability of quality information regarding the cost analysis and other procurement information from school districts that contracted with a third party for substitute services and the lack of clear expectations of how to demonstrate savings and whether savings were realized upon renewal. He explained the recommendation requires that consideration of third-party contracts and the cost-saving analyses should occur in a public setting and school boards must make these decisions as part of an agenda item.

Members of the Task Force provided feedback that centered on three themes:

- expectations for the school districts when making contracting decisions of this type;
- tangible and intangible factors involved in these decisions;
- evaluation of controls at the local level.

In addition, the Task Force was reminded that the procurements statute applies to state and local government bodies, broadly, not just school districts, suggesting that if changes are to be made, it needs to be specific to school districts.



3. Improving the analysis of potential fiscal impacts of legislation on districts

Author.

Sen. Michael Dembrow

Vote.

Yes		No	Excused
Yes	with Reservations		
5	0	0	3
Cleave			Allen
Fery			Higgins
McClain			Hood
Sattenspiel			
Waltenburg			

Value/Finding/Goal Number.

Goal 13: Careful Implementation

Problem Statement.

A need for more transparency on the impacts of legislatively mandated workforce requirements.

Policy Recommendation.

It’s important that any steps the Legislature takes to address educator workforce challenges beyond current expectations not be unfunded mandates placed upon local school districts. Rather, stable sources of funding must be identified and appropriated. This will require fiscal analyses that are built on trusted, impartial data. Unfortunately, our current process for identifying local impacts too often falls short of this standard. Rather than relying on school district advocates to provide this information, we need an objective, transparent process that can lead to Legislative Fiscal Office’s (LFO) analysis. We propose that a workgroup process involving LFO, Legislative Policy and Research Office (LPRO), Oregon Department of



Education (ODE), and relevant education stakeholders be initiated in time for implementation during the 2025 legislative session.

The policy would be implemented by Legislative leadership, LFO, and LPRO establishing the necessary policy or policies.

Discussion.

The recommendation was presented by Chair Dembrow. He stated that there was a need to make sure the true costs of investing in a proposal related to substitute teachers, or any education policy, are accurately presented, prepared, and understood. He stated that the intention is to improve the fiscal analysis process and provide more objective analysis.

During discussion members of the Task Force stated that education stakeholders are working with the Legislative Fiscal Office (LFO) to find a method for better engagement of local school districts in the fiscal analysis process.

A Task Force member suggested that because fiscal impact statements are largely focused on state agencies and how the state agency implements legislation, there could be a specific reference to school districts in the recommendation.

Chair Dembrow identified that there would be a need to convince legislative leadership.



4. Establishment of the Office of Substitute Teachers under the Department of Education

Author.

Sen. Michael Dembrow

Vote.

Yes		No	Excused
Yes	with Reservations		
5	2	1	0
Allen	Fery	McClain	
Cleave	Hood		
Higgins			
Sattenspiel			
Waltenburg			

Value/Finding/Goal Number.

Goals 1-13

Problem Statement.

Currently, information and support to school districts regarding substitute teachers is scattered or non-existent. The proposal continues the work begun by the Task Force on Substitute Teachers to bring together information on best practices and efficient management of substitute teachers for the benefit of student learning.

Policy Recommendation.

The work of this task force has made it clear that Oregon needs more focused attention on the needs of substitute teachers and the needs of the districts and students that rely on these dedicated professionals. This will require an Office of Substitute Teachers to be created within the Department of Education to develop, communicate, and coordinate best practices in the recruitment, licensure, professional development, and retention of a high-quality substitute teacher workforce. The Office will work closely with the Educator Advancement Council and the Teacher Standards and Practices Commission in doing this work.



ODE and the OST director shall provide updates on the establishment of the office to the House and Senate Education Committees.

Discussion.

The recommendation was presented by Chair Dembrow. He explained that the recommendation is a scaled-back version of a similar proposal presented by Task Force Member Debbie Fery. The proposal would create an office within the Oregon Department of Education (ODE) to develop, communicate, and coordinate best practices in the recruitment, licensure, professional development, and retention of a high-quality substitute teacher workforce. He explained it would be a state level point of contact for teachers and school districts to get assistance, akin to the TAG Office at ODE

During the discussion of the recommendation, a Task Force member clarified that the intention was to establish an office to be a resource for substitute teachers and school districts, modeled after PE Specialist for school districts or Dyslexia Specialist for school districts. A Task Force member noted that the office would be an appropriate point of contact for substitutes and school districts, as well as sharing best practices.

A Task Force member explained why the scaled-back version of the Office of Substitute Teachers will not be able to adequately address the scope of issues that impact substitute teachers and their relationships with schools and school districts.



5. Create funded access to Oregon Educators Benefits Board (OEBB) for substitutes working half-time or more over multiple institutions.

Author.

Sen. Michael Dembrow

Vote.

Yes		No	Excused
Yes	with Reservations		
2	4	2	0
Allen Cleave	Fery Higgins Hood Waltenburg	McClain Sattenspiel	

Value/Finding/Goal Number.

Goal 5: Recruitment and Retention

Problem Statement.

Inability of substitute teachers who work in multiple districts to qualify for medical benefits.

Policy Recommendation.

Legislation will be drafted that will create a process by which substitute teachers who work at a .5 FTE or higher level over multiple institutions will be eligible for coverage with one of the Oregon Educators Benefits Board’s insurance plans. It will be modeled after the access that the Legislature has provided for part-time higher education faculty who teach at multiple institutions via statute over the years: HB 2557 (2009), SB 551 (2021), SB 1522 (2022), HB 2611 (2023), and SB 1552 (2024).

It will be funded via a statewide insurance pool comparable to the Part-Time Faculty Insurance Fund established under ORS 350.357.

The recommendation will be enforced through periodic reporting from OEBB and substitute teacher workload will need to be tracked (by local districts/ESDs and by



PERS if public employees). OEGB will need to track the number of teachers accessing the statewide Insurance fund.

Discussion.

The recommendation was presented by Chair Dembrow. He explained the intent of the recommendation is to provide direct-hire substitute teachers, who work in multiple school districts, with access to health benefits provided through Oregon Educators Benefit Board (OEGB). He stated that this recommendation would allow substitute teachers to group the hours they work across multiple districts to reach the threshold for health benefits. He noted that this recommendation was analogous to the statewide insurance pool for part-time higher education faculty.

The Task Force discussion focused on several themes: equity, administration/logistics; funding; and relationship of substitute teachers to school districts. Members clarified that the intention is to ask PERS to collect data from school districts, aggregate it, and provide to OEGB.

Several Task Force members identified the fact that since the recommendation only applies to direct-hire substitute teachers and not substitutes who work for third-party employers, the recommendation is not equitable, and benefits should be available to all substitute teachers statewide.

There were several questions that Task Force members had regarding how the recommendation would be implemented and administered including:

- Challenges with open enrollment period.
- Who would be responsible for reporting substitute teachers' hours to PERS?
- What would the scope of administrative responsibilities be for the school district?
- Who would be responsible for ensuring that hours are reported and reported accurately?

Task Force members discussed that there would need to be state funds (General Fund) to support a statewide pool, in the short and long-term. Specifically, Task Force members did not want the recommendation to become the responsibility of school districts as an unfunded mandate.

Finally, Task Force members discussed how the relationship between school districts and substitute teachers is different. It is not a job that requires the same commitment as other employees of a school districts.



6. Pathway from Restricted Substitute Teaching License to Substitute Teaching License

Authors.

Debbie Fery and OSTA Executive Board

Vote.

Yes		No	Excused
Yes	with Reservations		
2	6	0	0
Fery McClain	Allen Cleave Higgins Hood Sattenspiel Waltenburg		

Value/Finding/Goal Number.

Goal 4: Career Support, Goal 5: Recruitment and Retention, and Goal 2: Professional Development

Problem Statement.

Increases the pool of teacher-trained substitutes qualified to do long term assignments. A Restricted Substitute Teacher with a BA in a given field (but who lacks teacher training) would be a better teacher in a long- term situation for that subject than a teacher trained individual who is not endorsed in that subject. Yet current rules do not allow this type of emergency license. School districts have been reluctant to sponsor Restricted Substitutes, but may be more likely to sponsor a Pathways candidate and even provide mentorship in order to gain a qualified substitute in hard to fill long-term positions. Stops the long- standing practice of school districts doing the “10 day boogie” when they wrongly choose to use a Restricted Licensed Substitute in long-term positions

***Policy Recommendation.***

Through TSPC, Create a pathway for the Restricted Substitute Teaching License to a regular Substitute Teaching License for working Restricted Substitute Teachers to fulfill the basic requirements of a Preliminary Teaching License through video mentoring and on-line classes as well as documenting of classroom teaching experience and work experience in the field of specialization to gain teacher certification without the formality of an on campus program. Restricted Substitutes have a BA and many could test out of subject areas for an endorsement, but they lack the classroom management skills and decorum taught in a profession education Degree program. TSPC has wisely barred them from being long-term substitute teachers. There are candidates who would like to up-grade their licenses, but they cannot take time from work, nor do they have the funds to attend an on-campus degree program. There may be University programs already qualified to provide on-line mentoring and requisite on-line classes for teacher certification. In addition, we believe there are qualities unique to the profession of substitute teaching which could be required to obtain the Substitute Teaching License. In creating pathways, this proposal uses the teacher's classroom experience, work experience, online training and mentorship to upgrade their substitute teaching license from restricted to regular. TSPS shall outline the process and standards to achieve this

This proposal increased the LT Sub pool and reduce the administrative burden of supplying a sponsorship.

The recommendation would be effective date of July 1, 2025. TSPC and the Oregon Substitute Teachers Association shall develop report to the House and Senate Education Committee on the revised OAR by December 2025.

Discussion.

The recommendation was presented by Task Force Member Debbie Fery. She explained that the goal is narrow, to allow a substitute with a restricted substitute license to obtain a regular substitute license by leveraging their experience in the classroom. She addressed the importance of establishing the necessary standards and evaluation criteria to ensure that teachers are prepared.

The Task Force discussed their support for alternative pathways to licensure, but in opening of new channels, they must be aware that less training results in less prepared substitute teachers for the classroom work environment and potentially more likely to be in situations related to due process and exclusion.



Task Force members identified how new pathways to licensure must be prescriptive, be coupled with peer and mentorship support, and provide training.

They discussed several alternative pathways to licensure including apprenticeship, grow-your-own, and the value of a statewide/coordinated approach to alternative licensure.



7. Providing Substitute Teachers with Tools for Success

Author.

Sen. Michael Dembrow

Vote.

Yes		No	Excused
Yes	with Reservations		
2	3	3	1
Fery McClain	Higgins Hood Waltenburg	Allen Cleave Sattenspiel	

Value/Finding/Goal Number.

Goal 3: Supervision and Evaluation, Goal 5: Recruitment and Retention, and Goal 7: Workplace Culture

Problem Statement.

We’ve heard reports of substitute teachers not being rehired by school districts for inadvertent violations of school policy of which they were unaware (e.g., with respect to student clothing and cell phone use), or for other perceived performance infractions, without the opportunity to remediate. This is unfair and potentially harmful to other schools. The substitute teacher needs the opportunity to understand and remediate in order to prevent problems from occurring in subsequent work assignments.

Policy Recommendation.

In pursuit of fairness and professionalism, all substitute teachers should be given access to school/district policy and the opportunity to remediate if a problem arises. Ideally, districts will have handbooks specifically designed for substitute teachers that work in their buildings. Absent that, prior to any assignment, subs should be provided with a print or digital copy of the school/district’s employee handbook and student handbook (either directly from the district or from their 3rd -party employer if they are so employed). In line with best practices, if a substitute teacher’s conduct or performance leads the Administration to not rehire them, the teacher should be



notified of the reasons and be given an opportunity to respond. Except in cases of serious misconduct or performance deficiency, they should be given a warning and an opportunity to remediate. ODE will be tasked with refining and disseminating these best practices, with the expectation that they will be followed by districts and 3rd party employers.

As part of the legislative process, the Legislature will need input from OSBA, COSA, OSTA and other advocacy groups, as well as from individual substitute teachers and 3rd party providers.

Discussion.

The recommendation was presented by Chair Dembrow. He summarized the problem statement and policy recommendation, speaking specifically to why substitutes need to be provided with a copy of an employee and student handbook and why there needs to be a clear process for addressing when substitute teacher's conduct or performance leads the Administration to not rehire them.

The Task Force members discussed that the recommendation recognizes existing due process systems and that employee resources are available online. Members identified existing systems and practices within school districts and third-party administrators that provide a process to address conduct that may result in the exclusion of substitute teacher.

While it was acknowledged that there are systems in place, concerns were raised whether current practices for addressing substitute teacher exclusions provides a substitute teacher with a reasonable opportunity to respond and provide input.



RECOMMENDATIONS NOT APPROVED

8. Establishment of the Office of Substitute Teachers under the Department of Education

Author.

Debbie Fery and OSTA Executive Board

Vote.

Yes		No	Excused
Yes	with Reservations		
1	0	6	1
Fery		Allen Cleave Higgins McClain Sattenspiel Waltenburg	Hood

Value/Finding/Goal Number.

Goals 1-13

Problem Statement.

Currently, information and support to school districts regarding substitute teachers is scattered or non-existent. The proposal continues the work begun by the Task Force on Substitute Teachers to bring together information on best practices and efficient management of substitute teachers for the benefit of student learning.

Policy Recommendation.

The Office of Substitute Teachers is established within the Department of Education to provide school districts with information on best practices, laws, licensure, benefits, and efficient management of substitute teachers.

Tasks of the Office of Substitute Teachers:



Seek ways to better support education service districts in meeting the needs of substitute teachers and school districts Goal 11:

ESDs Monitoring of Federal laws on "Joint Employer." Contract oversight. Goal 7: Public contracting

OST makes Services and policy models available to Substitute teachers, school districts, and ESDs. Goal 8: Best Practices

Statewide Substitute Teacher Database: Goal 4: Recruitment and Retention, Goal 10: District needs.

Studies and makes available to school districts and ESD's various models of calling systems and levels of engagement within their substitute pool; best practices for supporting, recruiting, and engaging a substitute teacher workforce. Goal 4: Recruitment and Retention Goal 9: Employment Models

Continue incentives for retired teachers and principals to substitute Goal 4: Recruitment and Retention

Complaint and Investigation Services; due process protections. Goal 2: Supervision and evaluation.

Engagement of substitute teachers with the school as part of the Educational Team. Goal 6: Workplace Culture

Study and make available to districts fair and appropriate methods of evaluating substitute teachers. Goal 2: Supervision and Evaluation

Clarification of Substitute Teacher Licensing Rules and grant programs for teacher credentialing. Goal 3: Career Support

Conduit for pay issues, Temporary Contracts not offered. Equity in pay. Goal 5: Pay and Benefits

Best practices for Substitute Management with templates for Sub Lesson Plans, and Substitute Handbooks that can be then customized by the districts. Goal 8: Best Practices Goal 10: District Needs

Oversees and tracks payments for mandatory Safe Schools Training (ORS 342.610 (6)). 1. Professional Development 10. District Needs.

Regional outreach to districts on issues and engagement with training needs, Grow Your Own funding, higher ed programs for Substitutes to get to a higher licensing level; provides information on available professional development, online classes, Goal 1: Professional Development Goal 3: Career Support*



*Information on benefits available to Substitute Teachers and how to qualify. Retirement, 401K, Medical, Sick Leave, and other Leaves; Public service student loan forgiveness. Goal 5: Pay and Benefits

Time Line for Implementation of OST:

This is a Three Phase proposal, that will eventually evolve to a self-funded model.

Phase 1: Establishment of the Office of Substitute Teachers (OST) Funding via General Fund as a Loan

Timeline 2-3 years

The OST shall support substitute teachers state-wide and provide services to aid districts state-wide with resource support in the areas of training, contracting, recruitment, engagement, and materials. Staffing - Executive Director with HR, Payroll, Accounting professional, Contracting Review, Risk Management, Technology support, Data Collection and Analytical, Project Management, Regional Staff as Outreach and Liaisons.

Leadership - Development of Advisory Council and Board of Directors

Organization Design: Development of how the OST works state-wide and staffing, with expertise, for each phase Mission and Values Development, Bylaws and Charter Contracting oversight for Substitute Teacher services and Repository Centralize Database of Substitute Teachers

Duplication Reduction Effort 1: Development of Substitute Teachers Templates for Handbooks and materials that will aid school districts in reducing the uncertainty of being a Substitute teacher, increase engagement, and provide consistency across the state. These materials will allow for customization.

Duplication Reduction Effort 2: Safe Schools Training Portal - Statewide

Phase 2: Substitute Teacher Management - All Phases, by Region, 50 School Districts/ESDs/Public Charter.

OST will perform all elements of substitute teacher management for those school districts that have outsourced their substitute teachers to third-party staffing agencies.

These districts will pay OST the associated staffing fee and will perform the same services they receive from the staffing agencies.

Self-funding Model Development.

Loan Repayment 2 Years



Phase 3: Substitute Teacher Management - All Phases, by Region,

ALL outsourced districts will use OST for Substitute Management Services, and other districts may opt to use the Services.

Full Self-funding Model

2 years.

The Executive Director shall provide quarterly reporting to House and Senate Education Committees during Phase 1 and biannually at Phase 2 and 3. Legislators shall serve on the Advisory Committee and Board of Directors of the OST.

Discussion.

The recommendation was presented by Task Force Member Debbie Fery. She explained the need for establishing an Office of Substitute Teachers (OST) including reason for locating it within Oregon Department of Education, the governance model, duties and responsibilities, benefits to substitute teachers, and funding structure. Further, she addressed the three phases of implementation.

During discussion of the recommendation, Task Force members noted several potential outcomes of the recommendation, including that substitutes teachers would all be public employees, which would disincentivize school districts from contracting with third-party providers. Task Force members found merit in the idea that an OST would have a person(s) where substitute teachers, school districts, educational service districts (ESDs), could go to for information about best practices, professional development, and required training. Finally, several members of the Task Force voiced opposition to the third-party prohibition, as well as its failure to recognize operational complexities and be responsive to the needs of local community.



9. Better Outcomes & Smart Students (The BOSS Act.)

Author.

Shawn Cleave on behalf of Edustaff and ESS

Vote.

Yes		No	Excused
Yes	with Reservations		
1	3	4	0
Cleave	Allen Higgins Sattenspiel	Fery Hood McClain Waltenburg	

Value/Finding/Goal Number.

Goal 14: Third-Party Employment Service Providers for Substitute Teachers

Problem Statement.

The data collected and analyzed by the Joint Task Force on Substitute Teachers reveals significant advantages for both schools and substitute teachers when a third-party administrator is engaged for services. School districts often lack the structure and capacity to manage effective inhouse substitute teacher staffing. Developing an optimal solution internally would be highly labor-intensive and economically impractical. Conversely, professional organizations specializing in substitute teacher staffing possess established infrastructures and extensive resources to handle recruitment, payroll, training, credentialing, HR, marketing services, and placement management. These organizations are equipped to support, manage, and enhance teacher vacancy rates efficiently.

Policy Recommendation.

Oregon Schools that have not considered consolidated, regional substitute teacher services should be encouraged to engage in a Request for Information (RFI) from a third-party provider.

***Discussion.***

The recommendation was presented by Task Force Member Shawn Cleave. He explained the benefits of third-party providers for school districts and educational services districts and the value of sharing information directly with school officials.

He addressed the reasons that school districts contract with third-party administrators, including cost savings, human resource services, training, marketing services, and substitute placement management. He stated that the recommendation would be a tool to ensure that school districts were aware of the services third-parties provide by amplifying opportunities for more substitutes throughout the state.

The Task Force discussed the role of third-party administrators in the education system; the importance of having access to responsible public private partnerships, and the need to have creative solutions to address substitute teacher management. They also raised questions whether school districts really were unaware of third-party administrators and the services they provide and implication of a state agency promoting or seeming to advertise for a third-party vendor. There was discussion about whether sharing this information would imply an endorsement of the companies/services. It was noted that state agencies, the Oregon Department of Education specifically, does distribute lists of this type for different services that school districts consume.



10. Increase Minimum Pay for Substitute Teachers

Author.

Debbie Fery and OSTA Executive Board

Vote.

Yes		No	Excused
Yes	with Reservations		
3	0	5	0
Fery Hood McClain		Allen Cleave Higgins Sattenspiel Waltenburg	

Value/Finding/Goal Number.

Goals 1-13

Problem Statement.

Increase the minimum pay for Substitute Teachers. Many districts already pay above the minimum and allows for equity across the State for urban versus rural districts. After ten consecutive days in one assignment, the substitute takes over with lesson planning, parent contact and other duties of the regular teacher not required of daily substitutes. Currently there is not sufficient difference in salary for a long-term, and many qualified teachers will not take those very difficult jobs for that reason.

Modify ORS 342.610 Change the percent on the Daily Sub Rate Minimum from 85% to 100% Change the Long Term Rate minimum - days 1 to 59 from 100% to 120% 60 days plus - Temporary Contract - district salary schedule for degree and experience

Legislation for the 2025 Session with an effective date of July 1, 2025.

Policy Recommendation.

Modify ORS 342.610

Change the percent on the Daily Sub Rate Minimum from 85% to 100%



Change the Long Term Rate minimum - days 1 to 59 from 100% to 120%
60 days plus - Temporary Contract - district salary schedule for degree and experience

Discussion.

Chair Dembrow briefly highlighted that this recommendation would raise the daily minimum rate for substitute teachers. The recommendation was presented by Task Force member Debbie Fery. She discussed the licensing type required for a long-term substitute teaching assignment and the associated minimum daily rate. She explained data from Oregon Department of Education on published pay rates for substitute teachers and teachers. She also stressed that classroom teachers receive benefits, such as retirement and health insurance, that substitute teachers do not receive. Task Force member Fery explained that this recommendation, in practice, would not result in substitute teachers receiving higher pay than teachers.

During discussion of the recommendation Task Force members discussed the potential impact this recommendation could have on recruitment of teachers, current rate of pay for substitute teachers, related work by the [Joint Task Force on Statewide Educator Salary Schedules](#), and variation in professional requirements between classroom teachers and substitute teachers. Concerns were raised on whether the current required daily minimum rate of pay for substitute teachers is sufficient to recruit and retain substitute teachers and compete with other business sectors.



11. Due Process for Substitute Teachers

Author.

Debbie Fery and OSTA Executive Board

Vote.

Yes		No	Excused
Yes	with Reservations		
2	1	5	0
Fery McClain	Hood	Allen Cleave Higgins Sattenspiel Waltenburg	

Value/Finding/Goal Number.

Goal 3: Supervision and Evaluation, Goal 5: Retention and Recruitment, Goal 7: Workplace Culture, Goal 9: Best Practices, Goal 11: Local Context, Goal 13: Careful Implementation

Problem Statement.

We want to stabilize the substitute pool and make more substitute teachers available. Oregon’s At Will policy allows substitute teachers to be banned from a school or school district for vague infractions that would not bar a regular teacher. This common practice results in fewer available substitute teachers and an unexpected loss of wages for substitute teachers. Some substitute teachers are unaware of actions that could bar them from a school or school district.

Policy Recommendation.

This proposal requires Oregon public K-12 school districts to develop a Due Process policy with classroom behavior expectations so that substitute teachers are aware of problems that could result in their discipline or termination. This Due Process policy shall be outlined in the District’s Substitute Teacher Handbook and made available to all classroom and substitute teachers working in the district. All discipline will be based on a lack of compliance with the expectations for substitute teachers listed in



the Substitute Teacher Handbook. The Due Process shall involve an investigation and timely meeting with school or district staff in accordance with protections for workers under the Fifth and Fourteenth Amendments of the US Constitution. The goal should be the swift return of qualified teachers to the pool and to limit their lost wages.

School districts are required to report annually to BOLI and the Oregon Department of Education.

Districts should compile a report about the demographics of the substitute teacher pool, including the number of terminations and their respective reasons.

Discussion.

The recommendation was presented by Task Force Member Debbie Fery. She explained how a substitute handbook would outline policies, expectations, and due process so a substitute teacher would know the expectation before they step into the classroom or school.

She cited examples of substitute teachers who were excluded from a school without understanding why or having the ability to respond. Further, she identified school-specific policies, such as dress code or cellphone policies, that a substitute teacher would be responsible for enforcing and could be excluded for not enforcing regardless of their knowledge of the policy.

The Task Force members discussed existing disciplinary procedures and due process systems within school districts and third-party administrators. The Task Force members discussed if the recommendation was duplicative of existing processes, whether the current processes are fair to substitute teachers and if there is opportunity for substitute teachers to respond to an exclusion, and the responsibility of a school district to provide employee handbooks to individuals who are not their employees.

Further, Task Force members considered the complexity of a workforce that works across multiple school district and the practical applicability of engaging with a handbook for every school district they substitute in.

The Task Force members discussed the relationship between training substitutes teachers receive from a school district and exclusions. There was acknowledgement that there is not consistency in how each school district prepares substitute teachers to work in their district and that a recommendation focused on training substitute teachers who work in that district would impact discipline or exclusion frequency.



12. Substitute Teachers are Public Employees.

Authors.

Debbie Fery and OSTA Executive Board

Vote.

Yes		No	Excused
Yes	with Reservations		
1	1	6	0
Fery	Hood	Allen Cleave Higgins McClain Sattenspiel Waltenburg	

Value/Finding/Goal Number.

Goals 1-13

Problem Statement.

Assures substitute teachers defined in ORS 342.815 (8) are managed and supervised by a school district, ESD or public charter school. Equity in Pay and Benefits, Public Service Student Loan Forgiveness, Engagement, Eligibility for public funding for continuing education, degree programs, and grant programs for teacher credentialing, due process protections for public employees. Eligibility for health care benefits as a public employee. Engagement with the school as being part of the educational team, supervised by the building principal and following ODE goals.

Policy Recommendation.

Substitute teachers are public employees because as classroom teachers, they are carrying out the primary mission of the schools: education, regardless of how the school districts or ESD's may choose to procure or pay them. Modify ORS 342.610, with section addition that Substitute Teacher and or those performing services as a substitute teacher are employees of the school district, ESD, or public charter when



in the classroom regardless of the length of the assignment, regardless of who process their payroll.

Discussion.

The recommendation was presented by Task Force Member Debbie Fery. She explained why all substitute teachers should be public employees. She identified the benefits that substitutes teachers are not eligible for because they are not defined as public employees. The proposal, as she explained, would level the playing field for outsourced and direct hire districts.

The Task Force discussed whether PERS statutes could be modified in a way to allow an individual who is teaching at substantial numbers to be eligible for PERS, the meaning of common-law employee purposes of PERS membership and benefits, the historical context of substitute teacher employment, and the role third parties employers have in the education ecosystem in Oregon.



Appendix A: Task Force Presentations and Materials

Table 1 lists the meeting materials made available at Task Force meetings and provides links to those materials posted on the Oregon Legislative Information System (OLIS).

Table 1: Task Force Presentations and Materials

Meeting Date	Topics Discussed
<i>November 11, 2023</i>	2023-24 Interim JTFST - Task Force Rules (proposed) Task Force on Substitute Teachers - Operating Procedures SB 283 -Section 21 - Joint Task Force on Substitute Teachers Task Force on Substitute Teachers - LPRO (presentation) Overview of Public Records Requirements - Erin Jansen (presentation) Substitute IA Training Reimbursement Grant Data (spreadsheet)
<i>December 7, 2023</i>	JTFST Roadmap (Work Plan) Review of Statutes - Ellen O'Brien (presentation) Substitute Teacher Licensure - Elizabeth Keller (slide) Oregon PERS - Heather Case (presentation) Cost-Saving Analysis - Kelly Mix (presentation)
<i>January 8, 2024</i>	JTFST Roadmap (Work Plan) Overview of Regulation - Ellen O'Brien (presentation) Overview of Third-Party - Shawn Cleave (presentation)
<i>March 14, 2024</i>	JTFST Roadmap (Work Plan) Professional Development Opportunities - Emily McCaffrey (presentation) OSTA (best practices resources)
<i>April 11, 2024</i>	Introduction to Overview of ORSN Substitute Teacher Training Program - Emily Johnson (presentation) JTFST Roadmap (Work Plan)



Meeting Date	Topics Discussed
	<p>Overview of ORSN Substitute Teacher Training Program - Emily Johnson (presentation)</p> <p>Overview of Substitute Teachers in the Umatilla School District - Heidi Sipe (presentation)</p> <p>Review of House Bill 4030 (2022) - Michael Elliott (presentation)</p> <p>Teacher Standards and Practices Commission and Substitute Teaching - Melissa Goff (presentation)</p>
<i>May 9, 2024</i>	<p>Continued Overview of Third-Party Employment Service Providers for Substitute Teachers</p> <p>Discussion of Alternative Models - DE House Bill 315 (2022)</p> <p>Discussion of Alternative Models - DE House Bill 315 (2022) Meeting Minutes</p> <p>JTFST Roadmap (Work Plan)</p> <p>Overview of Substitute Teachers in the Beaverton School District</p> <p>Substitute Teachers in High Desert Education Service District - Anne Marie Anderson (presentation)</p>
<i>June 14, 2024</i>	<p>JTFST Roadmap (Work Plan)</p> <p>Overview and Discussion of Draft Values, Findings, and Goals (presentation) - Whitney Perez</p> <p>Overview of Final Report Process (presentation) - Ellen O'Brien</p> <p>Overview of Memorandum on Cost Savings Analysis (memo) - Oliver Droppers</p> <p>Review of Cost Savings Analysis for Substitute Services (presentation) - Oliver Droppers</p>
<i>July 11, 2024</i>	<p>JTFST Roadmap (Work Plan)</p> <p>Overview and Discussion of Values, Findings, and Goals - DRAFT</p>



Meeting Date	Topics Discussed
	<p>Overview and discussion of values, findings, and goals - Final 7.11.2024</p> <p>Task Force Discussion Healthcare Recommendation</p> <p>Task Force Discussion Recommendation Goal</p>
<i>August 9, 2024</i>	<p>JTFST Roadmap (Work plan)</p> <p>Members' Proposed Recommendations - A. Higgins, R. Waltenburg, L. Sattenspiel & M. Allen (proposal)</p> <p>Members' Proposed Recommendations - Debbie Fery (proposal 1)</p> <p>Members' Proposed Recommendations - Debbie Fery (proposal 2)</p> <p>Members' Proposed Recommendations - Debbie Fery (proposal 3)</p> <p>Members' Proposed Recommendations - Debbie Fery (proposal 4)</p> <p>Members' Proposed Recommendations - Debbie Fery (proposal 5)</p> <p>Members' Proposed Recommendations - Senator Dembrow (proposal 1)</p> <p>Members' Proposed Recommendations - Senator Dembrow (proposal 2)</p> <p>Members' Proposed Recommendations - Senator Dembrow (proposal 3)</p> <p>Members' Proposed Recommendations - Shawn Cleave (proposal)</p>
<i>August 22, 2024</i>	<p>JTFST Roadmap (Work plan)</p> <p>Members' Proposed Recommendations - A. Higgins, R. Waltenburg, L. Sattenspiel & M. Allen (proposal)</p> <p>Members' Proposed Recommendations - Debbie Fery (proposal 1)</p>



Meeting Date	Topics Discussed
	<p>Members' Proposed Recommendations - Debbie Fery (proposal 2)</p> <p>Members' Proposed Recommendations - Debbie Fery (proposal 3)</p> <p>Members' Proposed Recommendations - Debbie Fery (proposal 4)</p> <p>Members' Proposed Recommendations - Debbie Fery (proposal 5)</p> <p>Members' Proposed Recommendations - Senator Dembrow (proposal 1)</p> <p>Members' Proposed Recommendations - Senator Dembrow (proposal 2)</p> <p>Members' Proposed Recommendations - Senator Dembrow (proposal 3)</p> <p>Members' Proposed Recommendations - Shawn Cleave (proposal 1)</p>
<i>September 14, 2024</i>	