

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: SB 283 - A11**

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

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Measure Description:

Directs the Oregon Department of Education to establish and maintain a statewide data system on the education workforce in the state. Appropriates General Fund to the Oregon Department of Education, Teacher Standards and Practices Commission, and the Legislative Policy and Research Office. Establishes the Task Force on Statewide Educator Salary Schedules and the Task Force on Substitute Teachers.

Government Unit(s) Affected:

Oregon Department of Education, School Districts, Legislative Assembly, Legislative Policy and Research Office, Teacher Standards and Practices Commission, Higher Education Coordinating Commission, Department of Human Services, Public Universities

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

	2023-25 Biennium	2025-27 Biennium
Oregon Department of Education		
General Fund	\$15,000,000	\$15,000,000
<i>Total Funds</i>	\$15,000,000	\$15,000,000
<i>Positions</i>	0	0
<i>FTE</i>	0.00	0.00
Legislative Policy and Research Office		
General Fund	\$795,000	\$0
<i>Total Funds</i>	\$795,000	\$0
<i>Positions</i>	3	0
<i>FTE</i>	2.00	0.00
Teacher Standards and Practice Commission		
General Fund	\$305,000	\$205,000
<i>Total Funds</i>	\$305,000	\$205,000
<i>Positions</i>	1	1
<i>FTE</i>	0.50	0.50
Total Fiscal Impact	\$16,100,000	\$15,205,000
<i>Total Positions</i>	4	1
<i>Total FTE</i>	2.50	0.50

Analysis:

SB 283, as amended by the -A11 amendment, makes several education-related policy changes to address workforce shortages in Oregon public schools. The measure includes provisions that:

- Direct the Oregon Department of Education (ODE) to develop and implement a plan to establish and maintain a statewide data system on the education workforce in the state;
- Direct the Teacher Standards and Practices (TSPC) to develop and implement a plan to establish and maintain the statewide portal for jobs in education, as provided by HB 4030 (2022);

- Direct ODE to convene a steering committee to assist with the development of the statewide data system on the education workforce in the state;
- Require public education providers to encourage their employees to participate in educator workforce surveys administered by ODE;
- Allow school districts to increase the pay of licensed educators or classified school employees that provide significant special education support;
- Prohibit school districts from shortening the work day hours of classified school employees that provide significant special education support to fewer than five hours per day, unless requested in writing by the classified school employee;
- Direct ODE to establish and maintain the Safe School Culture Grant program, and distribute funds biennially to school districts participating in the program, to develop a network of instructors who are certified in nonviolent crisis intervention methods;
- Require school districts that participate in the Safe School Culture Grant program to report to ODE on the number of new certified instructors that have been certified in nonviolent crisis intervention methods;
- Specify that classified school employees may be dismissed, demoted, or disciplined only for just cause;
- Classify substitute teachers as temporary employees of a school district if their temporary assignment is for 60 days or longer;
- Direct ODE to award grants to promote registered apprenticeships for educators and to promote the beginning teacher and administrator mentorship program, which is to be administered by the Educator Advancement Council;
- Allow retired teachers to convert their teaching license into a substitute teaching licenses within three years of retirement and without payment of any fees;
- Allow education service district boards to terminate a superintendent's employment without cause at any time during the contract period if the boards provide the superintendent 12 months' notice;
- Specify that certain contractors and employees of contractors are not subject to the criminal records check requirements of the Central Background Registry; and
- Require moneys received by the Educator Advancement Council for the beginning teachers and administrator mentorship program to be deposited into the Educator Advancement Fund.

The measure establishes the 12-member Task Force on Statewide Educator Salary Schedules to study and propose a statewide salary schedule for educators in Oregon. The task force is to report to interim legislative committees related to education by no later than December 31, 2023, and September 15, 2024, respectively. Legislative members of the task force are entitled to compensation and reimbursement of expenses; all other task force members serve as volunteers and are not entitled to compensation or reimbursement. The Legislative Policy and Research Office (LPRO) is to staff the task force, which sunsets on December 31, 2024.

The measure establishes the 12-member Task Force on Substitute Teachers to develop recommendations for legislation related to standards for contracts for substitute teachers through third-party employment service providers in Oregon. The task force is to report to an interim legislative committee related to education by no later than September 15, 2024. Legislative members of the task force are entitled to compensation and reimbursement of expenses; all other task force members serve as volunteers and are not entitled to compensation or reimbursement. LPRO is to staff to the task force, which sunsets on December 31, 2024.

The measure appropriates a total of \$16.1 million General Fund, through six individual appropriations, to ODE, LPRO, and TSPC. The measure includes several operative and sunset dates, and it takes effect on July 1, 2023.

Oregon Department of Education

The measure appropriates \$15 million General Fund to ODE in the 2023-25 biennium, which ODE will distribute as special payments. ODE will distribute \$10 million General Fund to award grants to promote registered apprenticeships for education and to promote the beginning teacher and administrator mentorship program. ODE will also distribute \$5 million General Fund as grant-in-aid for the Safe School Culture Grant program.

The fiscal impact to ODE is \$15 million General Fund in the 2023-25 biennium and \$15 million General Fund in the 2025-27 biennium, assuming funding for these programs becomes permanent.

Legislative Policy and Research Office

The measure appropriates \$795,000 General Fund to LPRO in the 2023-25 biennium.

The measure directs LPRO to provide staff support to both the Task Force on Statewide Educator Salary Schedules and the Task Force on Substitute Teachers. To provide the necessary support to the task forces, LPRO anticipates needing three full-time, limited duration positions (2.00 FTE), including one senior Legislative Analyst to serve as the task forces' subject matter expert and coordinator; one Research Analyst to management administrative data and related technical analyses; and one Committee Assistant to provide clerical support and record task force meetings. The estimated cost of these positions, including related services and supplies, is \$695,000 General Fund in the 2023-25 biennium. These positions would end once the task forces sunset on December 31, 2024.

The measure directs the Task Force on Substitute Teachers to conduct a cost savings analysis, a subject with which LPRO does not have expertise. For that reason, LPRO anticipates needing to contract for professional services with a third-party to conduct the required cost savings analysis. The estimated cost of this professional services contract is \$100,000 General Fund.

The fiscal impact to LPRO is \$795,000 General Fund in the 2023-25 biennium. There is no fiscal impact to LPRO in the 2025-27 biennium.

Teacher Standards and Practices Commission

The measure appropriates \$305,000 General Fund to TSPC in the 2023-25 biennium. The measure includes \$205,000 General Fund for TSPC to develop a plan to establish and maintain a statewide jobs portal for education, which TSPC would maintain permanently once established. To develop the plan to for the jobs portal, TSPC anticipates needing one part-time, permanent Operations and Policy Analyst 4 position (0.50 FTE) to oversee the development and maintenance of the jobs portal and workforce database. The measure also includes \$100,000 General Fund for the conversion of teaching licenses into substitute teaching licenses. This is anticipated to be a one-time cost in the 2023-25 biennium.

The fiscal impact to TSPC is \$305,000 General Fund in the 2023-25 biennium and \$205,000 General Fund in the 2025-27 biennium.

School Districts

The measure is anticipated to have a fiscal impact on school districts; however, the impact is indeterminant. The measure establishes a five-hour minimum of hours worked per school day for employees that provide significant special education support. Of the 197 school districts in Oregon, it is currently unknown how many special education employees work fewer than five hours per day and how many of them would want to continue working fewer than five hours per day.

The measure makes substitute teachers temporary employees of a school district if their temporary assignment is 60 days or longer. It is currently unknown how many substitute teachers this would affect. Currently, compensation, scheduling, and work hours are locally determined and bargained. The measure could potentially increase school districts' personal services costs, depending on how many substitute teachers work for 60 days or more in any one assignment. It is also possible that a school district could avoid these costs altogether by keeping their substitute teacher temporary assignments to less than 60 days.

Other Government Units

The measure is anticipated to have a minimal fiscal impact on the Legislative Assembly, the Higher Education Coordinating Commission, and public universities.