

SB 1552 A STAFF MEASURE SUMMARY

Senate Committee On Education

Action Date: 02/13/24

Action: Do pass with amendments. Refer to Ways and Means by prior reference. (Printed A-Eng).

Vote: 5-0-0-0

Yeas: 5 - Anderson, Dembrow, Frederick, Gelsner Blouin, Weber

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Lisa Gezelter, LPRO Analyst

Meeting Dates: 2/8, 2/13

WHAT THE MEASURE DOES:

The measure makes changes to several K-12 and higher education programs and laws and adds new programs.

Detailed Summary:

Youth Advisory Group (Sections 1-8)

- Requires the Oregon Department of Education (ODE) to establish a work group (work group) to develop standards for selection of Youth Advisory Group members. Establishes work group membership requirements and responsibilities. Requires the work group to begin meeting by October 31, 2024, and complete its work by August 30, 2025. Establishes a Youth Advisory Group (group) and requires the Deputy Superintendent of Public Instruction to appoint members . Requires that a majority of members must be between the ages of 14 and 18 and include two individuals from each education service district. Establishes considerations for appointments. Requires ODE to provide staff support and support members. Requires adult members ensure that youth members have access to an adult mentor and an opportunity to provide peer support or be a youth mentor. Establishes duties and requires group to consider racial equity and justice when performing its duties. . Requires group to meet at least six times each year. Appropriates an unspecified amount of General Fund to ODE for the Youth Advisory Group.

Student Information (Sections 9-10)

- Requires ODE to plan for the collection of course completion and grade data and include those plans in its budget request for the 2025-2027 biennium. Requires ODE to collaborate with Higher Education Coordinating Commission (HECC) to allow for information sharing in order to establish a direct admissions program. Allows State Board of Education to adopt related rules.

Direct Admissions (Section 11)

- Requires HECC to establish a direct admissions program for community colleges and public universities in Oregon. Requires HECC to adopt rules necessary to implement the program.

State Funding of Education (Sections 12-14)

- Directs the Legislative Policy and Research Director (LPRO) to conduct a study of the Quality Education Model and the state’s system of financing public education from kindergarten through grade 12. Establishes parameters for the study. Allows LPRO to contract with a public, private, or nonprofit research entity for the study and directs LPRO to give preference to a research entity that has conducted similar studies for other states. Requires all agencies of state government to assist LPRO in conducting the study and furnish information to the extent permitted by law. Requires LPRO to submit report by January 31, 2025. Modifies state laws related to the Joint Public Education Appropriations Committee by allowing the committee and not the full legislature to determine whether or not the biennial report of the Quality Education Commission should not be used as the basis for carrying out the reporting requirements of section 8, Article VIII of the

SB 1552 A STAFF MEASURE SUMMARY

Oregon Constitution.

Financial Aid Distributions (Sections 15-19)

- Transfers responsibility for implementing the Oregon Opportunity Grant (OOG) program from the Office of Student Access and Completion (OSAC) to the HECC. Requires any determination regarding the calculation of a grant under the OOG program to be made by the HECC in rule. Requires HECC to approve administrative rules on the method for determining the OOG award amount starting in the 2025-2026 academic year.

Funding for Youth Education Programs (Sections 20-27)

- Requires ODE to administer a Youth Corrections Education Program (YCEP) and a Juvenile Detention Education Program (JDEP) in order to provide youth in those programs with a quality education. Moves provisions in ORS 326.712 allowing the Superintendent of Public Instruction to contract with education service districts or school districts for provision of educational services to ORS 326.925. Establishes contract parameters. Requires ODE to consider enrollment, facility characteristics, population diversity, special education, and transition supports when determining contract amounts. Establishes the Juvenile Justice Education Fund (Fund). Requires ODE to use moneys in the Fund to pay contracts. Requires State Board to adopt related rules. Requires ODE to prepare a target funding level for the Fund, establishes requirements for the target funding level, and requires ODE to submit a report by August 31 of each even-numbered year explaining target funding level. Requires ODE to estimate the expected difference between the target funding level and the amount anticipated to be made available to the Fund. Allows ODE to transfer moneys from the Statewide Education Initiatives Account if necessary. Requires ODE to seek funding from the Legislative Assembly if shortfalls are identified. Adds YCEP and JDEP to the allowable uses for the Statewide Education Initiatives Account. Repeals ORS 326.700 and ORS 326.712. Establishes operative date of July 1, 2024.

Oregon's Open Educational Resources Program (Section 28)

- Extends HECC's authority to contract out the administration of Oregon's Open Educational Resources (OER) program to all statutes relevant to the program.

Short-Acting Opioid Antagonist School Policies (Sections 29-30)

- Requires school districts to provide a statement to parents or legal guardians identifying which schools, if any, in the district will have short-acting opioid antagonists on site. Requires State Board of Education to adopt rules. Indemnifies school districts from liability for failure to provide access to short-acting opioid antagonists.

Educator Advancement Council (Sections 31-32)

- Changes the definition of "educator" as it applies to the work of the Educator Advancement Council (EAC) to include unlicensed individuals who are in the process of becoming licensed as well as enrollees in educator preparation programs. Names the state agencies that must be parties to the intergovernmental agreement establishing the EAC. Allows mentorship grants awarded under ORS 329.805 during the 2023-2025 biennium to be awarded on a noncompetitive basis.

Corequisite Student Support (Sections 33-34)

- Requires HECC to convene a workgroup to study corequisite student support models. Establishes work group membership requirements. Requires the executive director of HECC to appoint members. Requires workgroup to submit a report to HECC by December 15, 2024. Repeals workgroup on January 2, 2024.

Applied Baccalaureate Programs (Sections 35-38)

- Declares that applied baccalaureate (AB) programs and Bachelor of Science: Nursing (BSN) programs are eligible for funding from the Community College Support Fund (CCSF). Requires HECC to include a report on the estimated impact of this funding on the CCSF in its 2025 budget presentation to the Legislative Assembly.

Faculty Health Care Benefits (Section 39)

SB 1552 A STAFF MEASURE SUMMARY

- Clarifies that part-time faculty who work, not just teach, at an institution may be eligible for health care benefits. Expands the types and duration of work that a part-time faculty member may do at a public institution of higher education in order to select it as their home institution for purposes of receiving health care benefits.

Forestry Workforce Study (Sections 40-42)

- Defines "forestry sector" and "forestry workforce." Requires HECC to study the forestry workforce, including existing education, training, and workforce development programs as well as occupations, wages, demographics, and needs of the workforce. Permits HECC to enter into a contract to conduct the study. Requires HECC to submit a report to the Legislative Assembly by January 31, 2025. Repeals statutes relating to the study on June 30, 2025. Appropriates \$300,000 to HECC for the purpose of carrying out the study.

Transfer Council Subcommittees (Section 43)

- Exempts subcommittees of the Transfer Council from public meeting requirements.

Education for Occupational or Professional License (Section 44)

- Permits an individual to petition a licensing board, commission, or agency to learn whether a criminal conviction will prevent them from receiving an occupational or professional license, prior to entering an education, training, or apprenticeship program.

Recovery Schools (Section 45)

- Repeals a reference to charter schools in the existing law about recovery schools and lists the laws recovery schools must follow.

Employment of Classified School Employees (Section 46-47)

- Modifies the definition of "classified employee" in just cause statute to include only those unlicensed employees who are part of a collective bargaining unit.

Substitute Teacher Pay (Sections 48-49)

- Modifies the pay rates for substitute teachers to revert to pay rates that were in place prior to passage of SB 283 in 2023. Takes effect July 1, 2024 for the 2024-2025 school year.

Early Success Reading Initiative (Section 50)

- Section 41 repeals ORS 329.832 and 329.837.

Miscellaneous (Sections 51-52)

- Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Provisions of the amendment

EFFECT OF AMENDMENT:

The amendment replaces the measure with language that is substantially similar. Adds new provisions relating to recovery schools, just cause protections for classified staff, and substitute teacher pay. Modifies provisions relating to youth advisory group, financial aid distribution, funding for youth education programs, forestry workforce study, and education for occupational or professional license.

BACKGROUND:

Youth Advisory Group (Sections 1-8)

In the summer of 2020, the Coalition of Oregon School Administrators (COSA) invited students of color to share their experiences of racism in Oregon schools with district and school administrators. During the open Zoom meeting, an intruder disrupted the event, using a red digital marker to cross out the photos of the student presenters. After this event, COSA, along with REAP, Inc., the Oregon Association of Student Councils, and the

SB 1552 A STAFF MEASURE SUMMARY

Oregon Association of Secondary School Administrators worked to address the students' concerns. These organizations worked with students and educators to draft [House Bill 3363 A in 2021](#), [House Bill 4099 in 2022](#), and [Senate Bill 421 in 2023](#), which would have established a Racial Equity and Justice Student Collaborative to help student leaders shape Oregon's education system, but neither bill was enacted. Senate Bill 1552 A establishes a youth advisory group in Oregon.

Student Information (Sections 9 and 10)

Currently, school districts do not send course-level completion and grade data to the Oregon Department of Education (ODE), limiting the state's ability to understand where barriers to high school completion lie. Senate Bill 1552 A requires ODE to plan for collection of that data in the next biennium.

Direct Admissions (Section 11)

Several states have enacted direct admissions policies to lower the barriers for students to enter higher education. Direct admissions programs ensure admission to higher education institutions if students achieve specified outcomes in high school, such as a certain grade point average. SB 1552 A requires HECC to establish a direct admissions program and requires ODE to collect the necessary data and cooperate with HECC to administer the program.

State Funding of Education (Sections 12-14)

During the 2023 legislative session, the Legislative Assembly appropriated \$10.2 billion to the State School Fund. Most of that money flows directly to school districts via the funding equalization formula, which assigns weighted membership numbers to each school district based on the characteristics of its students. In November 2023, teachers in Portland Public Schools went on strike during contract negotiations with the district. District and union leaders disagreed on the amount of funding available to the district for salaries and raises. After the resolution of the strike, [Governor Kotek issued a statement](#) that, in part, called for a review of Oregon's school funding methodology. Senate Bill 1552 A requires the Legislative Policy and Research Director to undertake that review and makes technical changes to the statutes governing the biennial Joint Public Education Appropriations Committee.

Financial Aid Distributions (Sections 15-19)

[House Bill 5025 \(2023\)](#) appropriated \$308.4 million to the Oregon Opportunity Grant program, a 50 percent increase from the 2021-2022 biennium. In June 2023, the Higher Education Coordinating Commission released the final award table for the OOG, which changed the basis of awards from cost of attendance to cost of tuition. During legislative days in [September](#) and [November 2023](#), the House Interim Committee on Higher Education heard presentations from the [Oregon Community College Association \(OCCA\)](#) about the potential impact of this change on community college students, as well as a presentation from [HECC](#) on the commission's awarding methodology.

Funding for Youth Education Programs (Sections 20-27)

Oregon law establishes two educational programs for incarcerated youth: the Youth Corrections Education Program (YCEP) is responsible for students in the custody of the Oregon Youth Authority, and the Juvenile Detention Education Program (JDEP) is responsible for students in local detention facilities. Currently, these programs are funded via an average daily membership formula. However, due to declines over the last several decades in the number of incarcerated youth, this model of funding no longer provides sufficient resources for local sites to be able to staff their classrooms with adequate numbers of licensed educators. [House Bill 3595 A \(2023\)](#) would have required the Oregon Department of Education to establish a target funding amount for the YCEP and JDEP programs and allows the use of funds from the Statewide Education Initiatives Account to supplement funding from the State School Fund in order to meet that target. Senate Bill 1552 A reintroduces the

SB 1552 A STAFF MEASURE SUMMARY

new means of funding these programs, originally introduced in 2023.

Oregon's Open Educational Resources Program (Section 28)

Open educational resources (OERs) are freely accessible teaching, learning, and research resources such as textbooks, videos, and images, that can be legally adapted and redistributed for students' use at low or no cost. In 2015, the Oregon Legislative Assembly passed [House Bill 2871](#), which provided a \$700,000 appropriation to hire an OER specialist and establish a one-time grant program within the Higher Education Coordinating Commission (HECC). In 2017, [House Bill 2729](#) established Oregon's Open Educational Resources Program and required HECC to coordinate and report on the effectiveness of the program.

Short-Acting Opioid Antagonist School Policies (Section 29-30)

[House Bill 2395 \(2023\)](#) enacted requirements for school district policies on short-acting opioid antagonists. This measure modifies those requirements.

Educator Advancement Council (Sections 31-32)

In 2017, the Legislative Assembly enacted Senate Bill 182, establishing the Educator Advancement Council (EAC) under an intergovernmental agreement. The intergovernmental agreement was executed on March 20, 2018. Parties to the agreement were the Chief Education Office, ODE, Early Learning Division, Teachers Standards and Practices Commission, High Desert Education Service District, and Beaverton School District. Under the provisions of SB 182, parties to the agreement could appoint members to the Council. A majority of those Council members could then appoint others. Staff support was provided by the Chief Education Office until its sunset in 2019. Since that time, staff support has been provided by ODE. Senate Bill 1552 A modifies the populations served by EAC and the provisions related to the intergovernmental agreement.

Corequisite Student Support (Sections 33-34)

Corequisite courses refers to an alternative to traditional developmental or remedial courses that places students who score low on placement tests in on-level courses alongside a corequisite course, which provides additional support and classroom time. On January 11, 2023, the House Interim Committee on Higher Education heard a [presentation](#) by the Oregon Community College Association (OCCA) on the concept of corequisite courses and 2022-23 outcomes at the nine Oregon community colleges that have implemented corequisite courses.

Applied Baccalaureate Programs (Sections 35-38)

[Senate Bill 3 \(2019\)](#) authorized the Higher Education Coordinating Commission (HECC) to approve applications from community colleges to offer [applied baccalaureate \(AB\) programs](#). On [June 9, 2022](#), HECC approved the first two AB programs in Oregon: Chemeketa Community College's applied leadership and management program, and Mt. Hood Community College's cybersecurity program. An AB program in business is currently under development at Lane Community College.

[OAR 589-002-0110](#) governs HECC distributions to community college districts for funding educational programs. The [Community College Support Fund](#) (CCSF) is the funding received through the state's General Fund appropriation, and colleges are eligible to receive CCSF funds for each full-time equivalent (FTE) student in accordance with the CCSF Funding Distribution Model. OAR 589-002-0110 (26) excludes AB program enrollment from the CCSF formula, meaning that community colleges currently do not receive state funding for students enrolled in those courses.

Faculty Health Care Benefits (Section 39)

Starting with the passage of House Bill 2557 (2009), part-time faculty at institutions of higher education were eligible for health care benefits if they were also eligible for membership in the Public Employees Retirement System (PERS). Senate Bill 551 (2021) and Senate Bill 1522 (2022) modified part-time faculty's access to

SB 1552 A STAFF MEASURE SUMMARY

employer-provided health care benefits. [House Bill 2611 \(2023\)](#) added dental and vision benefits to the health care benefits available to part-time faculty at public institutions of higher education, reinstated PERS eligibility as the eligibility criteria for health care benefits, and required colleges and universities to notify public employees of health care benefits and eligibility requirements. These provisions respond to issues in applying for health care benefits that part-time faculty have reported since the passage of House Bill 2611 (2023).

Forestry Workforce Study (Sections 40-42)

These provisions were requested by the Associated Oregon Loggers to review the forestry sector workforce in Oregon.

Transfer Council Subcommittees (Section 43)

[Senate Bill 233 \(2021\)](#) established the Transfer Council to develop major transfer maps and a common course numbering system for introductory and other lower division courses to ensure the transfer of credits between institutions of higher education in Oregon. The bill permitted the Transfer Council to form subcommittees to advise the council. As of 2023-2024, the council's subcommittees [included](#) Systems & Operations; Math; Writing; Psychology; Business; Assessment Outcomes; and English.

Education for Occupational or Professional License (Section 44)

[Senate Bill 517 \(2023\)](#), which did not pass, included similar provisions that would have allowed individuals to apply for and receive a predetermination of their eligibility for an occupational or professional license.

Recovery Schools (Section 45)

[House Bill 2767 \(2023\)](#) established recovery schools, which are special schools for youth recovering from substance abuse disorders, in statute. Senate Bill 1552 A modifies the recovery schools law to list the laws that apply to recovery schools.

Employment of Classified School Employees (Sections 46-47)

[Senate Bill 283 \(2023\)](#) added just cause protections for classified staff. Senate Bill 1552 A restricts those protections to those employees that are part of a bargaining unit.

Substitute Teacher Pay (Sections 48-49)

[Senate Bill 283 \(2023\)](#) inadvertently changed the rate of pay for substitutes working a half-day. Senate Bill 1552 A reverts to the language in place prior to the passage of Senate Bill 283.

Early Success Reading Initiative (Section 50)

Debates over how to teach reading in the United States began in the 1840s and continued throughout the late 20th century, with the "balanced literacy" approach favored by Dr. Lucy Calkins at Columbia Teachers College influencing reading instruction throughout the United States. This approach arose as a compromise between phonics and whole language. However, Dr. Calkins has recently changed her published reading curriculum to include structured phonics. To date, at least 30 states have adopted legislation relating to the science of reading. [House Bill 3198 \(2023\)](#) established the Early Literacy Success Initiative, the Birth Through Five Literacy Plan, and the Early Literacy Success Community Grant Program to encourage science-based reading instruction in Oregon. Senate Bill 1552 A repeals two sections that refer to programs that were repealed in House Bill 3198.