

LC 74  
2026 Regular Session  
12/30/25 (HRS/ps)

# D R A F T

## SUMMARY

Digest: Tells public schools to have a policy for how to respond to immigration issues at the school. (Flesch Readability Score: 65.1).

Directs school district boards and governing bodies of institutions of higher education to adopt policies that address how the school district or the institution of higher education will respond when a federal immigration authority enters school property or a campus. Prescribes the requirements of the policies.

Declares an emergency, effective on passage.

## 1 A BILL FOR AN ACT

2 Relating to policies for when federal immigration authorities enter public  
3 education property; creating new provisions; amending ORS 339.405; and  
4 declaring an emergency.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1.** (1) **As used in this section:**

7 (a) **“Federal immigration authority” has the meaning given that**  
8 **term in ORS 180.805.**

9 (b) **“School district” includes an education service district and a**  
10 **public charter school.**

11 (c) **“School district board” includes the board of directors of an ed-**  
12 **ucation service district and the governing body of a public charter**  
13 **school.**

14 (d) **“School property” means any real property owned, controlled**  
15 **or used by or on behalf of a school district that is accessed by students**  
16 **of the school district on a regular basis.**

17 (2) **Each school district board shall adopt a policy that addresses**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 **how the school district will respond when a federal immigration au-**  
2 **thority enters school property.**

3 **(3) The policy adopted under this section must:**

4 **(a) Identify at least one administrator for each school district, and**  
5 **at least one designee of the administrator, who shall be designated to**  
6 **respond when a federal immigration authority enters school property.**

7 **The response must include:**

8 **(A) Recording the time and location of the presence;**  
9 **(B) Consulting with legal counsel, when feasible;**  
10 **(C) Verifying the credentials and purpose of the federal immigration**  
11 **authority, including determining if access is sought under a judicial**  
12 **warrant or court order; and**

13 **(D) Responding to any judicial warrant or court order.**

14 **(b) Require that, unless otherwise prohibited by law, reasonable ef-**  
15 **forts are made to provide notice as expediently as possible to a student**  
16 **or to the parent or guardian of a student when the school district has**  
17 **provided information related to the student to a federal immigration**  
18 **authority.**

19 **(c) Require that notice that a federal immigration authority is**  
20 **present on school property is provided to:**

21 **(A) Students and the parents or guardians of students attending the**  
22 **school where the federal immigration authority is on school property;**  
23 **and**

24 **(B) The community of the school where the federal immigration**  
25 **authority is on school property.**

26 **(d) Specify the contents and delivery requirements of the notice**  
27 **required under paragraph (c) of this subsection, including the re-**  
28 **quirements that the notice:**

29 **(A) Must include at least the following information:**

30 **(i) The general location of the federal immigration authority; and**  
31 **(ii) Whether classes or school operations are affected by the pres-**

1 ence of the federal immigration authority.

2 (B) May not disclose any of the following information:

3 (i) Personally identifiable information; or

4 (ii) Other information that may not be legally disclosed.

5 (C) May not disclose information when the disclosure:

6 (i) May threaten the health or safety of the students or employees  
7 of the school district; or

8 (ii) Is prohibited by a court order.

9 (D) Must be provided as expediently as possible by existing methods  
10 used for providing electronic communications to students, parents and  
11 guardians or to the school community.

12 (e) Ensure compliance with ORS 180.805 and 181A.826.

13 (f) Require the provision of written guidance in relation to federal  
14 immigration authority efforts, including clarifying:

15 (A) The difference between court orders and administrative orders;

16 (B) Which areas of the school are public or private and under which  
17 circumstances private areas may be accessed by a federal immigration  
18 authority; and

19 (C) Which actions may constitute interference with a court order  
20 or lawful access to public areas.

21 (g) Require that annual training is provided to the employees of the  
22 school district on:

23 (A) The expectations of the employees in relation to federal immi-  
24 gration authority efforts on school property; and

25 (B) The guidance described in paragraph (f) of this subsection.

26 (h) Require that the policy adopted under this section and the  
27 guidance described in paragraph (f) of this subsection be made avail-  
28 able:

29 (A) In the student handbook; and

30 (B) On the school district's website in culturally appropriate lan-  
31 guages that are used to communicate effectively with parents and

1 **guardians of students of the school district.**

2 **(4) The Department of Education shall submit an annual report on**  
3 **the provisions of this section, including the number of notifications**  
4 **issued under subsection (3)(c) of this section during the year, to an**  
5 **interim committee of the Legislative Assembly related to education.**

6 **(5) The State Board of Education shall adopt model policies and**  
7 **may adopt rules under this section. When adopting model policies, the**  
8 **board shall consult with the Attorney General to ensure consistency**  
9 **with model policies adopted as provided by ORS 180.810.**

10 **SECTION 2.** ORS 339.405 is amended to read:

11 339.405. (1) As used in this section:

12 (a) "Evacuate" means a procedure used when students and staff need to  
13 move from one location to another.

14 (b) "Hold" means a procedure used to keep students and staff in class-  
15 rooms while a disruption or minor emergency is resolved.

16 (c) "Lockdown" means a procedure used when a threat or hazard is inside  
17 the building.

18 (d) "Secure" means a procedure used when a threat or hazard is outside  
19 the building.

20 (e) "Shelter in place" is a procedure used to respond to and take protec-  
21 tive actions based on a threat or hazard that may include an earthquake,  
22 tsunami or other natural or environmental hazard.

23 (2) Each school district must maintain a comprehensive safety program  
24 for all students and staff. The program must include procedures for:

25 (a) Responding to emergency situations that address an immediate threat  
26 to safety, including an evacuation, a hold, a lockdown, a secure and a shelter  
27 in place;

28 (b) Providing communicable disease management;

29 (c) Responding to medical emergencies; *[and]*

30 (d) Providing instruction as described in ORS 339.408[.]; **and**

31 (e) **Responding to a federal immigration authority on school prop-**

1     ~~erty as described in section 1 of this 2026 Act.~~

2         (3) The State Board of Education may adopt rules related to a program  
3         required under this section.

4         **SECTION 3.** (1) ~~Section 1 of this 2026 Act and the amendments to~~  
5         ~~ORS 339.405 by section 2 of this 2026 Act become operative July 1, 2026.~~

6         (2) ~~Section 1 of this 2026 Act and the amendments to ORS 339.405~~  
7         ~~by section 2 of this 2026 Act first apply to the 2026-2027 school year.~~

8         (3) ~~Notwithstanding the operative date set forth in subsection (1)~~  
9         ~~of this section, school districts may revise a comprehensive safety~~  
10        ~~program before the operative date set forth in subsection (1) of this~~  
11        ~~section to include provisions related to responses to a federal immi-~~  
12        ~~gration authority on school property.~~

13         **SECTION 4.** (1) **As used in this section:**

14             (a) “Campus” means any real property owned, controlled or used  
15         by or on behalf of an institution of higher education that is accessed  
16         by students of the institution of higher education on a regular basis.

17             (b) “Federal immigration authority” has the meaning given that  
18         term in ORS 180.805.

19             (c) “Governing board” means:

20                 (A) The governing board of a public university listed in ORS 352.002.

21                 (B) The board of education of a community college district.

22                 (C) The Oregon Health and Science University Board of Directors.

23             (d) “Institution of higher education” means a public university  
24         listed in ORS 352.002, a community college operated under ORS chapter  
25         341 or the Oregon Health and Science University.

26             (2) Each governing board shall adopt a policy that addresses how  
27         the institution of higher education will respond when a federal immi-  
28         gration authority enters a campus.

29             (3) The policy adopted under this section must:

30                 (a) Identify at least one administrator for the institution of higher  
31         education, and at least one designee of the administrator, who shall

1   **be designated to respond when a federal immigration authority enters**  
2   **a campus. The response must include:**

- 3    **(A) Recording the time and location of the presence;**
- 4    **(B) Consulting with legal counsel, when feasible;**
- 5    **(C) Verifying the credentials and purpose of the federal immigration**  
6   **authority, including determining if access is sought under a judicial**  
7   **warrant or court order; and**
- 8    **(D) Responding to any judicial warrant or court order.**

9   **(b) Require that, unless otherwise prohibited by law, reasonable ef-**  
10   **forts are made to provide notice as expediently as possible to a student**  
11   **when the institution of higher education has provided information re-**  
12   **lated to the student to a federal immigration authority.**

13   **(c) Require that notice that a federal immigration authority is**  
14   **present on a campus is provided to:**

15    **(A) Students enrolled in the institution of higher education at the**  
16   **campus where the federal immigration authority is present; and**

17    **(B) The community of the campus where the federal immigration**  
18   **authority is present.**

19   **(d) Specify the contents and delivery requirements of the notice**  
20   **required under paragraph (c) of this subsection, including the re-**  
21   **quirements that the notice:**

- 22    **(A) Must include at least the following information:**
  - 23      **(i) The general location of the federal immigration authority; and**
  - 24      **(ii) Whether classes or campus operations are affected by the pres-**  
25      **ence of the federal immigration authority.**

- 26    **(B) May not disclose any of the following information:**
  - 27      **(i) Personally identifiable information; or**
  - 28      **(ii) Other information that may not be legally disclosed.**

- 29    **(C) May not disclose information when the disclosure:**
  - 30      **(i) May threaten the health or safety of the students or employees**  
31      **of the institution of higher education; or**

1       (ii) Is prohibited by a court order.

2       (D) Must be provided as expediently as possible by existing methods  
3       used for providing electronic communications to students or to the  
4       community of the campus.

5       (e) Ensure compliance with ORS 180.805 and 181A.826.

6       (f) Require the provision of written guidance in relation to federal  
7       immigration authority efforts, including clarifying:

8       (A) The difference between court orders and administrative orders;

9       (B) Which areas of the campus are public or private and under  
10      which circumstances private areas may be accessed by a federal im-  
11      migration authority; and

12      (C) Which actions may constitute interference with a court order  
13      or lawful access to public areas.

14      (g) Require that annual training is provided to the employees of the  
15      institution of higher education on:

16      (A) The expectations of the employees in relation to federal immi-  
17      gration authority efforts on a campus; and

18      (B) The guidance described in paragraph (f) of this subsection.

19      (h) Require that the policy adopted under this section and the  
20      guidelines described in paragraph (f) of this subsection be made avail-  
21      able:

22      (A) In the student handbook; and

23      (B) On the website of the institution of higher education in cul-  
24      turally appropriate languages that are used to communicate effectively  
25      with the students and community of the campus.

26      (4) The Higher Education Coordinating Commission shall submit an  
27      annual report on the provisions of this section, including the number  
28      of notifications issued under subsection (3)(c) of this section during  
29      the year, to an interim committee of the Legislative Assembly related  
30      to education.

31      (5) The Higher Education Coordinating Commission shall adopt

1 model policies and may adopt rules under this section. When adopting  
2 model policies, the commission shall consult with the Attorney Gen-  
3 eral to ensure consistency with model policies adopted as provided by  
4 ORS 180.810.

5 **SECTION 5.** (1) Section 4 of this 2026 Act becomes operative July  
6 1, 2026.

7 (2) Notwithstanding the operative date set forth in subsection (1)  
8 of this section, institutions of higher education may implement the  
9 provisions of section 4 of this 2026 Act prior to the operative date set  
10 forth in subsection (1) of this section.

11 **SECTION 6.** This 2026 Act being necessary for the immediate pres-  
12 ervation of the public peace, health and safety, an emergency is de-  
13 clared to exist, and this 2026 Act takes effect on its passage.

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