

House Bill 3859

Sponsored by Representative DRAZAN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Abolishes the EAC and changes the members of the State Board of Education, ELC, HECC and TSPC. (Flesch Readability Score: 60.1).

Abolishes the Educator Advancement Council and educator networks. Transfers the powers, duties and functions related to the beginning teacher and administrator mentorship program to the Department of Education.

Modifies the membership and selection requirements for the State Board of Education, the Early Learning Council, the Higher Education Coordinating Commission and the Teacher Standards and Practices Commission.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to education governance bodies; creating new provisions; amending ORS 326.021, 326.425, 326.545, 327.008, 329.219, 329.488, 329.788, 329.795, 329.800, 329.805, 329.810, 329.815, 329.820, 329.838, 342.350, 342.437, 342.448, 342.676, 348.295 and 350.050; repealing ORS 342.940, 342.943 and 342.953; and declaring an emergency.

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

THE EDUCATOR ADVANCEMENT COUNCIL

SECTION 1. ORS 342.940, 342.943 and 342.953 are repealed.

SECTION 2. (1) The Educator Advancement Council is abolished.

(2) On the operative date of this section:

(a) The tenure of office of the members of the Educator Advancement Council ceases.

(b) The duties, functions and powers of the Educator Advancement Council relating to the beginning teacher and administrator mentorship program established by ORS 329.788 to 329.820 are transferred to the Department of Education.

SECTION 3. (1) The Educator Advancement Fund is abolished.

(2) On the operative date of this section:

(a) Any moneys in the Educator Advancement Fund received for the purpose of the beginning teacher and administrator mentorship program established under ORS 329.788 to 329.820 shall be transferred to the Department of Education Account.

(b) Any moneys in the Educator Advancement Fund not transferred as provided by paragraph (a) of this subsection shall be transferred to the State School Fund.

SECTION 4. (1) The executive director of the Educator Advancement Council shall deliver to the Department of Education all records and property within the jurisdiction of the executive director that relate to the Educator Advancement Council.

(2) The Superintendent of Public Instruction shall take possession of the records and

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 **property delivered as provided by subsection (1) of this section.**

2 **SECTION 5.** ORS 327.008 is amended to read:

3 327.008. (1)(a) There is established a State School Fund in the General Fund.

4 (b) The Department of Education, on behalf of the State of Oregon, may solicit and accept gifts,
5 grants, donations and other moneys from public and private sources for the State School Fund.
6 Moneys received as provided in this paragraph shall be deposited into the State School Fund.

7 (c) The State School Fund shall consist of moneys appropriated by the Legislative Assembly,
8 moneys transferred from the Fund for Student Success, moneys transferred from the Education Sta-
9 bility Fund and the Oregon Marijuana Account and moneys received as provided in paragraph (b)
10 of this subsection.

11 (d) The State School Fund is continuously appropriated to the Department of Education for the
12 purposes of ORS 327.006 to 327.077, 327.095, 327.099, 327.101, 327.125, 327.137, 327.348, 327.356 to
13 327.359, 336.575, 336.580, 336.635, 343.243, 343.533, 343.941 and 343.961.

14 (2) There shall be apportioned from the State School Fund to each school district a State School
15 Fund grant, consisting of the positive amount equal to a general purpose grant and a transportation
16 grant and a high cost disabilities grant minus local revenue, computed as provided in ORS 327.011
17 and 327.013.

18 (3) For the first school year after a public charter school ceases to operate because of dissol-
19 ution or closure or because of termination or nonrenewal of a charter, there shall be apportioned
20 from the State School Fund to each school district that had sponsored a public charter school that
21 ceased to operate an amount equal to the school district's general purpose grant per extended
22 ADMw multiplied by five percent of the ADM of the public charter school for the previous school
23 year.

24 (4) There shall be apportioned from the State School Fund to each education service district a
25 State School Fund grant as calculated under ORS 327.019.

26 (5) All figures used in the determination of the distribution of the State School Fund shall be
27 estimates for the same year as the distribution occurs, unless otherwise specified.

28 (6) Numbers of students in average daily membership used in the distribution formula shall be
29 the numbers as of June of the year of distribution.

30 (7) Each biennium, the Department of Education may expend from the State School Fund no
31 more than \$3 million for expenses incurred by the department in providing support to school dis-
32 tricts, education service districts and public charter schools at any time before, during or after a
33 threat or hazard that may affect a school district, an education service district or a public charter
34 school and for the purpose of helping to improve the safety and security of students and staff.

35 (8) Each biennium, the Department of Education may expend from the State School Fund no
36 more than \$10 million for expenses incurred by the Office of School Facilities under ORS 326.125
37 (1)(b) to (g).

38 (9) Each fiscal year, the Department of Education shall transfer to the Pediatric Nursing Facil-
39 ity Account established in ORS 327.022 the amount necessary to pay the costs of educational ser-
40 vices provided to students admitted to pediatric nursing facilities as provided in ORS 343.941.

41 (10) Each fiscal year, the Department of Education shall transfer the amount of \$55 million from
42 the State School Fund to the High Cost Disabilities Account established in ORS 327.348.

43 *[(11)(a) Each biennium, the Department of Education shall transfer \$39.5 million from the State*
44 *School Fund to the Educator Advancement Fund established under ORS 342.953.]*

45 *[(b) For the purpose of making the transfer under this subsection:]*

1 *[(A) The total amount available for all distributions from the State School Fund shall be reduced*
 2 *by \$6 million;]*

3 *[(B) The amount distributed to school districts from the State School Fund under this section and*
 4 *ORS 327.013 shall be reduced by \$16.75 million; and]*

5 *[(C) The amount distributed to education service districts from the State School Fund under this*
 6 *section and ORS 327.019 shall be reduced by \$16.75 million.]*

7 *[(c) For each biennium, the amounts identified in this subsection shall be adjusted by the same*
 8 *percentage by which the instructions furnished to state agencies by the Governor under ORS 291.204*
 9 *direct the state agencies to adjust their agency budget requests for special payments under ORS 291.216*
 10 *(6)(a)(C).]*

11 **[(12)] (11)** Each biennium, the Department of Education shall transfer \$12.5 million from the
 12 State School Fund to the Statewide English Language Learner Program Account established under
 13 ORS 327.344.

14 **[(13)] (12)** Each fiscal year, the Department of Education may expend up to \$550,000 from the
 15 State School Fund for the contract described in ORS 329.488. The amount distributed to education
 16 service districts from the State School Fund under this section and ORS 327.019 shall be reduced
 17 by the amount expended by the department under this subsection.

18 **[(14)] (13)** Each biennium, the Department of Education may expend up to \$350,000 from the
 19 State School Fund to provide administration of and support for the development of talented and
 20 gifted education under ORS 343.404.

21 **[(15)] (14)** Each biennium, the Department of Education may expend up to \$150,000 from the
 22 State School Fund for the administration of a program to increase the number of licensed speech-
 23 language pathologists and certified speech-language pathology assistants under ORS 348.398.

24 **[(16)] (15)** Each biennium, the Department of Education shall transfer \$2 million from the State
 25 School Fund for deposit to the Healthy School Facilities Fund established under ORS 332.337.
 26 Notwithstanding ORS 332.337, the department may expend moneys received in the Healthy School
 27 Facilities Fund under this subsection only as grants for costs associated with testing for elevated
 28 levels of lead in water used for drinking or food preparation.

29 **[(17)] (16)** Each biennium, the Department of Education shall transfer an amount not to exceed
 30 \$5,595,000 for the purpose of making tampons and sanitary pads available as provided by ORS
 31 326.545.

32 **[(18)] (17)** Each fiscal year, the Department of Education shall transfer the amount of \$2.5
 33 million from the State School Fund to the Small School District Supplement Fund established in ORS
 34 327.359.

35 **[(19)] (18)** Each biennium, the Department of Education shall transfer to the Oregon Military
 36 Department the amount necessary to pay the costs of educational services provided to students ad-
 37 mitted to programs operated by the military department for at-risk youth, as described in ORS
 38 396.360, that are outstanding after any General Fund appropriations and the calculation of available
 39 federal funds for the programs.

40 **SECTION 6. The amendments to ORS 327.008 by section 5 of this 2025 Act apply to State**
 41 **School Fund distributions commencing with the 2025-2026 distributions.**

42 **SECTION 7.** ORS 329.788 is amended to read:

43 329.788. As used in ORS 329.788 to 329.820:

44 (1) "Beginning administrator" means a principal or superintendent who:

45 (a) Possesses an administrative license issued by the Teacher Standards and Practices Commis-

1 sion;

2 (b) Is employed as a principal or superintendent by a school district; and

3 (c) Has been assigned for fewer than two school years in the administrator's present position.

4 (2) "Beginning teacher" means a teacher who:

5 (a) Possesses a teaching license issued by the Teacher Standards and Practices Commission;

6 (b) Is employed at least half-time, primarily as a classroom teacher, by a school district; and

7 (c) Has taught fewer than two school years as a licensed probationary teacher in any public,
8 private or state-operated school in any state.

9 [(3) "*Educator network*" means an educator network established under ORS 342.943.]

10 [(4) (3) "Mentor" means an individual who:

11 (a) Is an acting or retired teacher, principal or superintendent;

12 (b) Has met established best practice and research-based criteria as defined by the [*Educator*
13 *Advancement Council*] **State Board of Education** by rule;

14 (c) Possesses a teaching or administrative license issued by the Teacher Standards and Practices
15 Commission;

16 (d) Has successfully served for five or more years as a licensed teacher, principal or super-
17 intendent in any public school; and

18 (e) Has been selected and trained as described in ORS 329.815.

19 [(5) (4) "Mentorship program" means a program provided by a mentor to a beginning teacher
20 or administrator that includes, but is not limited to, direct classroom observation and consultation,
21 assistance in instructional planning and preparation, support in implementation and delivery of
22 classroom instruction, development of school leadership skills and other assistance intended to assist
23 the beginning teacher or administrator to become a confident and competent professional educator
24 who makes a positive impact on student learning.

25 **SECTION 8.** ORS 329.795 is amended to read:

26 329.795. (1) The [*Educator Advancement Council*] **Department of Education** shall establish a
27 beginning teacher and administrator mentorship program to provide eligible beginning teachers and
28 administrators in this state with a continued and sustained mentorship program from a formally
29 assigned mentor.

30 (2) Any school district [*or educator network*] is eligible to participate in the mentorship program.

31 (3) A school district may [*participate through an educator network or may*] enter into a partner-
32 ship with another school district, an institution of higher education, an education service district
33 or another organization to operate jointly a mentorship program if:

34 (a) All moneys received as grants-in-aid for the mentorship program are administered by the
35 participating school district [*or educator network*] to provide direct services to beginning teachers
36 and administrators; and

37 (b) All other requirements of ORS 329.788 to 329.820 are met.

38 (4) All programs in ORS 329.788 to 329.820 are subject to the availability of funds appropriated
39 therefor.

40 **SECTION 9.** ORS 329.800 is amended to read:

41 329.800. (1) Each school district [*or educator network*] that wishes to participate in the beginning
42 teacher and administrator mentorship program shall submit a formal application to the [*Educator*
43 *Advancement Council*] **Department of Education**. The application shall include:

44 (a) A description of the priorities to be addressed by moneys received by a school district [*or*
45 *an educator network*] for the mentorship program, as described in ORS 329.805 (2);

1 (b) The names of all eligible beginning teachers and administrators employed by the school dis-
 2 trict [*or a school district within the educator network*] and a description of their assignments; and

3 (c) A description of the proposed mentorship program, which must provide at least 75-90 hours
 4 of frequent contact between the mentors and beginning teachers and administrators throughout the
 5 school year.

6 (2) The school district [*or educator network*] shall certify in the application that no eligible be-
 7 ginning professional educators are or may be under a conditional license, except as provided in rules
 8 of the Teacher Standards and Practices Commission.

9 **SECTION 10.** ORS 329.805 is amended to read:

10 329.805. (1) Subject to ORS 291.232 to 291.260, the [*Educator Advancement Council*] **Department**
 11 **of Education** shall distribute grants-in-aid to qualifying school districts [*or educator networks*] to
 12 offset the costs of beginning teacher and administrator mentorship programs. A qualifying district
 13 [*or educator network*] shall receive annually an amount that is aligned with evidence-based best
 14 practices.

15 (2) If the funds are insufficient for all eligible proposals, the [*Educator Advancement Council*]
 16 **department** shall award grants on a competitive basis, taking into consideration:

17 (a) The priorities to be addressed by moneys received by a school district [*or an educator net-*
 18 *work*], including efforts related to:

19 (A) Increasing the number of culturally and linguistically diverse educators hired; and

20 (B) Reflecting the demographics of the students of the school district [*or school districts within*
 21 *the educator network*] with the demographics of the educators of the school district [*or school dis-*
 22 *tricts within the educator network*]; and

23 (b) Whether the school district is a small school district or serves a rural community [*or whether*
 24 *the educator network serves small school districts or a rural community*].

25 (3) The [*Educator Advancement Council*] **State Board of Education** may adopt such rules as the
 26 [*council*] **board** considers appropriate for the distribution of grants-in-aid under this section.

27 (4) A school district [*or an educator network*] that is determined by the [*Educator Advancement*
 28 *Council*] **department** to be in violation of one or more of the requirements of ORS 329.788 to 329.820
 29 may be required to refund all grants-in-aid moneys distributed under ORS 329.788 to 329.820. The
 30 amount of penalty shall be determined by the [*Educator Advancement Council*] **department based**
 31 **on rules adopted by the State Board of Education.**

32 **SECTION 11.** ORS 329.810 is amended to read:

33 329.810. (1) After consulting with representatives of teachers, administrators, school boards,
 34 schools of education, the public universities listed in ORS 352.002 and such others as it considers
 35 appropriate, the [*Educator Advancement Council*] **Department of Education** shall approve training
 36 for mentors and beginning teachers and administrators in programs qualifying for grants-in-aid under
 37 ORS 329.788 to 329.820.

38 (2) The training curriculum for mentors shall be based on research and knowledge of the needs
 39 of beginning teachers and administrators.

40 (3) Mentors shall be trained to build relationships of trust and mutual collaboration with be-
 41 ginning teachers and administrators.

42 (4) Mentors shall receive professional development before the school year begins and throughout
 43 the school year.

44 **SECTION 12.** ORS 329.815 is amended to read:

45 329.815. (1) Based on the requirements of ORS 329.788 to 329.820, the selection, nature and ex-

1 tent of duties of mentors shall be determined:

2 (a) By the school district that is the employer of the teacher or administrator and of the mentor;

3 **or**

4 (b) Jointly by the school district that is the employer of the teacher or administrator and the
5 school district that is the employer of the mentor. [*or*]

6 [*(c) By an educator network, as described in ORS 342.943.*]

7 (2) A teacher, principal or superintendent may not be designated as a mentor unless willing to
8 perform in that role.

9 (3) For purposes of actions taken under ORS 342.805 to 342.937:

10 (a) A mentor may not participate in the evaluation of a beginning teacher or administrator as-
11 signed to the mentor; and

12 (b) Any written or other reports of a mentor regarding a beginning teacher or administrator
13 assigned to the mentor may not be used in the evaluation of the beginning teacher or administrator.

14 (4) Each mentor shall complete successfully training provided or approved by the [*Educator*
15 *Advancement Council*] **Department of Education** while participating in the beginning teacher and
16 administrator mentorship program.

17 (5) The stipend received for each beginning teacher or administrator may be used by the school
18 district [*or educator network*] to compensate mentors or to compensate other individuals assigned
19 duties to provide release time for teachers, principals or superintendents acting as mentors.

20 **SECTION 13.** ORS 329.820 is amended to read:

21 329.820. (1) The [*Educator Advancement Council*] **Department of Education** shall be responsible
22 for the regular and ongoing evaluation of implementation and administration of programs under ORS
23 329.788 to 329.820 and may contract for such evaluation. The [*council*] **department** may not expend
24 in a biennium more than 2.5 percent of the total amount of moneys available for the programs on
25 the evaluation of the programs. The evaluation may include assessments of the following:

26 (a) The effectiveness of the mentorship program in the retention of beginning teachers and ad-
27 ministrators in a school district that has participated in the program and in the profession; and

28 (b) Student performance on statewide and other assessments.

29 (2) The [*council*] **department** may accept contributions of moneys and assistance for the purpose
30 of the evaluation of programs from any source, public or private, and agree to conditions placed on
31 the moneys not inconsistent with ORS 329.788 to 329.820. All moneys received by the [*council*] **de-**
32 **partment** under this subsection shall be deposited into the [*Educator Advancement Fund*] **Depart-**
33 **ment of Education Account** to be used for the evaluation of programs conducted under this
34 section.

35 **SECTION 14.** ORS 329.219 is amended to read:

36 329.219. (1) The Department of Early Learning and Care, in coordination with the Early Learn-
37 ing Council [*and in collaboration with the Educator Advancement Council created by ORS 342.940*],
38 shall establish and implement policies and practices to achieve vigorous and comprehensive early
39 childhood professional development systems in this state that incorporate improved recruitment,
40 preparation, induction, career advancement opportunities and support for early learning providers
41 and professionals, including professionals who provide home visiting services.

42 (2) To achieve the objectives described in subsection (1) of this section, the department shall
43 develop or expand:

44 (a) Strategies and partnerships that connect early learning providers and professionals with ac-
45 cess to education pathways, including college credentials, degrees and certificates;

1 (b) Coaching and mentorship programs that make available cohorts, mentors and quality im-
 2 provement specialists to advise, assist, educate and provide information to early learning providers
 3 and professionals;

4 (c) Professional development tracking systems for the workforce for early learning to ensure
 5 coverage of the necessary skills and knowledge required of early learning providers and profes-
 6 sionals, including professionals who provide home visiting services; and

7 (d) Collaborations that support exempt family child care providers, as defined in ORS 329A.430,
 8 through the advancement of research in child development, peer learning and mentoring.

9 (3) The department shall collaborate with any state agencies or other partners to achieve the
 10 objectives described in subsection (1) of this section and to carry out the provisions of subsection
 11 (2) of this section.

12 **SECTION 15.** ORS 329.838 is amended to read:

13 329.838. (1) The School District Collaboration Grant Program is established to provide funding
 14 for school districts [*or educator networks established under ORS 342.943*] to improve student
 15 achievement through the voluntary collaboration of teachers and administrators to design and im-
 16 plement new approaches to:

17 (a) Career pathways for teachers and administrators;

18 (b) Evaluation processes for teachers and administrators;

19 (c) Compensation models for teachers and administrators; and

20 (d) Enhanced professional development opportunities for teachers and administrators.

21 (2)(a) The Department of Education shall ensure that the grant program established by this
 22 section is administered and may provide technical expertise to school districts [*or educator*
 23 *networks*] applying for or receiving a grant under this section.

24 (b) For the purpose of ensuring that the grant program is administered, the department may di-
 25 rectly administer the grant program or may enter into a contract with a nonprofit entity to admin-
 26 ister the grant program.

27 (c) For the purpose of providing technical expertise, the department may enter into contracts
 28 with nonprofit entities that have experience in designing and implementing approaches that are
 29 similar to the approaches described in subsection (1) of this section.

30 (3) Each school district [*or educator network*] may apply for a grant under this section, but a
 31 school district may receive grant funds under this section only as a school district [*or through an*
 32 *educator network*]. Applications may be for the design or for the implementation of an approach
 33 identified in subsection (1) of this section.

34 (4) Prior to applying for a grant as a school district [*or through an educator network*], the school
 35 district must receive the approval to apply for the grant from:

36 (a) The exclusive bargaining representative for the teachers of the school district or, if the
 37 teachers are not represented by an exclusive bargaining representative, from the teachers of the
 38 school district;

39 (b) The chairperson of the school district board; and

40 (c) The superintendent of the school district.

41 (5) Funding for the grant program established by this section shall be provided through the
 42 School District Collaboration Grant Account established by ORS 329.839.

43 (6) The amount of each grant shall be determined as follows:

44 (a) For grants that are for the design of an approach identified in subsection (1) of this section
 45 and that are awarded to a school district, the amount determined by the department based on:

- 1 (A) The application submitted by the school district;
- 2 (B) The portion of the total funds available for grants that are for the design of an approach;
- 3 and

4 (C) Any other criteria or limitations established by the State Board of Education by rule, which
5 may include a minimum amount or a maximum amount for a grant.

6 (b)(A) For grants that are for the implementation of an approach identified in subsection (1) of
7 this section and that are awarded to a school district, the Grant Amount = School district ADMw
8 × (the total amount available for distribution for an implementation grant in a fiscal year through
9 the School District Collaboration Grant Program ÷ the total ADMw of the school districts that
10 receive an implementation grant for the fiscal year through the School District Collaboration Grant
11 Program). For the purpose of the calculation made under this paragraph, ADMw shall be calculated
12 as provided by ORS 327.013, 338.155 (1) and 338.165 (2).

13 (B) Notwithstanding subparagraph (A) of this paragraph, a school district may receive a grant
14 for an amount that is 10 percent more than the amount calculated under subparagraph (A) of this
15 paragraph if the grant program administrator approves a school district's supplemental plan to de-
16 sign and implement new approaches to improve student achievement that are in addition to the ap-
17 proaches identified in subsection (1) of this section and that are research-based best practices.

18 (C) In addition to any amounts received under subparagraphs (A) and (B) of this paragraph, a
19 school district that has an average daily membership of less than 1,500 may receive a supplemental
20 amount of up to \$50,000 if:

21 (i) The supplemental amount is used for expenses incurred in relation to a grant manager who:

- 22 (I) Manages the use of a grant received under this paragraph;
- 23 (II) Supports the school district's committees related to the grant;
- 24 (III) Monitors and measures the implementation of new approaches funded by the grant;
- 25 (IV) Ensures timely and accurate communications with educators in the school district;
- 26 (V) Completes all Department of Education requirements related to the grant; and
- 27 (VI) Attends meetings and collaborates with other school districts; and

28 (ii) The total of the implementation grant and the supplemental amount does not exceed
29 \$150,000.

30 *[(c) For grants that are awarded to an educator network, the amount determined by the department*
31 *based on:]*

32 *[(A) The application submitted by the educator network;]*

33 *[(B) The portion of the total funds available for grants that are for educator networks; and]*

34 *[(C) Any other criteria or limitations established by the State Board of Education by rule, which*
35 *may include a minimum or maximum amount for a grant.]*

36 (7) Grants shall be awarded based on:

- 37 (a) The application submitted by the school district *[or educator network]*;
- 38 (b) Other funds received by a school district *[or educator network]* for a purpose identified in
39 subsection (1) of this section; and

40 (c) Any other criteria established by the State Board of Education by rule.

41 (8) Moneys received by a school district *[or an educator network]* under this section must be
42 separately accounted for and may be used only to provide funding for the purposes described in the
43 application submitted by the school district *[or educator network]*.

44 (9) The department shall accumulate, evaluate and publish student achievement results of school
45 districts receiving grants under this section as a school district *[or through an educator network]* to

1 determine the effectiveness of the approaches designed and implemented by the school districts [*or*
2 *educator networks*] under the grant program.

3 (10)(a) Except as provided by paragraph (b) of this subsection, the State Board of Education may
4 adopt any rules necessary for the implementation of the grant program established by this section.

5 (b) The board may not adopt any rules that establish statewide standards for the design and
6 implementation of the approaches described in subsection (1) of this section.

7 **SECTION 16.** ORS 342.437 is amended to read:

8 342.437. (1) As a result of this state's commitment to equality for the diverse peoples of this
9 state, the goals of the state are that:

10 (a) The percentage of diverse educators employed by a school district or an education service
11 district reflects the percentage of diverse students in the public schools of this state or the per-
12 centage of diverse students in the district.

13 (b) The percentage of diverse employees employed by the Department of Education reflects the
14 percentage of diverse students in the public schools of this state.

15 (2) The State Board of Education[, *in consultation with the Educator Advancement Council,*] shall
16 use federal reports on educator equity to monitor school district and education service district
17 progress on meeting the goal described in subsection (1)(a) of this section, in relation to the
18 recruitment, hiring and retention of diverse educators.

19 **SECTION 17.** ORS 342.448 is amended to read:

20 342.448. (1) Representatives of [*the Educator Advancement Council,*] the Higher Education Coor-
21 dinating Commission, the Department of Education and the Teacher Standards and Practices Com-
22 mission shall jointly create a report on the Educators Equity Act. The report shall be created in
23 consultation with educator preparation providers and shall include:

24 (a) A summary of the most recent data collected as provided by ORS 342.443 (1)(d) to (h).

25 (b) A summary of the plans currently implemented as provided by ORS 342.447.

26 (c) A review of the goal described in ORS 342.437 (1)(a), including:

27 (A) Determination of the need for additional related state goals.

28 (B) Progress made by the state toward meeting the goal described in ORS 342.437 (1)(a) and any
29 other additional related state goals.

30 (C) Recommendations and a long-term plan for meeting the goal described in ORS 342.437 (1)(a)
31 and any other additional related state goals.

32 (d) A description of best practices within this state and other states for recruiting, hiring and
33 retaining diverse educators.

34 (e) Recommendations for legislation to help the state meet the goal described in ORS 342.437
35 (1)(a) and any other additional related state goals.

36 (2)(a) The report created as provided by subsection (1) of this section shall be submitted:

37 (A) To the interim legislative committees on education by September 1 of each even-numbered
38 year; and

39 (B) To the Legislative Assembly in the manner provided by ORS 192.245 by September 1 of each
40 even-numbered year.

41 (b) The report submitted as required by paragraph (a)(B) of this subsection shall be submitted
42 with the data reported as required by ORS 342.443 (1)(d) to (h).

43 (3) [*The Educator Advancement Council,*] The Higher Education Coordinating Commission, the
44 Department of Education and the Teacher Standards and Practices Commission shall make the re-
45 port submitted as provided under subsection (2) of this section available on the website of each

1 agency.

2 **SECTION 18.** ORS 342.676 is amended to read:

3 342.676. (1) As used in this section:

4 (a) “Education workforce” means licensed and classified staff who are:

5 (A) Employed by a public education provider; or

6 (B) Under contract to provide services to a public education provider.

7 (b) “Public education provider” means:

8 (A) A school district;

9 (B) A public charter school;

10 (C) An education service district;

11 (D) A long term care or treatment facility, as described in ORS 343.961;

12 (E) The Youth Corrections Education Program;

13 (F) The Juvenile Detention Education Program; or

14 (G) The Oregon School for the Deaf.

15 (2) Each public education provider shall:

16 (a) Encourage members of the education workforce of the public education provider to partic-
 17 ipate in a survey administered by the Department of Education that is designed to assist in the
 18 gathering of information about the working experiences of the education workforce of this state,
 19 including the experience in the school district and in individual schools; and

20 (b) Ensure that members of the education workforce of the public education provider have the
 21 opportunity to participate in the survey described in paragraph (a) of this subsection.

22 (3) The State Board of Education[, *in collaboration with the Educator Advancement Council,*] shall
 23 adopt by rule the standards for the survey administered under this section.

24 (4) The department shall annually review the survey identified in subsection (2) of this section
 25 and:

26 (a) Make the information available to school district boards, administrators of school districts
 27 and administrators of schools in a manner that allows for the accessibility of the information:

28 (A) On a district level and a school level; and

29 (B) Through the interactive data visualization tool; and

30 (b) Report annually on education workforce satisfaction to the interim committees of the Legis-
 31 lative Assembly related to education.

32 (5) The department may enter into a contract or a partnership with any public or private entity,
 33 including the federal government, for the purpose of this section.

34 **SECTION 19.** ORS 348.295 is amended to read:

35 348.295. (1) In addition to any other form of student financial aid authorized by law, the Higher
 36 Education Coordinating Commission may award scholarships to culturally and linguistically diverse
 37 teacher candidates to use at approved educator preparation providers, as defined in ORS 342.120, for
 38 the purpose of advancing the goal described in ORS 342.437 (1)(a).

39 (2) Scholarships awarded under this section shall be in amounts of \$12,000 each academic year,
 40 for a maximum of two academic years.

41 (3) The commission shall adopt rules necessary for the implementation and administration of this
 42 section in consultation with [*the Educator Advancement Council and*] the Department of Education.

43 (4) As used in this section:

44 (a) “Teacher candidate” means an individual who is preparing to be a teacher or other school
 45 professional licensed, registered or certified by the Teacher Standards and Practices Commission.

1 (b) "Teacher candidate" does not mean an individual who is preparing to be an administrator.

2 **SECTION 20.** ORS 326.545 is amended to read:

3 326.545. (1) As used in this section:

4 (a) "Public education provider" means:

5 (A) A school district;

6 (B) A public charter school;

7 (C) An education service district;

8 (D) A community college; or

9 (E) A public university listed in ORS 352.002.

10 (b) "Public school building" means a building used by a public education provider to provide
11 educational services to students.

12 (c) "Student bathroom" means a bathroom that is accessible by students in kindergarten or
13 above, including a gender-neutral bathroom, a bathroom designated for females and a bathroom
14 designated for males.

15 (2) Each public education provider shall ensure that both tampons and sanitary pads are avail-
16 able at no cost to students through dispensers located in every student bathroom of every public
17 school building.

18 (3) A public education provider, and any employee of a public education provider, is not liable
19 in a criminal action or for civil damages as a result of a student's use of a tampon or sanitary pad
20 made available under this section.

21 (4) The State Board of Education and the Higher Education Coordinating Commission shall
22 adopt any rules necessary for the administration of this section. Rules adopted by the board and
23 commission shall provide for:

24 (a) The number of dispensers required in each student bathroom;

25 (b) The types of products available in each student bathroom;

26 (c) The provision of tampons and sanitary pads in an alternate location when the public educa-
27 tion provider does not have control of the student bathrooms used by the students of the public
28 education provider;

29 (d) Modifications to or exemptions from the requirements of this section for student bathrooms
30 that are not located in commonly accessible areas of the public school buildings of a community
31 college or a public university; and

32 (e) Payments to public education providers for costs incurred under this section, including:

33 (A) For school districts, public charter schools and education service districts and subject to
34 subparagraph (B) of this paragraph, distributions from amounts available under ORS 327.008 [(17)]
35 (16) to be made based on the average daily membership, as defined in ORS 327.006, of the district
36 or school;

37 (B) For education service districts, distributions to be made as provided by subparagraph (A)
38 of this paragraph may not exceed 7.5 percent of the amounts available for distribution under ORS
39 327.008 [(17)] (16);

40 (C) For community colleges, distributions from the Community College Support Fund to be made
41 based on the full-time equivalent student enrollment of the community college; and

42 (D) For public universities, distributions from a public university support fund established by the
43 commission by rule.

44 **SECTION 21.** ORS 329.488 is amended to read:

45 329.488. (1) The Department of Education shall contract with a nonprofit entity to administer a

1 nationally normed assessment, in collaboration with the department, to all students in grade 10 who
 2 are enrolled in a public school. The purpose of the assessment is to predict the success of students
 3 on, and provide practice for students taking, college entrance exams.

4 (2) The department shall base the selection of the contractor under subsection (1) of this section
 5 on all of the following criteria:

6 (a) The contractor must be able to provide to the department statewide data containing the re-
 7 sults of the assessment;

8 (b) The contractor shall provide an assessment that:

9 (A) Identifies students with high potential to excel in advanced placement (AP) or other honors
 10 courses based on a research-based correlation of scores on the grade 10 assessment to advanced
 11 placement examinations;

12 (B) Examines students in mathematics, reading and writing; and

13 (C) Provides results that can be used by Oregon's higher education institutions to recruit stu-
 14 dents to attend college;

15 (c) The contractor must be able to supply schools with an item-by-item analysis of student per-
 16 formance on the assessment; and

17 (d) The contractor must be able to make available to each student taking the assessment a free
 18 career assessment and online exploration of colleges and career opportunities.

19 (3)(a) In lieu of using the contractor selected by the department under subsection (1) of this
 20 section, a school district may apply to the department for a waiver to allow the district to enter into
 21 a contract with a different nonprofit entity for the purpose of administering a nationally normed
 22 assessment to all students in grade 10 who are enrolled in the public schools operated by the dis-
 23 trict. The department shall grant the waiver if:

24 (A) The district had entered into a contract with the entity for the 2007-2008 school year to
 25 administer a grade 10 assessment;

26 (B) The entity, in coordination with the district, administered a grade 10 assessment during the
 27 2007-2008 school year;

28 (C) For the most recent school year in which the entity administered a grade 10 assessment, the
 29 entity met the criteria set forth in subsection (2) of this section as in effect for the school year in
 30 which the entity administered the assessment; and

31 (D) The entity plans to meet the criteria set forth in subsection (2) of this section as in effect
 32 for the school year for which the school district seeks a waiver.

33 (b) A waiver granted by the department under this subsection:

34 (A) Is valid for one school year; and

35 (B) May be renewed each school year.

36 (c) The department shall reimburse a school district for the cost of assessments allowed under
 37 this subsection from funds available to the department under ORS 327.008 [(13)] (12).

38 (4) Notwithstanding subsections (1) and (3) of this section:

39 (a) The department may, under rules adopted by the State Board of Education, waive the as-
 40 sessment for specific groups of students; and

41 (b) Upon request from a student who is enrolled in a public school operated by a school district
 42 or the parent or guardian of the student, the school district shall waive the assessment for the stu-
 43 dent.

44 **SECTION 22. (1) Sections 2 to 4 and 6 of this 2025 Act, the amendments to ORS 326.545,**
 45 **327.008, 329.219, 329.488, 329.788, 329.795, 329.800, 329.805, 329.810, 329.815, 329.820, 329.838,**

1 342.437, 342.448, 342.676 and 348.295 by sections 5 and 7 to 21 of this 2025 Act and the repeal
 2 of ORS 342.940, 342.943 and 342.953 by section 1 of this 2025 Act become operative on July 1,
 3 2025.

4 (2) Notwithstanding the operative date set forth in subsection (1) of this section, the
 5 Educator Advancement Council, the Department of Education and the State Board of Edu-
 6 cation may take any action before the operative date set forth in subsection (1) of this sec-
 7 tion that is necessary for the department and board to exercise, on and after the operative
 8 date set forth in subsection (1) of this section, all of the duties, functions and powers con-
 9 ferred upon the department and board by section 2 of this 2025 Act.

10
 11 **THE STATE BOARD OF EDUCATION**

12
 13 **SECTION 23.** ORS 326.021 is amended to read:

14 326.021. (1) The State Board of Education shall consist of:

15 (a) The State Treasurer, or the designee of the State Treasurer;

16 (b) The Secretary of State, or the designee of the Secretary of State; and

17 (c) Nine members, appointed by the Governor for a term of four years beginning July 1 of the
 18 year of appointment, subject to confirmation by the Senate in the manner provided in ORS 171.562
 19 and 171.565. A person appointed under this paragraph may not be appointed to serve consecutively
 20 more than two full terms as a board member.

21 *[(2) In making appointments under subsection (1) of this section, the Governor shall select from*
 22 *residents of Oregon one member from each congressional district and three members from the state at*
 23 *large. Of the members from the state at large:]*

24 *[(a) One member must be engaged in teaching as a licensed teacher in this state.]*

25 *[(b) One member must be engaged as a classified staff member in a public school or for an edu-*
 26 *cation service district in this state.]*

27 **(2) In making appointments under subsection (1) of this section, the Governor shall select**
 28 **from residents of Oregon by:**

29 **(a) Soliciting recommendations from the Speaker of the House of Representatives for**
 30 **four members from different congressional districts;**

31 **(b) Soliciting recommendations from the Minority Leader of the House of Representatives**
 32 **for four members from different congressional districts; and**

33 **(c) Selecting one member of the public.**

34 **(3) A person is not eligible for appointment under subsection (2) of this section if the**
 35 **person:**

36 **(a) Provided services as a lobbyist, as defined in ORS 171.725, at any time beginning two**
 37 **years prior to an appointment until the end of the person's term.**

38 **(b) Served on any committee, council, commission or task force for an executive agency,**
 39 **as defined in ORS 171.725, or for the legislative department at any time during the person's**
 40 **term.**

41 **(c) Is a current or former employee or contractor with an entity that, at any time be-**
 42 **ginning two years prior to the person's appointment until the end of the person's term, has**
 43 **an active contract with or grant from the Department of Education, the Department of Early**
 44 **Learning and Care, the Higher Education Coordinating Commission, the Teacher Standards**
 45 **and Practices Commission, the Governor's office or any organization formed by these enti-**

1 **ties under an intergovernmental agreement.**

2 [(3)] (4) The Governor may remove appointed members of the State Board of Education for cause
3 at any time after notice and public hearing.

4 [(4)] (5) The State Treasurer and the Secretary of State, or the designee of the State Treasurer
5 or Secretary of State, are nonvoting, ex officio members of the board.

6 **SECTION 24. (1) Notwithstanding the term of office specified in ORS 326.021, the tenure**
7 **of office of the members of the State Board of Education serving on the board on the day**
8 **prior to the operative date of this section ceases on the operative date of this section.**

9 **(2) Notwithstanding the term of office specified by ORS 326.021, of the members first**
10 **appointed to the State Board of Education under ORS 326.021, as amended by section 23 of**
11 **this 2025 Act:**

12 **(a) Two members identified in ORS 326.021 (2)(a) and two members identified in ORS**
13 **326.021 (2)(b) shall serve for terms ending June 30, 2028.**

14 **(b) Two members identified in ORS 326.021 (2)(b), two members identified in ORS 326.021**
15 **(2)(a) and the member identified in ORS 326.021 (2)(c) shall serve for terms ending June 30,**
16 **2030.**

17 **SECTION 25. The amendments to ORS 326.021 by section 23 of this 2025 Act become op-**
18 **erative on July 1, 2026.**

19
20 **THE EARLY LEARNING COUNCIL**

21
22 **SECTION 26.** ORS 326.425 is amended to read:

23 326.425. (1) The Early Learning Council is established.

24 (2) The council is established to coordinate a unified and aligned system of early learning ser-
25 vices for the purposes of ensuring that:

26 (a) Children enter school ready to learn; and

27 (b) Families are healthy, stable and attached.

28 (3) The Early Learning Council shall accomplish the purposes described in subsection (2) of this
29 section by:

30 (a) Designating a committee to serve as the state advisory council for purposes of:

31 (A) The federal Head Start Act, as provided by ORS 417.796.

32 (B) Providing advice on matters related to the Oregon Prenatal to Kindergarten Program.

33 (b) Coordinating an integrated system that aligns the delivery of early learning services.

34 (c) Coordinating the Oregon Early Learning System created by ORS 417.727.

35 (4) The council consists of members appointed as provided by subsections (5) and (6) of this
36 section.

37 (5)(a) The Governor shall appoint 11 voting members who are appointed for a term of four years
38 [*and serve at the pleasure of the Governor*] **beginning July 1 of the year of appointment, subject**
39 **to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565.** A person
40 appointed under this subsection may not be appointed to serve more than two consecutive full terms
41 as a council member.

42 [(b) *When determining whom to appoint to the council under this subsection, the Governor shall:*]

43 [(A) *Ensure that each congressional district of this state is represented;*]

44 [(B) *Ensure that at least one member represents the tribes of this state;*]

45 [(C) *Ensure that at least one member represents the workforces for child care and early learning;*]

1 *[(D) Ensure that each member meets the following qualifications:]*

2 *[(i) Demonstrates leadership skills in civics or the member's profession;]*

3 *[(ii) To the greatest extent practicable, contributes to the council's representation of the geographic,*
 4 *ethnic, gender, racial and economic diversity of this state; and]*

5 *[(iii) Contributes to the council's expertise, knowledge and experience in early childhood develop-*
 6 *ment, early childhood care, early childhood education, family financial stability, populations dispro-*
 7 *portionately burdened by poor education outcomes and outcome-based best practices; and]*

8 *[(E) Solicit recommendations from the Speaker of the House of Representatives for at least two*
 9 *members and from the President of the Senate for at least two members.]*

10 **(b) In making appointments under this subsection, the Governor shall select from resi-**
 11 **dents of Oregon by:**

12 **(A) Soliciting recommendations from the Speaker of the House of Representatives for**
 13 **five members from different congressional districts;**

14 **(B) Soliciting recommendations from the Minority Leader of the House of Represen-**
 15 **tatives for five members from different congressional districts; and**

16 **(C) Selecting one member of the public.**

17 **(c) A person is not eligible for appointment under this subsection if the person:**

18 **(A) Provided services as a lobbyist, as defined in ORS 171.725, at any time beginning two**
 19 **years prior to an appointment until the end of the person's term.**

20 **(B) Served on any committee, council, commission or task force for an executive agency,**
 21 **as defined in ORS 171.725, or for the legislative department at any time during the person's**
 22 **term.**

23 **(C) Is a current or former employee or contractor with an entity that, at any time be-**
 24 **ginning two years prior to the person's appointment until the end of the person's term, has**
 25 **an active contract with or grant from the Department of Education, the Department of Early**
 26 **Learning and Care, the Higher Education Coordinating Commission, the Teacher Standards**
 27 **and Practices Commission, the Governor's office or any organization formed by these enti-**
 28 **ties under an intergovernmental agreement.**

29 (6) In addition to the members appointed under subsection (5) of this section, the Governor shall
 30 appoint nonvoting, ex officio members who represent relevant state agencies.

31 (7) The activities of the council shall be directed and supervised by the Early Learning System
 32 Director.

33 (8) In accordance with applicable provisions of ORS chapter 183, the council may adopt rules
 34 necessary for the administration of the laws that the council is charged with administering. When
 35 adopting rules related to child care, the council must appoint an advisory committee in accordance
 36 with ORS 183.333 that includes representatives of child care providers that are licensed or not li-
 37 censed, as appropriate.

38 **SECTION 27. (1) Notwithstanding the term of office specified in ORS 326.425, the tenure**
 39 **of office of the members of the Early Learning Council serving on the council on the day**
 40 **prior to the operative date of this section ceases on the operative date of this section.**

41 **(2) Notwithstanding the term of office specified by ORS 326.425, of the members first**
 42 **appointed to the Early Learning Council under ORS 326.425, as amended by section 26 of this**
 43 **2025 Act:**

44 **(a) Two members identified in ORS 326.425 (5)(b)(A) and two members identified in ORS**
 45 **326.425 (5)(b)(B) shall serve for terms ending June 30, 2028.**

1 **(b) Three members identified in ORS 326.425 (5)(b)(A), three members identified in ORS**
 2 **326.425 (5)(b)(B) and the member identified in ORS 326.425 (5)(b)(C) shall serve for terms**
 3 **ending June 30, 2030.**

4 **SECTION 28. The amendments to ORS 326.425 by section 26 of this 2025 Act become op-**
 5 **erative on July 1, 2026.**

6
 7 **THE HIGHER EDUCATION COORDINATING COMMISSION**

8
 9 **SECTION 29.** ORS 350.050 is amended to read:

10 350.050. (1) There is established a Higher Education Coordinating Commission, consisting of
 11 [15] **11** voting members appointed by the Governor.

12 *[(2) The Governor shall appoint:]*

13 *[(a) One undergraduate student at a public university listed in ORS 352.002;]*

14 *[(b) One graduate student at a public university listed in ORS 352.002;]*

15 *[(c) One faculty member at a public university listed in ORS 352.002;]*

16 *[(d) One student at a community college in this state;]*

17 *[(e) One faculty member at a community college in this state;]*

18 *[(f) One nonfaculty member of the staff from either a public university listed in ORS 352.002 or a*
 19 *community college;]*

20 *[(g) One member from each of the six congressional districts in this state; and]*

21 *[(h) Three members of the general public.]*

22 *[(3) The Governor shall elicit recommendations for appointments made under subsection (2)(a) to*
 23 *(f) of this section from official student, faculty and nonfaculty staff organizations at community colleges*
 24 *and public universities listed in ORS 352.002.]*

25 *[(4) The term of office of each member appointed under subsection (2)(g) and (h) of this section is*
 26 *four years and the term of office for each member appointed under subsection (2)(a) to (f) of this section*
 27 *is two years. A member serves at the pleasure of the Governor. Before the expiration of the term of a*
 28 *member, the Governor shall appoint a successor whose term begins on July 1 next following. A member*
 29 *is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an ap-*
 30 *pointment to become immediately effective for the unexpired term.]*

31 **(2) In making appointments under subsection (1) of this section, the Governor shall select**
 32 **from residents of Oregon by:**

33 **(a) Soliciting recommendations from the Speaker of the House of Representatives for five**
 34 **members from different congressional districts;**

35 **(b) Soliciting recommendations from the Minority Leader of the House of Representatives**
 36 **for five members from different congressional districts; and**

37 **(c) Selecting one member of the public.**

38 **(3) A person is not eligible for appointment under subsection (2) of this section if the**
 39 **person:**

40 **(a) Provided services as a lobbyist, as defined in ORS 171.725, at any time beginning two**
 41 **years prior to an appointment until the end of the person's term.**

42 **(b) Served on any committee, council, commission or task force for an executive agency,**
 43 **as defined in ORS 171.725, or for the legislative department at any time during the person's**
 44 **term.**

45 **(c) Is a current or former employee or contractor with an entity that, at any time be-**

1 **ginning two years prior to the person’s appointment until the end of the person’s term, has**
 2 **an active contract with or grant from the Department of Education, the Department of Early**
 3 **Learning and Care, the Higher Education Coordinating Commission, the Teacher Standards**
 4 **and Practices Commission, the Governor’s office or any organization formed by these enti-**
 5 **ties under an intergovernmental agreement.**

6 (4) **The term of office of each member appointed under this section is four years. A**
 7 **member serves at the pleasure of the Governor. Before the expiration of the term of a**
 8 **member, the Governor shall appoint a successor whose term begins on July 1 next following.**
 9 **A member is eligible for reappointment. If there is a vacancy for any cause, the Governor**
 10 **shall make an appointment to become immediately effective for the unexpired term.**

11 (5) **The Governor may at any time, for cause, remove any member of the board that the Gover-**
 12 **nor has appointed, after notice and public hearing, but not more than three members shall be re-**
 13 **moved within a period of four years, unless it is for corrupt conduct in office.**

14 (6) **The appointment of members of the commission is subject to confirmation by the Senate in**
 15 **the manner prescribed in ORS 171.562 and 171.565.**

16 (7) **A member of the commission is entitled to compensation and expenses as provided in ORS**
 17 **292.495.**

18 **SECTION 30. (1) Notwithstanding the term of office specified in ORS 350.050, the tenure**
 19 **of office of the members of the Higher Education Coordinating Commission serving on the**
 20 **commission on the day prior to the operative date of this section ceases on the operative**
 21 **date of this section.**

22 (2) **Notwithstanding the term of office specified by ORS 350.050, of the members first**
 23 **appointed to the Higher Education Coordinating Commission under ORS 350.050, as amended**
 24 **by section 29 of this 2025 Act:**

25 (a) **Two members identified in ORS 350.050 (2)(a) and two members identified in ORS**
 26 **350.050 (2)(b) shall serve for terms ending June 30, 2028.**

27 (b) **Three members identified in ORS 350.050 (2)(a), three members identified in ORS**
 28 **350.050 (2)(b) and the member identified in ORS 350.050 (2)(c) shall serve for terms ending**
 29 **June 30, 2030.**

30 **SECTION 31. The amendments to ORS 350.050 by section 29 of this 2025 Act become op-**
 31 **erative on July 1, 2026.**

32
 33 **THE TEACHER STANDARDS AND PRACTICES COMMISSION**
 34

35 **SECTION 32. ORS 342.350 is amended to read:**

36 342.350. (1) **There is created a Teacher Standards and Practices Commission consisting of 17**
 37 **members appointed by the Governor subject to confirmation by the Senate in the manner provided**
 38 **in ORS 171.562 and 171.565.**

39 (2) **In making appointments under subsection (1) of this section, the Governor shall select**
 40 **from residents of Oregon by:**

41 (a) **Soliciting recommendations from the Speaker of the House of Representatives for**
 42 **eight members from different congressional districts;**

43 (b) **Soliciting recommendations from the Minority Leader of the House of Representatives**
 44 **for eight members from different congressional districts; and**

45 (c) **Selecting one member of the public.**

