

A-Engrossed House Bill 4079

Ordered by the House February 13
Including House Amendments dated February 13

Sponsored by Representative MCDONALD, Senator NERON MISSLIN, Representatives ANDERSEN, CHOTZEN, FRAGALA, RUIZ, Senator FREDERICK; Representatives EVANS, GAMBA, GOMBERG, GRAYBER, HUDSON, JAVADI, MCLAIN, MUNOZ, NELSON, NGUYEN D, NOSSE, PHAM H, RIEKE SMITH, SOSA, WALTERS, WISE, Senators GELSER BLOUIN, GOLDEN, PHAM K, REYNOLDS (Presession filed.)

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. The statement includes a measure digest written in compliance with applicable readability standards.

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.]

Takes effect on September 30, 2026.

A BILL FOR AN ACT

Relating to policies for when federal immigration authorities enter public education property; and prescribing an effective date.

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

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

(a) **"Community-based service provider"** means a person that provides services to students at a school as a contractor, an agent or a volunteer.

(b) **"Federal immigration authority"** has the meaning given that term in ORS 180.805.

(c) **"Immigration enforcement"** has the meaning given that term in ORS 181A.822.

(d) **"School district"** includes a school district, an education service district and a public charter school.

(e) **"School district board"** includes a school district board, the board of directors of an education service district and the governing body of a public charter school.

(f) **"School property"** means any real property owned or controlled by or on behalf of a school district that is accessed by students of the school district on a regular basis, as determined by the school district board.

(2) Each school district board shall adopt a policy for providing notice when a federal immigration authority is confirmed to have entered school property for immigration enforcement. The policy must be consistent with applicable model policies published by the Attorney General as provided by ORS 180.810.

(3) The policy adopted under this section must:

(a) Identify at least one administrator for the school district, or at least one designee of the administrator, who shall be designated to:

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 (A) Confirm that a federal immigration authority has entered school property for immi-
2 gration enforcement; and

3 (B) Provide notice when a federal immigration authority is confirmed to have entered
4 school property for immigration enforcement.

5 (b) Require that, unless otherwise prohibited by law or court order, reasonable efforts
6 are made to provide notice to a student, or to the parent or guardian of a student, when the
7 school district has provided information related to the student to a federal immigration au-
8 thority.

9 (c) Identify which grades of students will receive a notice under this section.

10 (d) Provide a process by which a community-based service provider may elect to receive
11 notices under paragraph (e) of this subsection.

12 (e) Require that notice that a federal immigration authority is confirmed to be present
13 on school property for immigration enforcement is provided to:

14 (A) Students who attend the school where the federal immigration authority is confirmed
15 to be on school property for immigration enforcement and who are in grades identified in
16 paragraph (c) of this subsection;

17 (B) The parents or guardians of students attending the school where the federal immi-
18 gration authority is confirmed to be on school property for immigration enforcement;

19 (C) Employees of the school where the federal immigration authority is confirmed to be
20 on school property for immigration enforcement; and

21 (D) Community-based service providers that have elected to receive notice when a federal
22 immigration authority is confirmed to be on school property for immigration enforcement.

23 (f) Specify the contents and delivery requirements of the notice required under paragraph
24 (e) of this subsection, including the requirements that the notice:

25 (A) Must include at least the following information:

26 (i) The general location of the federal immigration authority; and

27 (ii) Whether classes or school operations are affected by the presence of the federal im-
28 migration authority.

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

30 (i) Personally identifiable information; or

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

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

33 (i) May threaten the health or safety of the students or employees of the school district;
34 or

35 (ii) Is prohibited by a court order.

36 (D) Must be provided as expeditiously as possible by existing methods used for providing
37 electronic communications.

38 (g) Ensure compliance with ORS 180.805 and 181A.826 and any policies adopted based on
39 a model policy published as provided by ORS 180.810.

40 (h) Require that training is provided to any person identified or designated as provided
41 by paragraph (a) of this subsection. The training must, at a minimum:

42 (A) Include information on the requirements of this section and on any applicable model
43 policies published by the Attorney General under ORS 180.810; and

44 (B) Be provided as initial training and then as subsequent training at least once every
45 two years.

(i) Require that the policy adopted under this section be made available:

(A) In the student handbook; and

(B) On the school district's website in culturally appropriate languages that are used to communicate effectively with parents and guardians of students of the school district, as determined by the school district board.

(4) For the purpose of ORS 30.265 (5), any officer, employee or agent of a school district is immune from liability for any claim for injury to or death of any person or injury to property resulting from an act or omission made under this section if the act or omission was reasonable and made in good faith.

SECTION 2. (1) As used in this section:

(a) "Campus" means real property owned or controlled by an institution of higher education that is accessed by students of the institution of higher education on a regular basis, as identified by the governing board of the institution of higher education.

(b) "Federal immigration authority" has the meaning given that term in ORS 180.805.

(c) "Governing board" means:

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

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

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

(d) "Immigration enforcement" has the meaning given that term in ORS 181A.822.

(e) "Institution of higher education" means a public university listed in ORS 352.002, a community college operated under ORS chapter 341 or the Oregon Health and Science University.

(2) Each governing board shall adopt a policy for providing notice when a federal immigration authority is confirmed to have entered a campus for immigration enforcement. The policy must be consistent with applicable model policies published by the Attorney General as provided by ORS 180.810.

(3) The policy adopted under this section must:

(a) Identify at least one administrator for the institution of higher education, or at least one designee of the administrator, who shall be designated to:

(A) Confirm that a federal immigration authority has entered the campus for immigration enforcement; and

(B) Provide notice when a federal immigration authority is confirmed to have entered the campus for immigration enforcement.

(b) Identify the property that is considered the campus for the purpose of a notice.

(c) Require that, unless otherwise prohibited by law or court order, reasonable efforts are made to provide notice to a student when the institution of higher education has provided information related to the student to a federal immigration authority.

(d) Require that notice that a federal immigration authority is confirmed to be on campus is provided to:

(A) Students enrolled in the institution of higher education at the campus where the federal immigration authority is confirmed to be on campus for immigration enforcement; and

(B) Employees of the campus of the institution of higher education where the federal immigration authority is confirmed to be on campus for immigration enforcement.

(e) Specify the contents and delivery requirements of the notice required under para-

graph (d) of this subsection, including the requirements that the notice:

(A) Must include at least the following information:

(i) The general location of the federal immigration authority; and

(ii) Whether classes or campus operations are affected by the presence of the federal immigration authority.

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

(i) Personally identifiable information; or

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

(C) May not disclose information when the disclosure:

(i) May threaten the health or safety of the students or employees of the institution of higher education; or

(ii) Is prohibited by a court order.

(D) Must be provided as expediently as possible by existing methods used for providing electronic communications.

(f) Ensure compliance with ORS 180.805 and 181A.826 and any policies adopted based on a model policy published as provided by ORS 180.810.

(g) Require that annual training is provided to any person identified or designated as provided by paragraph (a) of this subsection. The training must, at a minimum, include:

(A) Information on the requirements of this section and on any applicable model policies published by the Attorney General under ORS 180.810.

(B) Initial training, followed by subsequent training at least once every two years.

(h) Require that the policy adopted under this section be made available:

(A) On the websites of the institution of higher education in any languages that are regularly used to communicate effectively with the students of the campus, as determined by the governing board; and

(B) Any other locations where the institution of higher education provides information about immigration or emergencies.

(4) Notwithstanding subsection (3)(d) of this section, notice is not required to be provided when a federal immigration authority has entered campus for the purpose of accompanying a patient whom the federal immigration authority has brought to the campus for the purpose of receiving medical care or treatment.

(5) For the purpose of ORS 30.265 (5), any officer, employee or agent of an institution of higher education is immune from liability for any claim for injury to or death of any person or injury to property resulting from an act or omission made under this section if the act or omission was reasonable and made in good faith.

SECTION 3. No later than October 1, 2026, the Higher Education Coordinating Commission shall submit to the interim committees of the Legislative Assembly related to education a report that summarizes for each institution of higher education the real property that has been identified by the governing board of the institution of higher education as a campus for the purpose of section 2 of this 2026 Act.

SECTION 4. This 2026 Act takes effect on September 30, 2026.