

2/11/2026

Chair Hartman, Vice Chairs Scharf and Walters, Members of the Committee,

My name is Willis Homann, I am the Director of Government Relations and Communications for the Oregon School Employees Association (OSEA). OSEA represents over 25,000 educators across the state at nearly every level of Oregon's public education system, including K-12 schools, Head Starts, Community Colleges, ESDs and Parks. Our jobs are varied, but our mission is focused: to provide the best possible education for our students. Thank you for the opportunity to testify in support of HB 4059.

OSEA's members are the lowest paid and most diverse section of the education workforce, and are working every day without adequate resources, support, or training. These are jobs that are hard to recruit and retain for as it is, and there is a chronic statewide staffing shortage across our schools for both teachers and classified positions. The recruitment and retention difficulties are exacerbated by the fact that educators are all too often undeservedly caught up in the State's confusing abuse investigation system.

To be clear, OSEA is not here because it thinks its members should have an easier time getting away with bad acts. In the majority of cases where our members face investigations, they are ultimately exonerated. The system is designed to encourage mandatory reporters to err on the side of reporting and to investigate every allegation that could possibly be abuse, and these systemic biases lead to many "false positive" cases where educators are investigated and ultimately cleared of wrongdoing. But these "false positive" cases come at a real cost, not only to our members but to the children that they serve: when an educator is facing an investigation, the school district almost always places that member on administrative leave while the investigation is pending. Due to the sheer number of investigations, DHS faces a perpetual massive backlog, and investigations typically take months to complete in the best cases.

This long and difficult process is made much more confusing by the fact that OTIS uses a confusing evidentiary standard to determine whether abuse allegations should be founded. The current statute utilizes a "reasonable cause to believe" standard. This is not an evidentiary standard that is commonly used in the legal system, and it is ambiguous at best what this actual means. This makes it difficult for educators who are under investigation to understand how their fates are being decided. This gives Oregon some of the loosest language in the nation when it comes to the investigation of child abuse, it slows down the processing of investigations and contested cases, and is out of line with national standards. Every person has the right to due process and to make their case, and under the current system that is hard to accomplish without a clear sense of the standard that is used to determine whether an allegation should be founded or not.



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That is why OSEA is in strong support of the change from “reasonable cause to believe” to “preponderance of evidence.” The “preponderance of the evidence” standard is one of the most commonly used evidentiary standards in the modern legal system. This would, a much clearer and straightforward legal standard that would let educators know where they stand when navigating an investigation. When administrative law judges are tasked with reviewing contested cases, they will be able to make their determinations using a clear standard that they are familiar with. And in all cases, regardless of the outcome, we will all be able to better trust those outcomes because we can understand and trust the legal standard used to reach those outcomes.

HB 4059 sets a standard that works for our educators, our students and our communities. It will reduce administrative burden, it will get our educators back in the classroom to support our students, and will set a clear standard in how child abuse is investigated and determined. We urge a yes vote on HB 4059.

Thank you for the opportunity to testify.

Sincerely,

Willis Homann, OSEA Director of Government Relations and Communications

*The Oregon School Employees Association (OSEA) is an affiliate of
the American Federation of Teachers (AFT) and the AFL-CIO.*

