

# Oregon

## State Roles and Responsibilities for PK-12 Public School Facilities



**2025 State Profile**



**National Center on  
School Infrastructure**



## Authors & Acknowledgements

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This profile was created as part of the National Center on School Infrastructure (NCSI).

## Disclaimers

*This state profile represents our best understanding of state policies, standards, and laws governing public PK-12 educational facilities. Any errors or omissions are the responsibility of the authors. This document should not be considered an officially approved statement of state policy.*

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**National Center on  
School Infrastructure**

The National Center on School Infrastructure is a national resource hub that supports states and school districts in the stewardship of America's elementary and secondary public school facilities.



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## OREGON EXECUTIVE SUMMARY

This document provides an overview of the state of Oregon's roles and responsibilities regarding public elementary and secondary (PK12) school facilities. It is part of a National Center on School Infrastructure technical assistance project to document public school facility policy and practice across all U.S. states and territories to help build state capacity for aiding districts in their efforts to provide students and staff with healthy, safe, resilient, and educationally adequate public school buildings and grounds.

The governance and management of PK-12 public school facilities are primarily managed at the local level.<sup>1</sup> Local Education Agencies (LEAs) have the authority and responsibility for the day-to-day operations and maintenance of public school facilities, as well as for long-term planning, design, financing, and construction.

States, however, also assume a range of roles and responsibilities regarding the governance and management of school facilities. These include establishing and implementing state policies and practices to support local PK-12 public school facilities planning, facility data collection, capital and maintenance funding for buildings and grounds, facilities management, and facility standards and implementing systems for accountability.



State agencies may additionally offer technical assistance and training to help districts meet modern facility standards, mitigate risks, and enhance the overall quality of local stewardship for public school buildings and grounds. The extent of state involvement in public school facilities varies widely across states.

**Governance:** Public education is a state responsibility established in [Article VIII, Section 3](#) of the Oregon Constitution, which requires the Legislative Assembly to

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<sup>1</sup> This is true in all states, except Hawaii, which is a unitary state and local education agency.



provide by law for a uniform and general system of common schools. School districts are independent local entities responsible for the ownership and operation of school buildings. School facility authority in Oregon is structured under the system of local control. The Oregon Legislature enacts laws related to school facilities and appropriates funds through its biennial budget process, with facilities-related legislation reviewed by the House and Senate Committees on Education and the Joint Committee on Ways and Means – Subcommittee on Capital Construction. The State Board of Education, authorized under [ORS 326.021](#), adopts administrative rules that may include facility-related provisions tied to instructional programs or school approval. The Governor serves as Superintendent of Public Instruction under [ORS 326.300](#) and appoints the Deputy Superintendent. The School Facilities Advisory Group, required under [ORS 326.549](#), is composed of technical and district representatives and meets at least annually to advise on the design, revision, and implementation of state-administered facility programs.

**Management:** School districts manage the daily operation, maintenance, construction, and long-range planning of public school facilities. The Oregon Department of Education (ODE), through its [Office of School Facilities](#), provides administrative oversight for selected state programs and collects facility-related documentation for funding eligibility and reporting. These responsibilities include administering planning grants through the Technical Assistance Program (TAP), reviewing environmental health documentation under the Healthy and Safe Schools Program, and managing the Oregon School Facilities Database. District facility conditions may be reviewed under [ORS 327.103](#) when relevant to a district's ability to meet program delivery requirements. The Deputy Superintendent, appointed by the Governor, leads the Department and oversees statewide program administration and rule implementation.

**Data:** ODE maintains multiple state-level systems to support school facility oversight. [The Oregon School Facilities Database](#), established under [ORS 326.125](#), stores facility-level data submitted by districts, including construction dates, building systems, seismic upgrades, and utility information. [The Statewide School Facility Assessment \(SSFA\) Program](#), authorized under a 2021 amendment to ORS 326.125, is evaluating over 5,000 school buildings across all school districts, education service districts, and public charter schools. The Healthy and Safe Schools Program collects environmental health data in compliance with [ORS 332.331](#) to [ORS 332.337](#). Districts also report enrollment data to ODE for annual publication and submit financial data for capital,



operations, and maintenance through the [Oregon Transparency Website](#), as required under [ORS 276A.253](#).

**Planning:** School facility planning responsibilities rest with districts. Long-range facility plans are only required for districts applying to state-administered programs such as OSCIM or TAP. Planning requirements are outlined in [OAR 581-027-0040](#) and include enrollment projections, facility capacity evaluations, and an educational adequacy review when TAP-funded. [OAR 581-027-0043](#) outlines the qualitative criteria used in these reviews. Districts with more than 2,500 students are also subject to coordination requirements under [ORS 195.110](#) to support school siting and land use planning. Environmental planning is addressed through the submission of Healthy and Safe Schools Plans, as required under [ORS 332.331](#).

**Funding:** Maintenance and operations are funded through local general funds, supported by the [State School Fund \(ORS 327.008\)](#) and [Common School Fund \(ORS 327.405, ORS 327.410\)](#), which districts may use for custodial services, utilities, and minor repairs. The [Technical Assistance Program \(ORS 326.125\)](#) offers competitive grants for facility assessments, long-range planning, seismic evaluations, and environmental testing. Capital improvements are primarily financed through local general obligation bonds, with state matching funds available through the [Oregon School Capital Improvement Matching \(OSCIM\) Program](#), established under [ORS 286A.801](#) and funded through Article XI-P bonds. Other capital grant programs include the [Seismic Rehabilitation Grant Program \(ORS 401.910\)](#), the [Healthy School Facilities Fund \(ORS 332.337\)](#), and the [Community Renewable Energy Grant Program](#).

**Accountability:** State accountability for school facilities is structured through a combination of administrative rules, building code enforcement, and environmental health compliance. [OAR 581-022-2225](#) requires each district to implement a facility safety inspection program. School construction and major renovation projects must comply with the Oregon Structural Specialty Code and other applicable specialty codes under the authority of the Building Codes Division ([ORS 455.148–.150](#)). Health and safety compliance is governed by regulations on lead, radon, asbestos, pesticides, and air quality. Environmental and energy performance requirements include the Energy Efficiency Specialty Code and green energy investments under [ORS 279C.527](#). When relevant to instructional program delivery, facility conditions may be reviewed under [ORS 327.103](#) to determine district compliance with minimum education standards.



## OREGON ELEMENTARY AND SECONDARY EDUCATION

### CONSTITUTIONAL BASIS

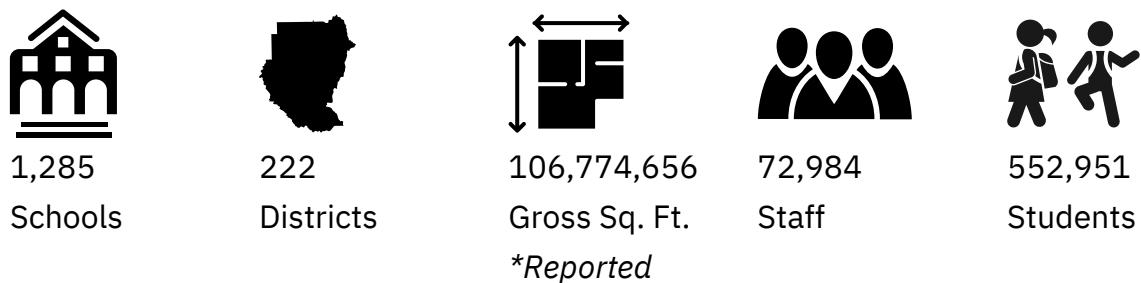
Public education is a state responsibility established in the Oregon State Constitution.

#### Article VIII, Section 3

*“The Legislative Assembly shall provide by law for the establishment of a uniform and general system of common schools.”*

This constitutional provision establishes the Legislative Assembly’s obligation to maintain a statewide system of public education. While it does not explicitly reference school facilities, the responsibility for providing a system of common schools is implemented through statutory and administrative mechanisms that include state oversight of certain aspects of school buildings and grounds. The Oregon Department of Education and associated state programs operate under this constitutional framework, in coordination with local education agencies that are primarily responsible for school facility ownership, construction, and maintenance.

### SCALE OF SCHOOL HOUSING



Oregon’s 222 local education agencies (LEAs) (hereafter referred to as ‘school districts’) reported to the U.S. Census of Governments that they operated 1,285 PK through 12<sup>th</sup> grade (and adult education) schools in fiscal year 2022.<sup>2</sup> These schools enrolled 552,921 students and were the workplace for 72,984 staff. These schools encompass a reported 106.8 million gross square feet of building space statewide.

<sup>2</sup> SOURCE: U.S. Census of Governments Fiscal Survey



The following sections describe Oregon's state-level roles and responsibilities for public school facilities.

## OREGON PK-12 PUBLIC EDUCATIONAL FACILITIES GOVERNANCE

*State-level engagement in PK-12 public school facilities is firmly embedded in state systems. State boards of education, state education agencies, state legislatures, governors, and in some cases, independent commissions and facilities authorities make decisions about state roles and responsibilities associated with the quality and delivery of public school facilities. These bodies govern through state codes, regulations, standards, and budgets, which direct and influence local policies and practices regarding public school buildings and grounds. In some states, education finance equity and adequacy court cases have also played a role in defining state responsibilities for public school facilities.*

### LEGISLATIVE COMMITTEES AFFECTING FACILITIES

The Oregon State Legislature has constitutional and statutory authority over public education, including decisions related to school facility programs, funding, and capital appropriations. This authority is grounded in [Or. Const. Art. VIII, § 3](#), which requires the Legislative Assembly to establish a uniform and general system of common schools. Legislative responsibilities are exercised through statutory enactments and the state's biennial budget process.

Several standing and joint legislative committees influence school facility policy:

- [House Committee on Education](#) and [Senate Committee on Education](#): These standing committees consider legislation related to K-12 education, including bills affecting school construction, safety standards, long-term planning, and the administration of state-funded facility programs.
- [Joint Committee on Ways and Means – Subcommittee on Capital Construction](#): This subcommittee, operating under the full Joint Committee on Ways and Means, reviews capital funding proposals for public infrastructure and



recommends appropriations for K-12 public school facility grants, including the Oregon School Capital Improvement Matching (OSCIM) Program, the Seismic Rehabilitation Grant Program, and the Technical Assistance Program.

Legislative decisions regarding school facility funding and oversight are determined through the budget and appropriations process, statutory program design, and policy priorities established in these committees.

## **STATE BOARD OF EDUCATION**

The [Oregon State Board of Education](#) is established under [ORS 326.021](#). It consists of seven voting members appointed by the Governor and confirmed by the Senate, including one member from each congressional district and two at-large members, one of whom must be a licensed teacher. The State Treasurer and Secretary of State, or their designees, serve as nonvoting, ex officio members.

Under [ORS 326.051](#), the Board is authorized to adopt rules for the general governance of public elementary and secondary schools. This includes rules related to instructional programs, district operations, and administrative requirements applicable to public school districts. The Board also adopts rules governing the approval of schools, which may include facility-related criteria such as space, safety, or program support requirements necessary for the delivery of educational services.

The Board is responsible for adopting the minimum standards that are used by the Superintendent of Public Instruction to evaluate whether school districts are in compliance with program requirements under [ORS 327.103](#). These standards do not constitute direct regulatory oversight but serve as the baseline for program compliance determinations made by the Superintendent.

## **GUBERNATORIAL ROLE IN SCHOOL FACILITIES**

Under [ORS 326.300](#), the [Governor of Oregon](#) serves as the Superintendent of Public Instruction and holds responsibility for overseeing the administration of public education in the state. In this role, the Governor appoints a Deputy



Superintendent to manage the Oregon Department of Education (ODE) and implement education policies. The Governor also submits a biennial budget to the Legislature, which includes recommended appropriations for school facility programs.

In addition to budgetary authority, the Governor may take action related to public school facilities in the context of a declared emergency. Under [ORS Chapter 401](#), the Governor holds emergency powers that can affect the use, closure, or repair of school buildings during statewide emergencies, including natural disasters and public health crises.

### **DEPUTY SUPERINTENDENT OF PUBLIC INSTRUCTION**

The Deputy Superintendent of Public Instruction, who also serves as the Director of the [Oregon Department of Education](#), is appointed by the Governor under [ORS 326.300](#). This is a nonpartisan, professional position requiring at least five years of experience in public school administration and is subject to confirmation by the Oregon Senate. The Deputy oversees the Department's internal operations and is responsible for implementing the education policies of the Superintendent of Public Instruction, a role held by the Governor.

Under [ORS 326.310](#), the Deputy Superintendent carries out the statutory duties of the Superintendent and manages the administration of statewide programs, rule implementation, and compliance monitoring. This includes oversight of reporting requirements and coordination across Department divisions.

Pursuant to [ORS 327.103](#), the Deputy reviews district compliance with minimum standards adopted by the State Board of Education. These reviews are used to determine eligibility for State School Fund distributions. While ORS 327.103 does not address facilities directly, facility conditions may be reviewed under this framework when they are relevant to a district's ability to deliver required instructional programs.

### **SCHOOL FACILITIES ADVISORY GROUP**

Under [ORS 326.549](#), the Superintendent of Public Instruction is required to convene a School Facilities Advisory Group at least once each year. The advisory group is composed of individuals with expertise in architecture, engineering,



construction, public finance, and school district operations. Its role is to advise the Oregon Department of Education on matters related to school facilities, including the design, implementation, and revision of state-administered programs.

The advisory group was originally convened to support the development of the Oregon School Capital Improvement Matching (OSCIM) Program, established under [ORS 286A.801](#), which provides matching grants to school districts that pass local general obligation bonds. The group also contributed to the development of the certification program for qualified technical assistance providers and the establishment of the Oregon School Facilities Database in 2015, both of which are authorized under [ORS 326.125](#).

Under its current statutory responsibilities, the advisory group reviews the OSCIM grant program, the certification process for technical assistance providers, and the maintenance and function of the statewide school facilities database. It may also recommend changes to any state programs related to school facility conditions or capital costs. While the Office of School Facilities now administers these programs, the advisory group continues to serve as a required consultative body on school facility policy and oversight.



## AD HOC COMMITTEES, BOARDS, AND COMMISSIONS

### *JOINT COMMITTEE ON PUBLIC EDUCATION APPROPRIATIONS (2022-2023)*

The Joint Committee on Public Education Appropriation was established as an ad hoc legislative committee pursuant to [ORS 327.254](#), which directs the Legislative Assembly to evaluate the adequacy of funding for the public education system described in Article VIII, section 8 of the Oregon Constitution. The committee was convened in 2022 by the President of the Senate and the Speaker of the House to conduct a review and submit a report to the 2023 Legislature.

The committee reviewed funding levels, cost structures, and policy factors across Oregon's K-12 education system. In December 2022, it published [\*The 2023 Report on the Adequacy of Public Education Appropriations\*](#), which addressed the financial implications of declining student enrollment and associated cost pressures, including those related to school facilities. The report noted that enrollment declines may reduce district funding while costs associated with school buildings, such as operations, maintenance, and long-term capital obligations, remain fixed or increase.

### *TASK FORCE ON SCHOOL CAPITAL IMPROVEMENT PLANNING (2013-2014)*

The Task Force on [School Capital Improvement Planning](#) was established by [Senate Bill 540](#) (2013) to assess the condition of Oregon's K-12 public school facilities and to recommend a coordinated state strategy for capital improvement planning. Convened by the Governor, the task force included members appointed in consultation with legislative leadership and represented expertise in architecture, engineering, school finance, education policy, and school district operations.

The task force's charge was to develop recommendations related to capital investment needs, long-term planning, and state-local funding mechanisms to support safe and adequate school infrastructure. It reviewed the state of Oregon's aging school buildings, evaluated other state models, and considered policy and technical assistance structures that could improve capital project delivery at the district level.



In 2014, the task force published its final report, [The Schools Our Students Deserve](#), which recommended the creation of a permanent state program to support local school facility investments. Its recommendations included establishing a competitive grant program, developing a statewide school facilities database, and creating a state-level office to administer facility-related programs. Several of these recommendations were reflected in subsequent legislation, including [Senate Bill 447](#) (2015), which established the Oregon School Capital Improvement Matching (OSCIM) Program and created the Office of School Facilities within the Oregon Department of Education.

***SEISMIC REHABILITATION GRANT PROGRAM COMMITTEE (ONGOING SINCE 2005)***  
The [Seismic Rehabilitation Grant Program Committee](#) was established in 2005 under [ORS 401.910](#) to support the implementation of the [Seismic Rehabilitation Grant Program](#) (SRGP). The SRGP was created following the passage of constitutional amendments ([Articles XI-M and XI-N](#)) authorizing the state to issue general obligation bonds for the seismic retrofitting of public buildings, including K–12 school facilities and emergency response structures.

The Committee advises the Oregon Business Development Department (Business Oregon), which administers the program. Its membership includes representatives from the Oregon Department of Education, the Office of Emergency Management, and the Department of Geology and Mineral Industries, as well as members from professional and stakeholder organizations, including school administrators, fire officials, and structural engineers.

The Committee is responsible for reviewing and ranking grant applications submitted by eligible entities and making funding recommendations based on criteria established in statute and administrative rules. From 2014 to 2024, the Committee has supported the allocation of millions of dollars in grant funding to public school districts for seismic retrofitting of school buildings.



## OREGON PK-12 PUBLIC EDUCATIONAL FACILITIES MANAGEMENT

*Local Education Agencies (LEAs) have authority and responsibility for the day-to-day operations and maintenance of public school facilities, as well as for long-term facilities planning, design, financing, and construction. Although PK-12 public school facilities are managed locally, there are state facilities management roles and responsibilities that may involve strategic planning, data collection, state funding programs, standards and systems for accountability.*

*State agencies may also include programs for technical assistance and training that help districts meet standards, mitigate risk, and increase the quality of local district stewardship of public school buildings and grounds. State roles and responsibilities related to elementary and secondary public school facilities vary widely across the U.S. states, with unitary districts in Hawaii and U.S. Territories, where the state agency and the local agency are combined.*

### OREGON DEPARTMENT OF EDUCATION - OFFICE OF SCHOOL FACILITIES

The [Oregon Department of Education](#)(ODE), established under [ORS 326.111](#), provides administrative oversight of public education, including responsibilities related to school facilities. While school districts retain authority over the ownership, construction, and maintenance of school buildings, ODE supports districts through program administration, technical assistance, and oversight of selected reporting and compliance requirements. Under [ORS 327.103](#), ODE is responsible for reviewing whether school districts meet the minimum program standards adopted by the State Board of Education. These reviews may include consideration of facility-related conditions only when they are relevant to the delivery of required instructional programs.

The Office of School Facilities (OSF), created in 2015 within ODE under [ORS 326.125](#), is responsible for managing state-supported facility programs and related administrative processes. These responsibilities include administering state grants, managing the statewide school facilities database, coordinating planning documentation, and reviewing submissions related to funding eligibility. The OSF also develops and maintains internal protocols to guide



program participation and interfaces with other state agencies where implementation requires interagency coordination.

In its administrative role, the OSF reviews and processes facility assessments, long-range facility plans, and environmental health documentation submitted by school districts under the requirements of programs such as the Healthy and Safe Schools Plan. The OSF also maintains statewide data systems related to school building condition and use, including those informed by the Statewide School Facility Assessment Program authorized under ORS 326.125. Through these functions, the Oregon Department of Education and the Office of School Facilities provide procedural oversight and administrative infrastructure to support local district facility stewardship and participation in state-funded initiatives.

#### *SUPPORTING AMERICA'S SCHOOL INFRASTRUCTURE (SASI) INITIATIVE*

The Oregon Department of Education (ODE) received \$5 million grant from the U.S. Department's of Education's [Supporting America's School Infrastructure \(SASI\)](#) grant program to expand the administrative capacity of its [Statewide School Facility Assessment \(SSFA\)](#) Program. The grant is being used to shorten the assessment timeline from five years to three years and to prioritize facilities in high-need districts. Grant funds are supporting the development of standardized tools and procedures to improve the accuracy and comparability of facility data submitted to the Oregon School Facilities Database. The expanded SSFA Program is intended to strengthen the state's ability to collect, analyze, and use facility condition data to support local planning and inform future state-level decision-making. Funds awarded through the SASI program may not be used for direct construction or renovation.

## **Oregon PK — 12 School Facilities Data Management**

*Extensive data and information are needed for educational facility planning, decision making, and oversight. Relevant data helps stakeholders understand the broad impacts of their PK -12 infrastructure spending and investments on health, education, community and beyond. Facilities data falls into five major categories: ([NCES Forum Guide to Facilities Information Management](#)).*



**Inventory:** Data include addresses, geo-codes, building areas, site acreage, and year of construction.

**Design:** Data include space descriptions, number of stories, designed-for purposes (i.e., elementary school, performance center).

**Utilization:** Data includes school capacity for enrollment based on the educational programs provided, spaces that are shared, and the gross square footage per enrolled student.

**Condition:** Data includes facility condition assessment data on the age and condition of major components, systems, and finishes.

**Budget and Finance:** Data elements include the district expenditures for maintenance, operations, and capital improvements.

Beyond these standard data sets, an increasing amount of data is also being collected and analyzed on building performance. This includes data on building performance metrics for energy efficiency, indoor air quality, lead levels in water, and the presence of hazardous materials like asbestos, mold, or PCBs.

#### ENROLLMENT DATA

The Oregon Department of Education (ODE) collects student enrollment through the [Cumulative Average Daily Membership](#) (ADM) collections and establishes the official annual count on the first school day in October, referred to as Fall Membership. Districts are required to maintain student accounting records for enrollment, attendance, membership, and resident or nonresident status using uniform definitions and to submit reports within fifteen days after the close of each collection period under [OAR 581-023-0006](#). The report covering the period ending on the first school day in October must be submitted to ODE no later than November 15, as specified in OAR 581-023-0006(2).

Average Daily Membership is defined in [ORS 327.006](#), which establishes the basis for counting students for funding purposes. Under [ORS 327.061](#), a student may be included in ADM only if reported with a state-issued school identification number in accordance with State Board of Education rules. The apportionment of the Common School Fund is tied to resident ADM as reported from the preceding fiscal year under [ORS 327.420](#).

Administrative rules further specify procedures for student entry and withdrawal, residency designation, reporting timelines, and record retention. [OAR 581-023-0018](#) governs the reporting of resident ADM by county. ODE



issues annual manuals, including the [Student Membership Manual](#), that set out detailed inclusion and exclusion rules for student counts and describe the validation procedures used to compile the Fall Membership Reports.

#### INVENTORY DATA

The Oregon Department of Education (ODE) is required to maintain information on public school facilities through multiple statutory mandates. [ORS 326.125](#) establishes the Office of School Facilities within ODE and authorizes it to administer the [Oregon School Facilities Database](#). The database stores information reported by districts.

[ORS 326.547](#) directs ODE to establish and maintain a public education facility information database. The statute authorizes ODE to require districts, education service districts, and charter schools to report data including facility name, street address, gross square footage, year of construction, and history of major renovations within the last thirty years. Additional data elements authorized in statute include site and building identification details, operation and maintenance costs, and energy usage. ORS 326.547 also requires that the database be publicly accessible.

ODE implements these provisions through the annual Public Education Facilities Information Database (PEFID) collection. Building records submitted to ODE include address, year built, gross square footage, structure type, and use. Renovation history and construction year fields are reported for each facility.

#### CONDITION DATA

The Oregon Department of Education (ODE), through the Office of School Facilities, administers a statewide school facilities assessment program authorized under [ORS 326.125](#). The statute directs ODE to establish standards for facilities assessments and authorizes the department to conduct a statewide assessment of all K–12 public school buildings, including charter schools and education service district facilities.

[OAR 581-027-0035](#) specifies the required content of a facility assessment. Assessments must include the original construction date and type of the building; documentation of additions and renovations with dates, types, and areas; and the current usage designation for major spaces. They must also



provide an element-level inventory of building systems using the UNIFORMAT II classification, with associated condition ratings, cost estimates, and a facility condition index (FCI). Additional data requirements include identification of compliance with the Americans with Disabilities Act, building security, technology infrastructure, indoor air quality, and the presence of harmful substances such as lead or asbestos.

Facility assessments must be submitted to ODE electronically on the state-provided template. Assessment results are stored in the [Oregon School Facilities Database](#) maintained by ODE under ORS 326.125.

#### BUDGET AND FINANCE DATA

The Oregon Department of Education (ODE) collects limited financial information on school facilities through the [Public Education Facility Information Database](#) (PEFID) authorized under [ORS 326.547](#). Districts, education service districts, and charter schools are required to report outstanding bonded indebtedness, details of the most recent bond election, annual operation and maintenance costs, and energy usage. These submissions are incorporated into the statewide facility database maintained by ODE.

As part of the PEFID collection, ODE also conducts a separate [Bonds Collection](#), which gathers data on bond elections, bond sales, and outstanding debt. Annual maintenance expenditures are recorded within the building-level inventory submissions, as required under ORS 326.547.

Broader financial reporting is provided through the [Oregon Transparency Website](#), established under [ORS 276A.253](#). This statute requires state agencies and education entities to make financial information available to the public when practicable and without additional cost. Reporting includes district expenditures for capital outlay, facility maintenance, operations, and debt service.

#### FACILITY PERFORMANCE DATA

The Oregon Department of Education (ODE) collects facility performance data through statutory reporting requirements. Under [ORS 326.547](#), the [Public Education Facility Information Database](#) includes annual energy usage reported by districts, education service districts, and charter schools.



Environmental performance data are reported through the [Healthy and Safe Schools \(HASS\) program](#) required under [ORS 332.331](#). Districts must submit testing results for lead in drinking water and radon, as well as adopted plans for asbestos and integrated pest management. These submissions are maintained in ODE's HASS system, which is publicly accessible.

Ventilation and indoor air quality performance are documented through verification reports required under [ORS 332.363](#). Districts must submit these reports to ODE within thirty days of completing HVAC assessments; ODE retains the reports for at least five years, and they are available for public inspection.

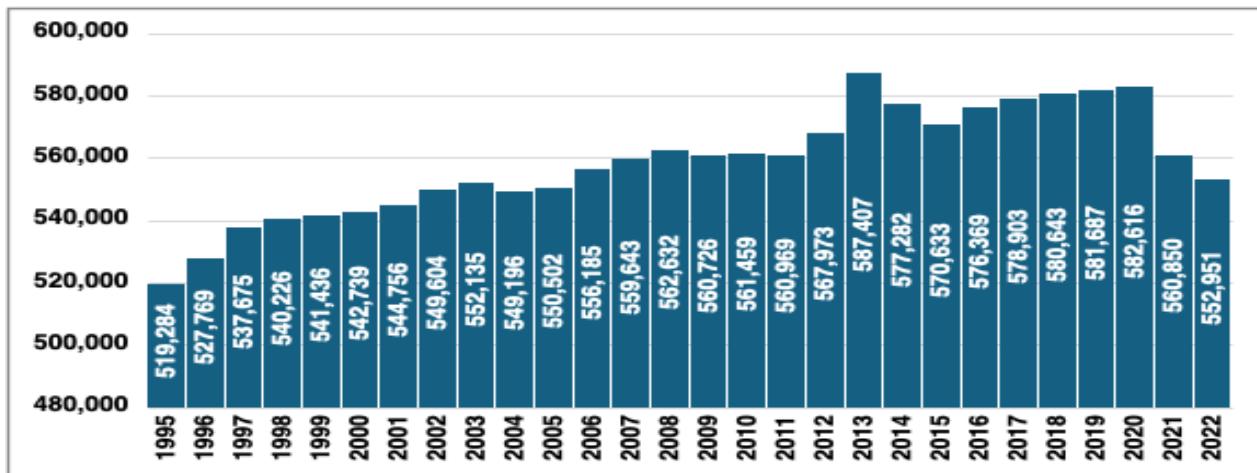
Seismic performance data are maintained by the Oregon Department of Geology and Mineral Industries (DOGAMI). Under [ORS 332.163](#), school districts are required to notify DOGAMI when construction or modifications change a building's seismic risk category. DOGAMI incorporates this information into its seismic risk records.



## OREGON PK — 12 SCHOOL FACILITIES PLANNING

*School facilities require planning at many different levels to meet educational and community purposes. Educational facilities planning is needed for facilities operations, maintenance, and capital projects. Planning PK- 12 public school facilities enables states, districts, and communities to align their resources to their needs, ensure that priorities are met fairly, and that facilities are operated, managed, and built to modern health, safety, educational, and environmental standards.*

### CHART 1: STUDENT ENROLLMENT SCHOOL YEARS 1994-1995 THROUGH 2021-2022



Source: Data from the U.S. Census of Governments Fiscal Survey; [www.school-infrastructure.org](http://www.school-infrastructure.org) Data Dashboard, of the National Center on School Infrastructure (NCSI).

#### CAPITAL PLANNING

Oregon requires districts to complete specific planning steps when seeking state assistance for school capital projects. Under [ORS 326.125](#), the Office of School Facilities within the Oregon Department of Education (ODE) is responsible for establishing standards for facility assessments and long-range facility plans and for administering grant programs to support their preparation.

Participation in the [Oregon School Capital Improvement Matching \(OSCIM\) Program](#) is contingent on submission of a certified facility assessment and a long-range facility plan. [OAR 581-027-0023](#) sets the procedures for this process. Districts must submit both documents electronically to ODE by July 1



preceding the November OSCIM application cycle or by December 1 preceding the May cycle. The rule authorizes ODE to review the submissions for compliance and to require corrections before determining eligibility.

The [Technical Assistance Program](#) (TAP), also authorized under [ORS 326.125](#), provides grants to districts to complete facility assessments and long-range facility plans. TAP is designed to assist districts in preparing the prerequisite planning documents necessary to apply for capital matching funds through OSCIM.

Capital planning requirements in Oregon apply only to districts that participate in state-funded programs such as OSCIM or TAP. Outside these contexts, capital planning remains a local responsibility, and there is no general state mandate requiring all districts to submit capital plans.

#### EDUCATIONAL FACILITIES MASTER PLANNING

Oregon defines long-range facility planning requirements through administrative rule. Under [ORS 326.125](#), the Office of School Facilities is authorized to establish standards for long-range facility plans. [OAR 581-027-0040](#) specifies the elements that must be included in a district's plan.

Each long-range facility plan must project district population and enrollment for a period of at least ten years. Plans must identify existing and potential school sites, including proposed site acquisition schedules, and demonstrate coordination with local comprehensive land use planning as required under [ORS 195.110](#). Districts must document opportunities for community involvement in the planning process and identify any historic buildings or sites affected by the plan.

Plans must also include an evaluation of how existing instructional spaces align with the State Board of Education's Educational Adequacy Review Standards. Districts are required to identify the improvements needed to meet those standards, along with alternatives to new construction where applicable.

Long-range facility plans are prepared and retained by districts but must be submitted to the Oregon Department of Education (ODE) when districts participate in state programs such as the Oregon School Capital Improvement



Matching (OSCIM) Program or the Technical Assistance Program (TAP). Outside of these programs, there is no statutory requirement for districts to file long-range facility plans with ODE.

## OREGON PK-12 EDUCATIONAL FACILITIES FUNDING

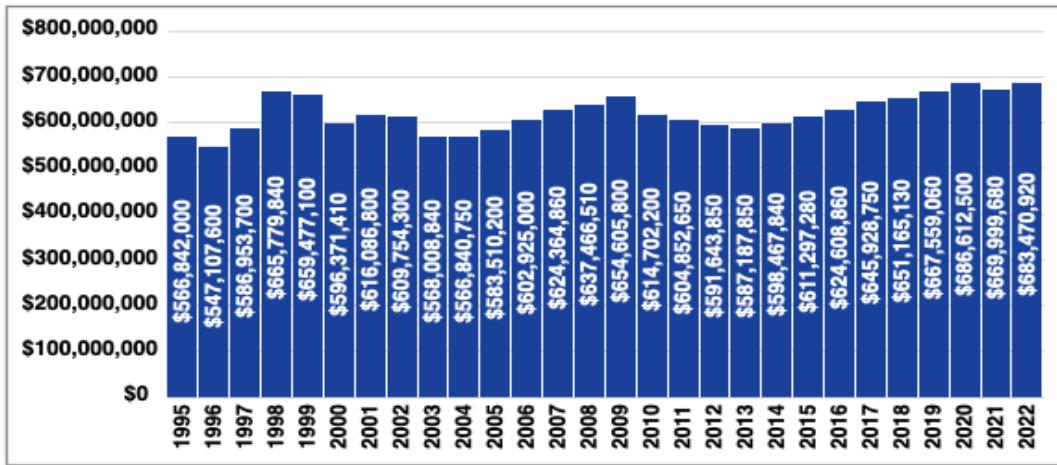
*School facilities are funded with annually budgeted operating funds for utilities, cleaning, groundskeeping, maintenance and repairs; and periodically budgeted, and usually bond financed, capital funds, for school design, construction, renovation and major repair projects. State laws define how districts get access to local financing for school construction capital projects and whether or how states distribute state school construction funding. Federal funding for school construction is minimal—before pandemic funding—it was less than 2% of what districts paid for school construction capital outlay, with a major share of federal funding for rebuilding schools post weather related disasters.*

### MAINTENANCE AND OPERATIONS FUNDING

Maintenance and Operations expenditures include payment for utilities, custodial staff and services, groundskeeping, related custodial and repair materials, equipment, and maintenance contracts, as well as spending for security personnel, materials, and services. Oregon school districts reported \$683.47 billion of M&O annual operating-budget expenditures to the U.S. Census of Governments for FY2022 in 2024\$--this was an average of \$1,230 per FY2022 student for fiscal years 2020 to 2022. Chart 2 shows 27 years of maintenance and operations spending of Oregon public school districts from FY1995 to FY2022 adjusted to 2024\$ using the Consumer Price Index.



**CHART 2: M&O SPENDING, FY1995-FY2022 (INFLATION-ADJUSTED 2024 DOLLARS)**



Source: Data from the U.S. Census of Governments Fiscal Survey; actual M&O spending data available at [www.school-infrastructure.org](http://www.school-infrastructure.org) Data Dashboard, of the National Center on School Infrastructure (NCSI).

*STATE SCHOOL FUND*

The [State School Fund](#) (SSF), established under [ORS 327.008](#), is Oregon's primary funding source for K-12 education, providing approximately 80% of the general operating revenue for school districts and education service districts (ESDs). In the 2023–2024 fiscal year, the SSF allocated approximately \$7.06 billion to school districts and \$326.7 million to ESDs, based on estimates published by the Oregon Department of Education.

Although the SSF does not allocate funding specifically for school facilities, districts may use their SSF allocations at their discretion to cover costs related to routine maintenance, custodial services, minor repairs, and urgent facility needs. This flexibility allows districts to manage basic operational costs while using other mechanisms—such as local general obligation bonds or competitive state grants—for larger-scale capital improvements.

*COMMON SCHOOL FUND*

The [Common School Fund](#) (CSF) is a constitutionally established endowment governed by [Article VIII, Section 2](#) of the Oregon Constitution and managed by the Oregon Department of State Lands. Revenues are generated through the management of state lands and resources, including timber sales, mineral leases, and investment returns. Under [ORS 327.405](#) and [ORS 327.410](#), CSF



earnings are distributed to school districts twice annually based on student enrollment.

In 2025, the CSF distributed \$76.8 million to Oregon school districts, representing 3.5% of the fund's total value of \$2.38 billion as of February 2025. These distributions supplement general education funding and, while not specifically designated for school facilities, may be used by districts to support operational costs, including those related to facilities maintenance.

#### *TECHNICAL ASSISTANCE PROGRAM*

The [Technical Assistance Program](#) (TAP), administered by the Oregon Department of Education under [ORS 326.125](#) and governed by [OAR 581-027-0030](#), provides competitive grants to school districts for facility planning and environmental assessment activities. TAP is not a maintenance funding source, but it enables districts to evaluate facility conditions and prepare for future capital improvement projects. Districts must use Certified Assessors for facility assessments and long-range facility plans. Eligible activities and current grant amounts include:

- **Facility condition assessments** – up to \$40,000
- **Long-range facility planning** – up to \$40,000
- **Seismic assessments** – up to \$25,000
- **Environmental hazard assessments** (e.g., asbestos, radon) – up to \$25,000

TAP grants may reimburse projects initiated after July 1 of the prior fiscal year if they meet all program requirements. The application window is held annually from January 15 to February 15. Grant awards are subject to available funding and are administered by the Office of School Facilities.

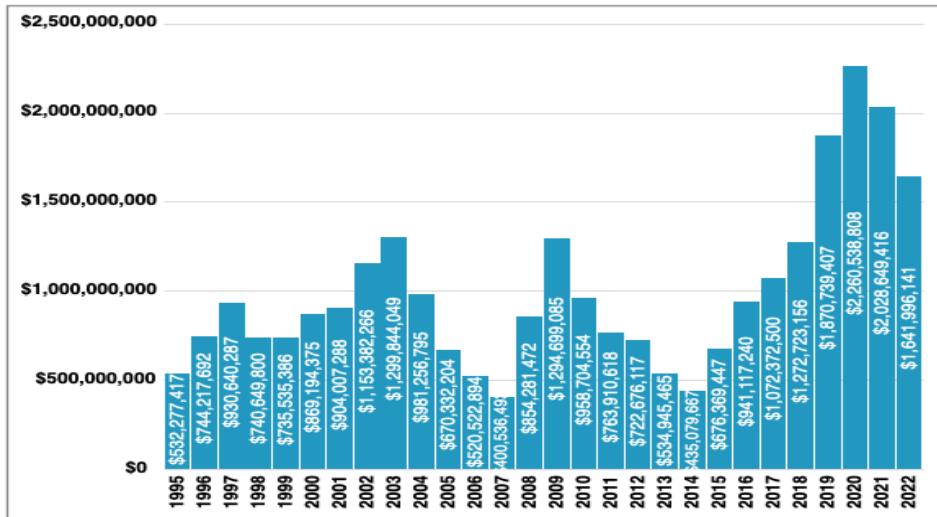
#### **FACILITIES CAPITAL FUNDING**

In addition to annual operating funds for facilities, school districts use capital funds for the long-range planning, design, financing, construction, and major renovation and systems renewals of public school buildings and grounds. Chart 3 shows inflation-adjusted school construction and other equipment capital expenditures from 1995 through fiscal year 2022. In 2022 the facilities capital



outlay for school construction and other equipment expended by Oregon local school districts was \$1.64 billion inflation-adjusted dollars. This excludes the cost of land, existing structures, and instructional equipment reported as part of the Total Capital Outlay by school districts to the U.S. Census of Governments.

### CHART 3: CAPITAL OUTLAY FOR SCHOOL CONSTRUCTION AND OTHER EQUIPMENT FY 1995 – FY 2002 (IN 2024)



Source: Data from the U.S. Census of Governments Fiscal Survey; actual Capital Outlay spending data available at [www.school-infrastructure.org](http://www.school-infrastructure.org) Data Dashboard, of the National Center on School Infrastructure (NCSI).

#### OREGON SCHOOL CAPITAL IMPROVEMENT MATCHING (OSCIM) PROGRAM

The [Oregon School Capital Improvement Matching \(OSCIM\) Program](#), established under [ORS 286A.801](#), provides state matching grants to school districts that pass local general obligation bonds for capital improvement projects. The program is administered by the Oregon Department of Education (ODE) through the Office of School Facilities and is funded by general obligation bonds issued under the authority of [Article XI-P of the Oregon Constitution](#). Proceeds from these bonds are deposited into the Oregon School Capital Improvement Matching Account under [ORS 286A.806](#) and are continuously appropriated to ODE.

The OSCIM Program is designed to promote equity in school infrastructure investment by matching voter-approved local bond funding with state funds. To qualify for a matching grant, a school district must submit a certified facility



assessment and a long-range facility plan that meet the requirements outlined in [OAR 581-027-0035](#) and [OAR 581-027-0040](#). Plans must be developed using certified assessors and submitted in accordance with program timelines.

Grants are awarded through two mechanisms:

- **Priority List (66% of available funds):** Allocations are based on a weighted formula that considers assessed property value per student, student enrollment, and the percentage of students in poverty.
- **First in Time List (34% of available funds):** Grants are awarded based on the order in which complete applications are received.

As of January 1, 2024, following the passage of [Senate Bill 285](#) (2023), the OSCIM Program provides a 1:1 state match for local bond proceeds up to \$6 million. For bond amounts exceeding \$6 million, districts may receive a prorated match of up to \$12 million, based on the state funding formula. These caps are subject to biennial adjustment for inflation.

Districts must pass their local bond measure and close on the bond within nine months of the applicable election date to receive a grant award. All OSCIM funds must be used for capital costs, as defined in statute, and cannot be used for routine maintenance or operating expenses. Charter schools are not eligible for OSCIM funding, as they cannot issue general obligation bonds.

The program is governed by multiple administrative rules under [OAR Chapter 581, Division 27](#), including [OAR 581-027-0010](#) through [OAR 581-027-0025](#), which address the funding formula, application process, and grant restrictions.

#### *SEISMIC REHABILITATION GRANT PROGRAM (SRGP)*

The [Seismic Rehabilitation Grant Program](#) (SRGP), authorized by [ORS 401.910](#) and managed by Business Oregon, provides competitive grants to school districts for the structural retrofitting of public school buildings. The program is funded through general obligation bonds issued under the authority of [Article XI-M of the Oregon Constitution](#). Grant funds may be used for structural improvements, engineering, design, and project management. They may not be used for demolition, new construction, or non-structural-only projects. As of the



most recent cycle, maximum grant awards are capped at \$2.5 million per building.

Business Oregon is responsible for program oversight, application evaluation, fund disbursement, and compliance monitoring. Applications are scored based on seismic risk, project readiness, financial feasibility, and community need. School districts are required to submit a qualified seismic assessment as part of their application. The Oregon Department of Education (ODE) supports district participation by offering annual Seismic Assessment grants through the Technical Assistance Program (TAP). These grants fund the required evaluations needed for SRGP eligibility. TAP funding is awarded on a competitive basis and may not be sufficient to support all interested districts in a given year.

Recent grant cycles have included up to \$45 million in funding for K–12 seismic projects, contributing to statewide efforts to improve the structural safety of school facilities in the event of a major earthquake.

#### *HEALTHY SCHOOL FACILITIES FUND*

Established under [ORS 332.337](#), the Healthy School Facilities Fund provides financial assistance to school districts to address environmental health risks, such as lead in drinking water. All Oregon school districts are currently eligible for reimbursement of lead testing costs. Additional funding for lead remediation is limited but includes targeted support for high-need districts, made possible by a U.S. Environmental Protection Agency WIIN grant awarded to the state.

#### *COMMUNITY RENEWABLE ENERGY GRANT PROGRAM (C-REP)*

The [Community Renewable Energy Grant Program](#), established under [House Bill 2021](#) and administered by the Oregon Department of Energy, provides funding for renewable energy systems and energy resilience projects for public entities, including school districts. C-REP offers:

- **Planning grants** up to \$100,000 for 100% of eligible planning costs.
- **Construction grants** up to \$1 million for energy resilience projects (100% eligible costs) and renewable energy systems (50% eligible costs).



As of December 2024, the program had awarded approximately \$41.8 million across 94 projects statewide. Eligible resilience measures include battery storage and microgrids that strengthen energy reliability at school sites.

## **FACILITIES FINANCING**

Oregon school districts primarily finance capital improvements through the issuance of local general obligation bonds, authorized under [ORS 328.205](#). These bonds require voter approval and are repaid through property tax levies. Bond proceeds may be used to acquire, construct, renovate, equip, or furnish school facilities. Districts must submit a ballot measure and obtain a majority vote from district residents, as provided under [ORS 328.210](#) and [ORS 328.230](#).

The [Oregon School Bond Guaranty Program](#), established by the Oregon School Bond Guaranty Act ([ORS 328.321 to 328.356](#)), allows the State Treasurer to guarantee the timely repayment of qualified general obligation bonds issued by school districts, education service districts, and community colleges. This guarantee is backed by the full faith and credit of the State of Oregon, enabling participating districts to secure more favorable borrowing terms and reduced interest rates. To participate, a district must apply to the State Treasurer and receive a Certificate of Qualification, confirming eligibility for the state's guaranty.

The Local Option Equalization Grant, established under [ORS 327.336](#), provides state assistance to districts that levy voter-approved local option taxes but have lower assessed property value per student than a defined target district. The grant is administered by the Oregon Department of Education and funded through legislative appropriations to the Local Option Equalization Grants Account under [ORS 327.339](#). Grant amounts are based on the difference in property wealth and tax effort, subject to program eligibility criteria and funding availability.

The [Oregon Municipal Debt Advisory Commission](#) (OMDAC), created under [ORS 287A.634](#), provides technical support to public bodies, including school districts, in planning and managing bond issuances. OMDAC collects and publishes data on municipal debt, offers financial guidance, and may adopt rules under [ORS 287A.640](#) requiring notification of upcoming bond sales. The



commission also serves as a resource for improving market access by facilitating engagement with credit rating agencies, financial advisors, and bond underwriters.

### **JUDICIAL DECISIONS AFFECTING FACILITIES**

Oregon courts have addressed legal questions related to school funding and the permissible use of capital funds for educational facilities, though the judiciary has not established broad mandates related to school infrastructure adequacy or state capital funding responsibilities.

In [Coalition for Equitable School Funding v. State of Oregon, 311 Or. 300](#) (1991), plaintiffs challenged the constitutionality of Oregon's school finance system, arguing that disparities in funding violated the state's equal privileges and immunities clause and education clause under [Article I, Section 20](#) and [Article VIII, Section 3](#) of the Oregon Constitution. The Oregon Supreme Court upheld the funding system, finding that although disparities existed among districts, the Constitution did not require equal funding or guarantee a specific level of educational resources. This decision affirmed legislative discretion in determining the structure and distribution of school funding and did not extend constitutional protections to capital investment disparities.

In [School District No. U-2-20 v. Fanning, 232 Or. 593](#) (1962), the Oregon Supreme Court considered whether the construction of a swimming pool could be funded using school bond proceeds. The Court found that such construction qualified as part of a "school building" under [ORS 328.205](#), and therefore was a permissible use of bond funds. The ruling clarified that facilities supporting the educational program, including those used for physical education, fall within the scope of allowable school capital expenditures.



# OREGON PK — 12 SCHOOL FACILITIES STANDARDS AND ACCOUNTABILITY

*Accountability systems for facilities involve facility standards, assessments, and reporting on the health, safety, education, and other factors associated with PK – 12 public school buildings and grounds. It involves systems for measuring and communicating conditions, and the authority to encourage or enforce changes in school design, construction, operations and maintenance.*

## MAINTENANCE AND OPERATIONS STANDARDS

Oregon Administrative Rule 581-022-2225 requires each school district to implement a safety program that includes regular facility inspections, documentation of identified hazards, and procedures for corrective action. The rule also requires school districts to maintain written records of safety inspections and to review them at least annually. These requirements apply to the day-to-day operation of school buildings, including maintenance of mechanical systems, custodial services, and site conditions.

School district maintenance activities are subject to health and safety regulations administered by the Oregon Occupational Safety and Health Division (Oregon OSHA), the Oregon Health Authority (OHA), and the Office of the State Fire Marshal. Oregon OSHA rules govern the safe operation and maintenance of equipment and systems such as electrical panels, boilers, and ventilation. Fire safety regulations, including those adopted under ORS 476.030 and enforced through the Oregon Fire Code, apply to the upkeep of fire alarm systems, exit pathways, and emergency lighting. Districts must also comply with any inspection or maintenance schedules required by equipment manufacturers or relevant building codes.

Responsibilities for general upkeep, preventive maintenance, and operational decision-making rest with local school boards and superintendents. Maintenance and operations activities are not centrally administered by the state.

## BUILDING STANDARDS



All public K–12 school facilities in Oregon are subject to the Oregon State Building Code, which is administered by the [Building Codes Division](#) (BCD) of the Department of Consumer and Business Services. The [State Building Code](#) applies to all public buildings, including schools, and consists of a set of specialty codes adopted statewide. The primary code governing school facility construction is the [Oregon Structural Specialty Code](#) (OSSC), based on the International Building Code with Oregon-specific amendments. Other applicable codes include the [Oregon Mechanical Specialty Code](#), [Plumbing Specialty Code](#), [Electrical Specialty Code](#), and [Oregon Fire Code](#).

School buildings are classified as Group E (Educational) occupancies under the OSSC and must comply with the structural, fire safety, accessibility, and life safety requirements applicable to that classification. Plan review, permit issuance, and construction inspections are conducted by city or county building departments authorized by the BCD, pursuant to [ORS 455.148](#) and [ORS 455.150](#). No school building may be occupied until it receives a certificate of occupancy verifying compliance with applicable codes.

Oregon law includes additional construction requirements related to seismic and geographic hazards. [ORS 455.447](#) requires that new school buildings meeting certain thresholds and undergo site-specific seismic hazard assessments during design. In tsunami inundation zones, [ORS 455.446](#) restricts the construction of new school buildings with a capacity of 50 or more occupants unless no practicable alternative site exists and the State of Oregon issues an exception. These requirements apply to new construction and are enforced through the building permit and inspection process.

Public school buildings must also meet state and federal accessibility requirements. [Chapter 11 of the OSSC](#) and the Oregon Accessibility Specialty Code incorporate the provisions of the Americans with Disabilities Act (ADA) along with state-specific requirements. New and substantially renovated school facilities must include accessible routes, entrances, restrooms, and program spaces in accordance with these codes.

Plan review, permit issuance, and inspections for school facility construction and renovation are conducted by local building departments operating under



authority delegated by the Oregon Building Codes Division. These local jurisdictions are responsible for ensuring that school construction projects comply with applicable provisions of the State Building Code as a condition of occupancy.

## **EDUCATIONAL ADEQUACY STANDARDS**

Under OAR 581-027-0043, school districts that receive a [Technical Assistance Program](#) (TAP) grant for Long-Range Facility Planning are required to complete an Educational Adequacy Review as part of their planning documentation. The review provides a framework for evaluating facility characteristics that may affect the delivery of instructional programs. Educational adequacy criteria are determined at the district level and used to assess conditions such as acoustics, lighting, technology infrastructure, and the physical capacity of instructional spaces.

The Oregon Department of Education's Office of School Facilities published a guidance document in August 2021 titled [\*Improving Student Outcomes Through Educational Adequacy Review Standards for School Facilities\*](#). This resource outlines a five-part structure for conducting adequacy reviews in TAP-funded planning processes. The five review areas include acoustics, lighting, technology infrastructure, physical capacity, and support for instructional activities. The guidance is designed to assist Certified Assessors and district leadership in qualitatively evaluating how the condition and configuration of school facilities align with the district's instructional program.

Completion of the Educational Adequacy Review is a required component of the Long-Range Facility Plan for districts participating in TAP. These reviews are not required outside of the TAP context and are submitted to the Oregon Department of Education only when districts seek reimbursement under the program or apply for subsequent state-administered facility grants.

## **HEALTH AND SAFETY STANDARDS**



The [Oregon Health Authority](#) (OHA) is the state agency responsible for public health oversight. In the context of school facilities, OHA's responsibilities expanded with the enactment of [ORS 332.331](#), which requires coordination between OHA and the Oregon Department of Education (ODE) to develop and disseminate guidelines for reducing environmental hazards in schools. Under this statute, OHA may provide technical assistance, issue recommendations based on current scientific evidence, and support districts in managing environmental health concerns.

ORS 332.331 also governs the [Healthy and Safe Schools \(HASS\) Program](#), which requires school districts to develop and implement Healthy and Safe Schools Plans to identify and mitigate environmental hazards in school buildings. These plans must include protocols for testing and managing risks associated with lead, radon, asbestos, and other hazardous materials. Districts must make their HASS plans publicly available and comply with testing and reporting timelines. [ORS 332.334](#) requires that testing results conducted under a HASS plan be posted within 10 business days of receipt, and that an annual statement on the plan be made available. [ORS 332.345](#) further mandates radon testing in schools and requires that the results be submitted to OHA and made accessible to the public.

#### *AIR QUALITY*

Under [ORS 332.345](#), school districts must develop a radon testing plan and conduct testing of all frequently occupied rooms that are in contact with the ground or located above basements or crawl spaces. Testing is required at least once every 10 years. The Oregon Health Authority provides model plans to assist districts. Test results must be reported to the district school board, submitted to the Oregon Health Authority, and made publicly available on the school or district website or at the school office.

[ORS 455.365](#) requires that new public buildings, including schools, located in areas identified by the state as having elevated radon potential, incorporate radon mitigation measures during construction. These measures must conform to standards adopted by the Building Codes Division and are aligned with recommendations from the U.S. Environmental Protection Agency.



House Bill 3031 ([2023 Oregon Laws chapter 525](#)) requires school districts that use federal or state funds for HVAC system upgrades to conduct a ventilation verification assessment. The assessment must be performed by qualified testing personnel and include evaluation of the HVAC system's operation, filter efficiency, ventilation rates, and compliance with ASHRAE Standard 62.1-2022. Verification must occur within five years of any qualifying HVAC project and again every five years thereafter. The law also requires the installation of carbon dioxide monitors in each classroom. If carbon dioxide levels exceed 1,100 parts per million for more than 15 minutes on four or more occasions in a month, adjustments must be made to the ventilation system, and records of exceedances must be maintained and made available upon request.

#### *CHEMICAL HAZARDS*

Public schools in Oregon are required to maintain asbestos management plans in accordance with [OAR 581-022-2230](#) and federal regulations under 40 CFR 763, Subpart E. These plans must include the elements specified in 40 CFR 763.93(e), such as records of inspections, response actions, training, and periodic surveillance. Local education agencies are responsible for ensuring that all required inspections and response actions are completed and that custodial and maintenance staff receive appropriate asbestos awareness training. Annual notifications must be provided to building occupants, warning labels must be affixed to known or assumed asbestos-containing materials, and the asbestos management plan must be made available for public inspection.

Integrated Pest Management (IPM) is mandated for all school districts under [ORS 634.700 to 634.750](#). Each district must adopt a written IPM plan that emphasizes nonchemical pest prevention strategies and includes procedures for monitoring, identifying, and managing pest activity. Districts must designate an IPM coordinator who is responsible for overseeing implementation of the plan and ensuring compliance with applicable pesticide laws. Under [ORS 634.720](#), IPM coordinators must receive at least six hours of annual training on pest biology, safe pesticide use, and relevant regulatory updates. The use of pesticides is restricted to low-impact products as defined by [ORS 634.705](#), and chemical treatments may only be used when nonchemical methods have been determined to be ineffective. [ORS 634.725](#) allows for the application of low-



impact pesticides by licensed applicators when authorized by the IPM coordinator. Public notice must be provided at least 24 hours in advance of any pesticide application, in accordance with [ORS 634.740](#).

#### *EXTREME HEAT STANDARDS*

[Oregon Occupational Safety and Health Division](#) (Oregon OSHA) rules under [OAR 437-002-0156](#) require employers, including school districts, to implement heat illness prevention measures for employees when the heat index in a work area reaches 80°F or higher. These requirements apply to both indoor and outdoor environments and include provisions for drinking water access, heat illness prevention training, and access to shaded or cooled spaces. When the heat index reaches 90°F or higher, additional measures are required, such as scheduled cool-down rest breaks and systems for monitoring and communication. These rules apply to all school employees and are enforced by Oregon OSHA.

#### *WATER QUALITY*

Under OAR 333-061-0400, public schools in Oregon are required to test all drinking water taps and fixtures used for food preparation for lead contamination. Initial testing was required for each applicable tap between January 1, 2016, and June 30, 2020. Taps installed after this period must be tested prior to use. Sampling procedures must follow the U.S. Environmental Protection Agency's 3Ts for Reducing Lead in Drinking Water in Schools and Child Care Facilities, including the collection of first-draw samples taken before any water is used on the day of testing. Beginning July 1, 2020, ongoing testing is required at least once every six years for all taps used for drinking or food preparation. A fixture may be exempted from this schedule if it was installed after January 4, 2014, is certified as lead-free under current standards, and previous test results show lead concentrations below 1 part per billion (ppb). If any fixture produces a sample with a lead level of 15 ppb or higher, the school must immediately take the fixture out of service, perform a flushed sample test, complete a mitigation procedure consistent with EPA guidance, and confirm through retesting that lead levels are below the 15 ppb threshold before the fixture is returned to service.



All testing results and mitigation actions must be publicly reported in accordance with [OAR 581-022-2223](#). Schools must make this information accessible to the public, either through their websites or by request, and must include relevant documentation in their Healthy and Safe Schools Plan. Test results must also be submitted to the Oregon Health Authority, which maintains oversight of the state's school water quality requirements. Compliance with these regulations is mandatory and applies to all public school districts.

## **ENVIRONMENTAL AND ENERGY STANDARDS**

Public school construction and major renovation projects in Oregon are required to comply with the [Oregon Energy Efficiency Specialty Code](#), adopted by the Building Codes Division under the statewide building code. These standards establish minimum energy performance requirements for building envelope, mechanical systems, and lighting design. Compliance with the energy code is verified during the permitting and inspection process and applies to all new school construction and qualifying renovations.

Under [ORS 279C.527](#), school districts undertaking public improvement projects with a contract price of \$5 million or more are required to invest at least 1.5 percent of the total contract amount in green energy technology. Qualifying technologies include solar photovoltaic systems, solar water heating, passive solar design, geothermal systems, or other technologies approved by the Oregon Department of Energy (ODOE). School districts must report compliance with this requirement to ODOE, which may grant exceptions under specified conditions.

House Bill 2021 ([2021 Oregon Laws, Chapter 508](#)) establishes statewide greenhouse gas emissions reduction targets for retail electricity providers and prohibits the construction or expansion of new electricity generation facilities that use fossil fuels. The law allocates funding through the Community Renewable Investment Fund to support community-based renewable energy and resilience projects, including those operated by school districts. Additionally, the legislation authorizes the use of green tariffs and supports clean energy planning efforts. These provisions are intended to align Oregon's



energy policy with state greenhouse gas reduction goals and may influence the planning and funding of school facility energy systems.

The [Energy Trust of Oregon](#) and ODOE administer incentive programs and provide technical assistance to school districts seeking to improve energy efficiency or install renewable energy systems. Participation in these programs is voluntary and may be used to support facility upgrades and reduce long-term operational costs.

Seismic assessments of school buildings are not required unless funding is received through the Oregon Department of Education's Technical Assistance Program (TAP). School districts may apply for TAP's Seismic Assessment grant to fund third-party structural evaluations of existing buildings. Reporting requirements for these assessments are outlined in [OAR 581-027-0045](#) and apply only when districts request reimbursement under the grant. Completed seismic assessments may be used to support applications for the [Seismic Rehabilitation Grant Program](#) (SRGP), administered by Business Oregon under [ORS 401.910](#).