

TEACHER NON-RENEWAL STATUTORY UPDATE HB 2900

Amends ORS 342.815

The Oregon legislature has modified the definition of “contract teacher” within the Accountability for Schools for the 21st Century Law. Oregon HB 2900 expands the definition of “contract teacher” to include teachers who, after finishing a three-year probationary period in another Oregon school district or education service district, only need to serve a two-year probationary period and be retained for the next succeeding school year when they move to a new district.

When does this law go into effect? January 1, 2026

How will a probationary teacher move to a contract teacher position?

Effective January 1, 2026, the legal definition of “contract teacher” will include three distinct pathways for a teacher to attain the classification of “contract teacher” with a fair dismissal district. The pathways are as follows:

- After **three years** if:
 - The teacher has been regularly employed by the fair dismissal district for an initial probationary period of three successive years and has been retained for the next succeeding school year.
- After **two years** if:
 - The teacher has completed a three-year probationary period in another Oregon school district/education service district; **and**
 - Is retained for the next succeeding school year.
- After **one year** if:
 - The district school board enters into an agreement for a one-year probationary period with a teacher who has satisfied the three-year probationary period in another Oregon school district and has been retained for the next succeeding school year.

Please be advised - there are a variety of potential interpretations of HB 2900 as to teachers who, in the 2025-2026 school year, are currently in their third probationary year after having successfully completed a probationary period in a previous district. Under one interpretation, teachers in their third probationary year who have previously completed the probationary period in another district may automatically become contract teachers on January 1, 2026. You are advised to reach out to legal counsel prior to January 1, 2026, to discuss teachers who are currently in their third probationary year.

Best Practices

- Review personnel files of all probationary teachers to determine whether they achieved contract status at any other Oregon school district prior to being hired at your district.
- Clearly identify the applicable probationary term for each probationary teacher.
- Consult with legal counsel **prior** to January 1, 2026, regarding potential probationary teachers who fall under the two-year probationary period established by HB 2900.
- Continue to regularly evaluate your probationary teachers and engage in performance coaching.

THIS DOCUMENT PROVIDES GENERAL GUIDANCE AND IS NOT LEGAL ADVICE.

If you have questions, please reach out to your general counsel or contact OSBA/PACE attorneys at pacelegal@osba.org.