



# Oregon

Kate Brown, Governor



OREGON  
DEPARTMENT OF  
EDUCATION

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**Colt Gill**  
Director

## **HB 2562**

### **House Committee on Judiciary**

**March 29, 2018**

Good morning Chair Williamson, Vice Chair Sprenger, Gorsek, and members of the committee. For the record, my name is Jessica Ventura, I am the legislative director for the Oregon Department of Education. With me is Karin Moscon, our Title IX expert who can speak more clearly about the current work the agency does around Title IX. We have no position on House Bill 2562 but found it important to provide information for the committee to consider.

**Title IX of the Education Amendments of 1972** is a federal law that protects people from discrimination based on sex in education programs or activities that receive federal funds. Oregon State law has even more protections for our most vulnerable students under ORS 659.850. Discrimination in Oregon's education system is prohibited. Allegations of discrimination or harassment based on religion, marital status and sexual orientation are also addressed by ORS 659.850. In addition, the State Board of Education (SBE) has adopted rules in the following areas:

- 581-021-0045: Discrimination Prohibited in Schools (ORS 326 & 659)
- 581-021-0038: Minimum requirements for School District Sexual Harassment Policies (ORS 342.700 and 342.704)
- 581-022-2050 Human Sexuality Education Standards and Requirements (ORS 326.051 & 336.455)
- 581-022-2310 Equal Education Opportunities (ORS 339.356) harassment, intimidation, bullying and cyber bullying policies

SBE recently adopted new rules to streamline ODE's internal complaint process to make it easier on parents and students to navigate.

### **PROBLEM**

More support is needed by schools, districts, and community members to understand requirements of, respond to and prevent sexual harassment and other forms of discrimination on the basis of sex and gender. Currently, ODE has .25 FTE to oversee Title IX prevention of gender based harassment in Oregon's K-12 schools.

### **WHAT THE BILL DOES**

The bill provides \$1,00,000.00 to the ODE for the "enforcement of and compliance" with Title IX, Sexual harassment prevention, and gender discrimination prevention. Previous legislation

provided rules, but did not provide support for implementation. This bill helps to provide that support school districts need.

### **WHAT ARE THE EQUITY IMPACTS OF THIS BILL ON UNDERREPRESENTED STUDENTS?**

This bill will provide additional help and support for victims of sex/ gender discrimination, which will have a positive impact on all underrepresented groups. This bill will also provide schools with strategies to prevent sexual harassment, which will have a positive impact on all underrepresented groups.

### **Oregon Department of Education's Policy Option #104**

The Oregon Department of Education and Governor Kate Brown do recognize the critical importance of having enough supports for students who face gender base or sexual harassment discrimination and racial discrimination. In the Governor's approved budget ,which is being considered by the Ways & Means Subcommittee on Education, we have introduced Policy Option Package(PoP) 104, titled "Protect the Civil Rights of Students."

The agency request is a strategic investment of \$1.6 million for 5 positions (4.85 FTE) to investigate, review complaints, ensure compliance, and provide technical assistance and professional development. These five positions would be spread out through three different offices at the department:

- \$.06 million for 1 position in the Office of the Director to review and mitigate Civil Rights Complaints.
- \$.03 million for 1 positions to provide adequate staffing to the Department's Office of Equity, Diversity and Inclusion.
- \$.07 million for 3 positions to address increased workload created through federal and state law changes that require additional monitoring visits to ensure Civil Rights complaints and professional development in career and technical education.

We see PoP #104 and HB 2562 complimentary to each other.

Thank you for your time, we are open for questions.

### **Oregon Department of Education**

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