SB 1522 -8   STAFF MEASURE SUMMARY

Senate Committee On Education

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Meeting Dates:	2/4, 2/11

WHAT THE MEASURE DOES:

Allows school districts and employees accused of sexual conduct to receive TSPC's investigative reports, allows districts to use those reports to make discipline and employment determinations, creates exceptions to the verbal communication portion of the sexual conduct definition for classes such as health and for student-requested counseling, and creates an exception to the sexual conduct definition for students who also work for school districts so that they may have consensual relationships with their peers. Adds education service district board members to the list of mandatory reporters in ORS 419b.005. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Sexual conduct definition
- Students' counseling needs
- Physical education requirements
- Public Employee Retirement System

EFFECT OF AMENDMENT:

-8 Modifies definitions of sexual conduct and student employee, allows school districts to receive TSPC's and ODE's investigative reports, and allows gradual phase-in of year-round physical education requirement. Allows aggrieved employees in cases of sexual violence, sexual harassment, or sexual conduct to request closed disciplinary hearings for perpetrators of the alleged conduct. Establishes that income paid to member of Public Employees Retirement System (PERS) for services to public charter school during continuous period of employment shall be treated as if it were taxable income under Oregon law if member was hired by public charter school in qualifying position between August 29, 2003, and December 31, 2017, inclusive, and member resided and performed those services anywhere in the United States.

BACKGROUND:

Senate Bill 155 (2019) enacted several new provisions relating to abuse and sexual conduct by school staff. Senate Bill 1522 enacts technical changes in order to provide for smoother implementation.