

SB 223 -1 STAFF MEASURE SUMMARY

Senate Committee On Education

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Meeting Dates: 3/17

WHAT THE MEASURE DOES:

Establishes registration of private schools in the Oregon Department of Education (ODE) under rules adopted by the State Board of Education. Requires State Board to convene advisory committee. Establishes advisory committee membership. Establishes minimum registration requirements. Establishes application requirements for registration and timelines for renewals. Requires registered private schools to comply with state laws on:

- criminal records checks;
- use of restraint or seclusion;
- suicide prevention plans;
- harassment intimidation, bullying, and cyberbullying;
- teen dating violence and domestic violence;
- reporting and investigating abuse and sexual conduct; and
- mandatory reporting of abuse.

Allows ODE to suspend, revoke, or deny renewal of registration to private school under certain circumstances. Requires that school district boards only authorize membership in voluntary organization administering interscholastic activities if said organization requires participating private schools to be registered.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Limits State Board ability to enact rules only to topics involving the health, safety, or well-being of students in private schools.

BACKGROUND:

In 1975, the legislature enacted House Bill 3270, allowing for voluntary registration of private schools with the Oregon Department of Education. Codified as ORS 345.505 *et seq*, voluntary registration remained in statute until repeal in 2011. In its final form, the private school registration statute required applicant schools to demonstrate that:

- teachers were qualified, although not necessarily licensed by the state;
- teachers were qualified to provide instruction at the grade level and in the subject they were teaching;
- the facility was adequate to protect the health and safety of the children enrolled;
- curricula considered the goals of modern education and the requirements of a sound, comprehensive curriculum;
- students attend for time equivalent to public schools in the 1994-1995 school year; and
- the school meet any requirements established in rules promulgated by the State Board of Education

State law required ODE to evaluate the private schools applying for registration and made such registrations renewable annually. It also allowed ODE to suspend, revoke, or deny applications for renewal based on a private school's failure to comply with the law. The law created an advisory committee and established both civil and criminal penalties for private schools misrepresenting themselves as registered with the state.

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In recent years, news reports have brought to light cases of sexual misconduct and failures to make mandatory reports at private schools in Oregon. Senate Bill 223 establishes a registration program for private schools, requires private schools to abide by certain state laws in order to maintain their registration, and as a means of enforcement, allows school districts to participate in interscholastic activities only with registered private schools.