

St. Mary's School, a private college preparatory boarding school founded in 1865 and located in Medford, opposes SB 409 because the proposed legislation would not make students safer and would waste limited school and law enforcement resources while subjecting teachers, volunteers and administrators to frivolous civil claims. Oregon private schools, including St. Mary's School, already prohibit sexual conduct of the kind proscribed by SB 409, in our policies and in practice. Student safety is our number one responsibility. Our school employees already have the discretion to involve law enforcement when appropriate in student disciplinary matters, i.e. when there is reasonable suspicion of criminal activity.

SB 409's requirement to report to law enforcement and the Oregon Department of Education all suspected sexual conduct, explicitly defined to include offensive speech by one student to another, is overly broad and would result in an excess of meritless complaints. While we have a zero tolerance policy toward sexual harassment, requiring school teachers to police student speech in this manner would exacerbate the political divisions and cultural disputes so prevalent in our society and would have a chilling effect on students' freedom of speech. Finally, imposing civil liability on private school teachers and not TSPC-regulated public school teachers constitutes an unfair burden on Oregon's private school educators. Please vote No on SB 409.