

HB 2281 -3 STAFF MEASURE SUMMARY

House Committee On Education

Prepared By: Ellen O'Brien, LPRO Analyst

Meeting Dates: 1/23, 3/20

WHAT THE MEASURE DOES:

Requires district school boards to designate civil rights coordinator for district. Requires civil rights coordinator to coordinate and monitor investigations, oversee efforts to avoid discrimination, implement discrimination complaint procedures, investigate complaints alleging discrimination, and satisfy requirements prescribed by State Board of Education. Imposes sanctions, established by the State Board of Education, on public elementary or secondary schools and public charter schools found to be in noncompliance.

ISSUES DISCUSSED:

- Increase in discrimination complaint appeals to Oregon Department of Education
- Need for support and coordination from Oregon Department of Education

EFFECT OF AMENDMENT:

-3 Replaces requirement that district school board designate civil rights coordinator for district and duties of civil rights coordinator. Requires district school board to designate one or more civil rights coordinators for district. Requires civil rights coordinator to monitor, coordinate, and oversee district compliance with state and federal antidiscrimination laws, oversee investigations of complaints alleging discrimination, provide guidance and respond to questions on civil rights issues, and satisfy requirements prescribed by State Board of Education.

BACKGROUND:

This bill is at the request of the Oregon Department of Education.

School districts must comply with federal civil rights laws that prohibit discrimination on the basis of race, color, and national origin (Title VI), sex (Title IX), and disability (ADA/Section 504), and all Oregon districts have a coordinator or coordinators designated for that purpose. House Bill 2281 further requires the designation of a civil rights coordinator that is responsible for enforcing state nondiscrimination laws and coordinating investigations, and extends the requirement to public charter schools. ORS 659.850 defines discrimination prohibited in education as "any act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form but discriminatory in operation, either of which is based on race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age or disability." The mandatory civil rights coordinator position proposed in HB 2281 is similar to one that exists in Washington administrative rule (WAC 392-190-060).

HB 2281 requires both public school districts and public charter schools to designate a civil rights coordinator to investigate complaints of discrimination under state and federal law.