

HB 4160 STAFF MEASURE SUMMARY

Carrier: Sen. Gelser Blouin

Senate Committee On Education

Action Date: 02/27/24

Action: Do pass.

Vote: 5-0-0-0

Yeas: 5 - Anderson, Dembrow, Frederick, Gelser Blouin, Weber

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 2/22, 2/27

WHAT THE MEASURE DOES:

The measure extends the prohibition on sexual conduct by educators involving students from 90 days after a student leaves school to one calendar year. The measure takes effect July 1, 2024.

Detailed Summary:

Extends the time frame a person is considered a student for laws related to reports, investigations, and disclosures concerning sexual conduct involving a student from 90 days after the student leaves school or graduates high school to one calendar year after the student leaves school or graduates high school. Effective July 1, 2024.

ISSUES DISCUSSED:

- History of existing statute
- Situations in public schools involving sexual conduct
- Effects of sexual conduct involving a student on the student's long term wellbeing
- Disciplinary processes for school employees

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

ORS 339.370 to ORS 339.400 require school boards to adopt policies on reporting suspected abuse and sexual conduct by school employees, volunteers, contractors, or agents that involve students, and outline the circumstances under which a school employee would be required to submit a report of suspected abuse or sexual conduct, among other requirements. Under ORS 339.370, sexual conduct includes sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature.

Currently, the definition of student includes a person who was previously known as a student by the person engaging in sexual conduct, and who left school or graduated from high school within ninety days prior to the sexual conduct. If a school employee engaged in suspected sexual conduct or abuse involving a person who had graduated or left school more than ninety days prior to the conduct, that conduct would currently not be subject to the requirements outlined in these statutes.