



Legislative Fiscal Office
83rd Oregon Legislative Assembly
2025 Regular Session

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Bill Title: Relating to investigations by the Department of Education.

Government Unit(s) Affected: Department of Education, School Districts, Department of State Police, Cities, Sheriffs

Summary of Fiscal Impact

Costs related to the measure are anticipated to be minimal - see explanatory analysis.

Measure Description

The measure broadens the authority of the Oregon Department of Education (ODE) to impose appropriate sanctions on any public school or program that has failed to designate a civil rights coordinator or has engaged in discrimination or retaliation against any person. For any school or program determined to be in noncompliance with these statutory provisions, ODE may enter an order for the school or program to adopt or revise a policy, undergo training, publicly disseminate information, or receive technical assistance. However, if a school or program discriminates against a student, ODE may require the school or program to provide the student access to any missed educational or extracurricular activity or service, or to reimburse the student or the student’s parent for any costs incurred to obtain a comparable educational or extracurricular activity or service.

The measure limits ODE’s duty to investigate and make a final determination on allegations of sexual conduct against a school employee, contractor, agent, or volunteer to conduct within the previous two years. The measure revises the procedures following the completion of an investigation, including the information ODE must report and to whom it must be reported. The measure also requires law enforcement agencies to make reports and records available to ODE upon request in specific cases of child abuse or neglect.

Fiscal Analysis

While the measure broadens ODE’s authority to impose appropriate sanctions for any public schools determined to be in noncompliance, most of the identified sanctions are currently ordered under administrative rule. Between 2018 and 2024, ODE imposed sanctions on public schools for 37 instances of noncompliance, which is an average of approximately six instances of noncompliance each year. Assuming a similar rate of noncompliance in the future, the measure is anticipated to have a minimal fiscal impact on ODE.

The measure authorizes ODE to order any public school that discriminates against a student to provide the student access to any missed educational or extracurricular activity or service, or to reimburse the student or the student’s parent for any costs incurred to obtain a comparable educational or extracurricular activity or service. Future instances of noncompliance could potentially subject school districts to increased costs related to reimbursing students or providing access to missed activities. However, these potential costs are wholly avoidable and within the control of the school districts if they comply with the law. Therefore, the measure is anticipated to have a minimal fiscal impact on school districts.

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 867 - A

The measure is anticipated to have no fiscal impact on law enforcement agencies, including city police departments, county sheriffs' offices, and the Oregon State Police.

Relevant Dates

The measure takes effect on January 1, 2026.