



Open Government Impact Statement

83rd Oregon Legislative Assembly
2025 Regular Session

Measure: SB 867 - A

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Digest: Makes many changes to the powers and duties of ODE for investigations at a school or school district. (Flesch Readability Score: 61.6).

Prescribes sanctions that the Department of Education may impose when an elementary or secondary school or program is found to be in noncompliance with a discrimination prohibition. Clarifies the applicability of provisions related to abuse and sexual conduct in schools when an education provider serves only students who have not yet entered kindergarten. Specifies that provisions related to abuse and sexual conduct in schools apply to any person who provided services as an employee, a contractor, an agent or a volunteer within two calendar years prior to when the incident of suspected sexual conduct was committed. Eliminates certain information that must be disclosed to certain persons following the completion of an investigation involving suspected sexual conduct at a school. Requires law enforcement to make available to the department certain information received during investigations of suspected child abuse.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure requires a law enforcement agency, upon completing an investigation and closing the file, to disclose reports and records relating to child abuse or neglect to the Department of Education for investigations conducted when the department receives a report of suspected sexual conduct that may have been committed by a school employee, contractor, agent or volunteer and requires the Department of Education to maintain the records received confidentially and not to redisclose them.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could gain information relating to investigations of child abuse or neglect that is committed by a school employee, contractor, agent or volunteer and investigated by the Department of Education which is otherwise maintained confidentially.