



Date: March 31, 2025  
To: House Education Committee  
From: Adrienne Anderson, Government Relations Counsel, OSBA  
Subject: Support for HB 3563

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Chair Neron, Vice Chairs Dobson and McIntire. My name is Adrienne Anderson and I represent the Oregon School Boards Assoc. We represent all 197 school districts in the state, 19 ESDs, and community colleges. We also provide insurance, legal advice and representation to almost 300 school districts, charter schools, and Education Service Districts. Part of that representation involves training in sexual conduct prevention and reporting. I want to thank Rep. Mannix for working with us on the bill and sponsoring it.

HB 3563 will add a definition and reporting requirement for “boundary violations”, otherwise known as “grooming” to the abuse and sexual conduct reporting statutes. The bill only adds to the statute, it does not take away from it. I’ll explain first what the current process is, what the bill does, why it’s needed, and then I’ll discuss some of the feedback we have received to incorporate changes to the proposed language.

Currently, there is a definition of sexual conduct in statute. If an employee suspects another employee of sexual conduct, they are required by statute to report that conduct to a school administrator. The school administrator is then tasked with reporting it to TSPC or ODE (depending on the type of employee) and placing that employee on paid administrative leave pending the investigation. TSPC or ODE then conducts the investigation and determines whether the allegation is substantiated. This bill does not and will not change that process.

Currently, there is no definition of “grooming” or boundary violations in statute. The Teachers and Standards Practice Commission, in its administrative rules on standards for competent and ethical performance of Oregon educators, mandates that Oregon educators maintain an appropriate student-educator relationship and this definition matches that one, codifying it in statute. Because there is currently no definition or reporting requirement in statute, unless conduct rises to the level of suspected sexual

conduct—which requires at the very least conduct that has the effect of unreasonably interfering with a student’s educational performance or of creating an intimidating or hostile educational environment—there is often confusion over whether inappropriate, non-sexual interactions between school employees and students should be reported and similar confusion if the administrator should place the employee on administrative leave for the suspected behavior. Boundary violations are often a precursor to sexual conduct, and we believe closing this gap will allow this type of behavior to be caught early before it rises to the level of sexual conduct.

As I stated above, the bill adds a definition for boundary violation. Boundary violation includes any of the following: the demonstration or expression of a professionally inappropriate interest in a student’s personal life; the accepting, giving or exchanging of professionally inappropriate gifts with a student; the exchange of professionally inappropriate communications with a student; or the failure to maintain professionally appropriate boundaries with a student in conduct or conversations. HB 3563 requires school districts to adopt a policy on the reporting of boundary violations and it requires employees to report suspect boundary violations to a school administrator. HB 3563 also requires administrators to place an employee on paid administrative leave after receiving a complaint of a suspected boundary violation.

This bill also requires investigations into suspected boundary violations to be conducted by education providers. We have heard from our school districts that TSPC and ODE investigations of suspected sexual conduct are backed up for months while the employee sits in limbo on paid administrative leave. By requiring investigations of suspected boundary violations to be conducted within the school district, the intent is to speed up the investigations.

If an allegation of a boundary violation is substantiated, the administrator is required to report it to TSPC or ODE and to take appropriate action against the employee to keep students safe. If it’s unsubstantiated, then no action needs to be taken. TSPC and ODE are directed to confirm if they have received a substantiated boundary violation when an employee applies to a school district.

We have heard from stakeholders the concern around conducting the investigation in house. While it is our intent to expedite the investigations, it is not our intent to continue to system of bad behavior. We are also aware that this new definition might be used as a weapon, and false complaints might be made. We are open to requiring TSPC or ODE, depending on type of employee, conduct the investigations. However, this may lead to continued backlogs in the investigation process and employees placed on paid

administrative leave for long periods of time. We are fully supportive of 9 additional investigators for TSPC, which will hopefully provide some relief.

With that, I am happy to answer any questions the committee may have.