

2009 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 2509

STATUS: Original

SUBJECT: Requires school districts to provide human sexuality education courses in all public elementary and secondary schools

GOVERNMENT UNIT AFFECTED: Oregon Department of Education, Local Education Agencies (public elementary and secondary schools)

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DATE: March 4, 2009

	<u>2009-2011</u>	<u>2011-2013</u>
EXPENDITURES: See Analysis		

EFFECTIVE DATE: January 1, 2010

GOVERNOR’S BUDGET: This bill is not anticipated by the Governor’s recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

ANALYSIS: The measure requires public elementary and secondary schools to offer age-appropriate human sexuality education courses in all public elementary and secondary schools. The measure also expands the mandatory topics of what should be covered by course materials and instruction in relation to human sexuality education. The measure first applies to the 2009-10 school year and takes effect on July 1, 2009.

The Oregon Department of Education (ODE) reports that passage of this bill will not have a fiscal impact to the department because ODE currently has administrative rules for public elementary and secondary schools regarding human sexuality education and won’t require any additional rule making, changes to current administrative rules, or new reporting requirements.

The fiscal impact of this bill is indeterminate for public elementary and secondary schools. Current Oregon Administrative Rules require that “each school district teach an age-appropriate, comprehensive plan of instruction focusing on human sexuality education...in elementary and secondary schools.” These administrative rules apply to all students in grades 6-8 and at least twice during grades 9-12. HB 2509 requires that “each school district shall provide age-appropriate human sexuality education courses in all public elementary and secondary schools” but does not specify that this education start at grade 6. Some elementary schools throughout Oregon are pre-kindergarten or kindergarten through grade five. Not all of these schools are currently offering human-sexuality education courses. It is unknown how many public elementary schools would add human-sexuality courses, require additional course materials, and/or require the reallocation of instructional time. The Legislative Fiscal Office (LFO) notes that ODE may require revisions in its administrative rules pertaining to human sexuality education, specifically to remove the reference to certain grade levels.