

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	7 - 0 - 2
Yeas:	Gallegos, Gorsek, Greenlick, Harker, Huffman, Whisnant, Dembrow
Nays:	0
Exc.:	Gilliam, Johnson
Prepared By:	Victoria Cox, Administrator
Meeting Dates:	5/13

WHAT THE MEASURE DOES: Repeals Oregon Revised Statute (ORS) 30.264, which requires State Board of Higher Education to purchase liability insurance coverage for students involved in off-campus activities.

ISSUES DISCUSSED:

- Current statutory requirement to provide liability insurance
- Duplicative nature of statute in light of SB 242 (2011)

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 30.264 requires Oregon University System (OUS) institutions to make liability insurance available to students participating in off-campus activities. If that insurance is not available, then students undertaking off-campus activities “shall be considered to be acting within the course and scope of state employment duties.” Counsel for the University of Oregon, Portland State University, Oregon State University, OUS, and the Department of Administrative Services support the repeal of ORS 30.264 claiming that it has been rendered superfluous by SB 242 (2011) and that it exposes the State to unnecessary liability.

Full text of ORS 30.264 is as follows:

Oregon Revised Statutes §30.264

Liability insurance for students involved in off-campus experiential activities

(1) The State Board of Higher Education may authorize public universities listed in ORS 352.002 (Oregon University System) to provide liability insurance coverage for students involved in off-campus experiential activities, including, but not limited to, student teaching, internships, clinical experiences, capstone projects and related activities.

(2) If commercial liability insurance coverage is not available to the public universities, students participating in the activities described in subsection (1) of this section shall be considered to be acting within the course and scope of state employment duties for purposes of ORS 30.260 to 30.300 .