

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	9 - 0 - 0
Yeas:	Fagan, Gomberg, Gorsek, Huffman, Parrish, Reardon, Sprenger, Whisnant, Gelser
Nays:	0
Exc.:	0
Prepared By:	Rick Berkobien, Administrator
Meeting Dates:	5/1, 5/29

WHAT THE MEASURE DOES: Allows private school to discipline or terminate employee based on standards of private school if they provide the same level or greater level of current safeguards for the protection of children in public schools. Requires schools to disclose information. Establishes that private school that chooses to discipline or terminate employee according to its standards must comply with current statute on disclosure or by providing information sufficient to give notice to an education provider that an applicant engaged in child abuse or sexual conduct during the course of the applicant's employment with the private school. Declares an emergency; effective July 1, 2013.

ISSUES DISCUSSED:

- Catholic schools and standards for hiring
- Survey of all private schools on policies
- Legislative Counsel opinion that private school could apply more lenient policies
- Intent is to not have more lenient standards than state laws
- Degree to which current language holds schools to most stringent requirements on disclosure
- Amendment would allow not using "other information," and that stricter language (if school standards were more lenient) takes precedence

EFFECT OF COMMITTEE AMENDMENT: Allows private school to discipline or terminate a school employee according to the standards and policies of a private school if they provide the same level or greater level of current safeguards for the protection of children in public schools. Requires schools to disclose information.

BACKGROUND: Procedures related to employee conduct in private schools is in ORS 339.388. Specifically, this section addresses school employees who are suspected of abuse or sexual conduct with a child. Senate Bill 821 stems from specific concerns of certain private schools. A 2010-11 Oregon Department of Education (ODE) statewide school directory noted there were approximately 486 private elementary and secondary schools in the state. A 2004-05 ODE report containing private and parochial school statistics estimated that there are approximately 48,517 students in preschool to grade 12.