

SENATE AMENDMENTS TO SENATE BILL 215

By COMMITTEE ON EDUCATION AND WORKFORCE DEVELOPMENT

April 8

- 1 On page 1 of the printed bill, line 2, delete “326.051” and insert “659.850”.
- 2 Delete lines 4 through 31 and delete page 2 and insert:
- 3 **“SECTION 1.** ORS 659.850 is amended to read:
- 4 “659.850. (1) As used in this section[,]:
- 5 **“(a)** ‘Discrimination’ means any act that unreasonably differentiates treatment, intended or un-
- 6 intended, or any act that is fair in form but discriminatory in operation, either of which is based
- 7 on race, color, religion, sex, sexual orientation, national origin, marital status, age or disability.
- 8 **“(b)** ‘Discrimination’ does not include:
- 9 **“(A)** Enforcement of an otherwise valid dress code or policy, as long as the code or policy
- 10 provides, on a case-by-case basis, for reasonable accommodation of an individual based on the health
- 11 and safety needs of the individual.
- 12 **“(B) The use of a mascot that represents, or is associated with, a Native American tribe**
- 13 **if:**
- 14 **“(i) An agreement has been entered into by the entity using the mascot and the govern-**
- 15 **ing body of the federally recognized Native American tribe in Oregon that is located closest**
- 16 **to the entity using the mascot; and**
- 17 **“(ii) The agreement entered into as described in sub-subparagraph (i) of this subpara-**
- 18 **graph describes the acceptable uses of the mascot.**
- 19 “(2) A person may not be subjected to discrimination in any public elementary, secondary or
- 20 community college education program or service, school or interschool activity or in any higher
- 21 education program or service, school or interschool activity where the program, service, school or
- 22 activity is financed in whole or in part by moneys appropriated by the Legislative Assembly.
- 23 “(3) The State Board of Education and the State Board of Higher Education shall establish rules
- 24 necessary to ensure compliance with subsection (2) of this section in the manner required by ORS
- 25 chapter 183.
- 26 **“SECTION 2. This 2013 Act being necessary for the immediate preservation of the public**
- 27 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
- 28 **on its passage.”**
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