

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Judiciary

REVENUE: No revenue impact
FISCAL: Fiscal statement issued
SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Channa Newell, Counsel

Meeting Dates: 5/26

WHAT THE MEASURE DOES: Prohibits retaliation by educational program against student who makes good faith report of possible violation of state or federal law, rule, or regulation. Creates private right of action. Declares emergency; effective on passage.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS Chapter 659A provides whistleblower protections for workers who make good faith reports of possible violations of state or federal law, rule, or regulation. Employers are prohibited from firing, demoting, suspending, or discriminating against such employees, and may be subject to a civil action for discrimination. Remedies for prohibited conduct include reinstatement and the possibility of up to 2 years of back-wages.

House Bill 3377 creates a similar whistleblower protection for students in all public and private educational institutions in Oregon. The measure specifies that students may not be suspended, expelled, dis-enrolled, denied academic or educational opportunities, harassed, threatened, or have transcripts withheld for making good faith reports of possible violations of state or federal laws, rules, or regulations. The measure creates a private right of action under ORS 659A.885 and allows the State Board of Education or the Higher Education Coordinating Commission, as appropriate, to impose sanctions against schools who violate the measure.