

D R A F T

SUMMARY

Directs district school boards, public libraries and tribal libraries to adopt policies related to use of school facilities and library facilities by private tutors. Prescribes requirements of policies.

A BILL FOR AN ACT

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Relating to tutors.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 332.

SECTION 2. (1) As used in this section, “private tutor” means a person who provides tutoring services to a public school student under an agreement between the tutor and a private entity, regardless of whether the tutor is paid.

(2) A district school board shall adopt policies related to the use of school facilities by private tutors. The policies adopted:

(a) Must allow use of school facilities by public school students and private tutors.

(b) May limit use of school facilities to after school hours and to areas available for general student use.

(c) May allow use of school facilities without paying a fee or with the payment of a nominal fee.

(d) May require private tutors to register with the school district and to provide information necessary for the Department of Education to conduct an Oregon criminal records check using the Law Enforce-

1 **ment Data System.**

2 **(3) For the purpose of subsection (2)(d) of this section, the depart-**
3 **ment may charge a school district a fee not to exceed \$5 for each**
4 **criminal records check conducted under subsection (2)(d) of this sec-**
5 **tion.**

6 **(4) Nothing in this section:**

7 **(a) Requires a district school board to provide access to school fa-**
8 **ilities at a time when the facilities otherwise would not be open;**

9 **(b) Requires a district school board to provide additional staffing**
10 **or supervision;**

11 **(c) Makes the district school board or school personnel liable civilly**
12 **or criminally for any interactions between a private tutor and the**
13 **public school student on whose behalf the tutor is providing services;**
14 **or**

15 **(d) Creates a new cause of action or enlarges an existing cause of**
16 **action for compensation or damages.**

17 **SECTION 3. (1) As used in this section, “private tutor” means a**
18 **person who provides tutoring services to a student under an agree-**
19 **ment between the tutor and a private entity, regardless of whether the**
20 **tutor is paid.**

21 **(2) Every public library established in accordance with ORS 357.410**
22 **and every tribal library, as defined in ORS 357.206, shall adopt policies**
23 **related to the use of library facilities by private tutors. The policies**
24 **adopted:**

25 **(a) Must allow use of library facilities by students and private tu-**
26 **tors.**

27 **(b) May allow use of library facilities without paying a fee or with**
28 **the payment of a nominal fee.**

29 **(3) Nothing in this section:**

30 **(a) Requires a library to provide access to library facilities at a time**
31 **when the facilities otherwise would not be open.**

1 **(b) Requires a library to provide additional staffing or supervision.**

2 **(c) Makes the library or library personnel liable civilly or criminally**
3 **for any interactions between a private tutor and the student on whose**
4 **behalf the tutor is providing services.**

5 **(d) Creates a new cause of action or enlarges an existing cause of**
6 **action for compensation or damages.**

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