

**STATE BOARD OF EDUCATION – ADMINISTRATIVE RULE SUMMARY****Title/OAR # :** First Reading—Human Sexuality Education/ OAR 581-022-1440**Date:** December 10, 2015**Staff/Office:** Ely Sanders, Student Services

Mitch Kruska, Student Services

 **New Rule**     **Amend Existing Rule**     **Repeal Rule****Hearing Date:** \_\_\_\_\_  **Hearings Officer Report Attached****Prompted by:**  **State law changes**     **Federal law changes**     **Other****Action Requested:** **First Reading/Second Reading  
Agenda**     **Adoption**     **Adoption/Consent****PROPOSED/AMENDED RULE SUMMARY:** Amends existing rule on human sexuality education to align with new child abuse instructional requirements in SB 856 (2015).**BACKGROUND:**

The State Board of Education has the responsibility of updating Oregon Administrative Rules to reflect new legislation. SB 856 (Sex Abuse Prevention Instructional Program) became effective June 11, 2015. SB 856 requires each school district to provide 4 sessions annually of sexual abuse prevention instruction from kindergarten through grade 12. Updates are required to OAR 581-022-1440 (Human Sexuality Education) to reflect these new requirements.

OAR 581-022-1440, passed in 2009, requires each school district to teach an age appropriate, comprehensive plan of instruction focusing on human sexuality education, HIV/AIDS and sexually transmitted disease prevention in elementary and secondary schools as an integral part of health education and other subjects. ODE convened two stakeholder groups that included over 15 professional experts in child sex abuse prevention and sexual violence prevention to inform modifications and additions to OAR 581-022-1440. All modifications and additions are supported and aligned with SB 856.

The State Board of Education has discretion on proposed modifications and additions to OAR 581-022-440. SB 856 does not require the State Board to adopt rules.

**ISSUES/CONCERNS THAT SURFACED DURING RULE WORK:****CHANGED SINCE LAST BOARD MEETING?** (so members can focus on what's different) N/A; first read—hasn't been before board No; same as last month Yes – As follows:**FISCAL IMPACT:** No fiscal impact to the Department.

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**EFFECT OF YES VOTE:** OAR 581-022-1440 will be modified to reflect and align with the new instructional requirements of SB 856.

**EFFECT OF NO VOTE:** New requirements for districts will not be reflected in OAR.

**STAFF RECOMMENDATION:**

- Adopt administrative rule as prepared this month
- Adopt administrative rule next month
- No recommendation at this time (rarely used)

Comments: