

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING\***  
A Statement of Need and Fiscal Impact accompanies this form.

State Board of Education	581
Agency and Division	Administrative Rules Chapter Number
Diane Roth	503-947-5791
Rules Coordinator	Telephone
255 Capitol St NE, Salem OR 97310	
Address	

**RULE CAPTION**

Modifies rule relating to human sexuality education by school districts.

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Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

**ADOPT:**  
Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**AMEND:**  
581-022-1440

**REPEAL:**

**Renumber:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**Amend and Renumber:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**Statutory Authority: ORS**  
ORS 326.051

**Other Authority:**

**Statutes Implemented: ORS**  
336.455

*Continued on next page*

**Continuation of ... NOTICE OF PROPOSED RULEMAKING\*****RULE SUMMARY**

The 2009 Oregon legislature enacted House Bill 2509 which modified the statute relating to human sexuality education. The rule amendments bring the existing rule into compliance with this bill.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the *Oregon Bulletin* or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the *Oregon Bulletin* at least 14 days before the hearing.

ORS 183.335(2)(b)(G) requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

09/23/2009	5:00 pm	Cindy Hunt	Cindy.L.Hunt@state.or.us	08/12/2009
Last Day (m/d/yyyy) and Time for Public Comment		Printed Name	Email Address	Date Filed

Please enter date as m/d/yyyy or mm/dd/yyyy

\*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.

ARC 923-2003

**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

State Board of Education

581

Agency and Division

Administrative Rules Chapter Number

Modifies rule relating to human sexuality education by school districts.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:  
OAR 581-022-1440

Statutory Authority: ORS  
ORS 326.051

Other Authority:

Stats. Implemented: ORS  
336.455

Need for the Rule(s):  
The 2009 Oregon legislature enacted House Bill 2509 which modified the statute relating to human sexuality education. The rule amendments bring the existing rule into compliance with this bill. The bill took effect on July 1, 2009.

Documents Relied Upon, and where they are available:  
None

**Continuation of ... STATEMENT OF NEED AND FISCAL IMPACT**

Fiscal and Economic Impact:

There is not fiscal or economic impact of the rule amendments on either school districts or the Department of Education.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

There is no cost of compliance because the rule amendments do not add any responsibilities that are not in the statute.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

None

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

NA

c. Equipment, supplies, labor and increased administration required for compliance:

NA

How were small businesses involved in the development of this rule?

NA

Administrative Rule Advisory Committee consulted?:

Yes  No

If not, why?:

The rule amendments do not go beyond the changes in HB 2509. HB 2509 had public hearings as part of the legislative process.

09/23/2009 5:00 pm	Cindy Hunt	Cindy.L.Hunt@state.or.us	08/12/2009
Last Day (m/d/yyyy) and Time for Public Comment	Printed Name	Email Address	Date Filed

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