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House Bill 2188: Career School Civil Penalties
Joint Ways and Means Subcommittee on Education
April 11, 2013

Co-Chairs Monroe and Komp, members of the committee, I am Matthew Barber, a Compliance Specialist with, and lead worker of, the Private Career Schools Licensing Unit at the Oregon Department of Education. I am here today to testify in support of HB 2188, which would allow the Department to retain from civil penalties assessed against career schools the reasonable costs of investigation and assessment.

Background

Pursuing licensees who violate Oregon's private career school laws can get expensive. In previous investigations, the licensing unit has incurred significant legal bills and even had to hire a forensic accountant. These costs come out of the licensing unit's limited budget. We can't recover those costs when a civil penalty is assessed and collected; instead, that money goes into the General Fund.

Issue

Allowing the Department to retain reasonable costs arising from investigating violations of Oregon's private career school laws would allow the licensing unit to preserve its scarce resources for providing services to students, licensed schools, and license applicants.

Legislation

HB 2188 amends ORS 345.995 to provide that the Deputy Superintendent of Public Instruction can retain reasonable costs related to the investigation and assessment of a civil penalty imposed for a violation of Oregon's private career school laws, ORS 345.010 to 345.450 and 345.992 to 345.997 and OAR 581-045-0001 to 581-045-0210. Reasonable costs related to the investigation and assessment of a civil penalty would include expenses such as attorney fees, conducting site visits, copying and reviewing documents, and hiring experts.

Conclusion

We ask that the committee vote in favor of HB 2188 and pass it with a "do pass" recommendation.