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Deputy Superintendent of Public Instruction

**Public Hearing on House Bill 2191  
Relating to agents of career schools  
House Higher Education and Workforce Development Committee  
February 11, 2013**

Chair Dembrow, 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. With me today is Cindy Hunt, the Department's Government and Legal Affairs Manager. We are here today to testify in support of HB 2191, a housekeeping measure which would amend ORS 345.010 and 345.070 to expand the definition of a career school agent to include contractors and technology providers.

**Background & Issue**

Presently, only an employee of a career school is considered to be an agent for purposes of ORS 345.010. Meaning that if a career school were to retain the services of an independent contractor to fulfill the role of an agent, then the Department would not have authority to act should that contractor violate the standards governing agents found in OAR 581-045-0060.

Also, more schools are beginning to use technology service providers that operate, for a fee, websites which function as digital agents acting on behalf of the provider's client. The websites provide information about the school's offerings and its enrollment process. They may compare the client school to other similar schools and explain why the client school is a better choice. There is usually a hyperlink to the school's web-based catalog or application for admission. Some even feature interactive elements or 'bots' that mimic (with varying degrees of success) a human being who is only too happy to tell visitors why they should consider the client school.

**Legislation**

HB 2191 would update the definition of an agent in ORS 345.010 to account for current technology and employment practices. The amendment to ORS 345.070 simply provides that a career school is not required to provide an identification credential to an agent if the agent is a technology service provider.

**Support**

The Private Career Schools State Advisory Committee has approved the amendments within HB 2191 and is supportive of them.