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## **Support HB 3341**

Under current Oregon law, community colleges may not begin a new program if a for-profit school has or is considering beginning a similar program. The law is commonly referred to as "adverse impact". Oregon is the only state with such an extreme blanket protection of for-profit programs. In rural areas especially the law can keep colleges from offering programs, where the nearest alternative may be hundreds of miles away.

Adverse impact is also barrier to 40/40/20 keeping colleges from offering many programs that would be much lower cost for students than existing alternatives from the for-profit sector.

HB 3341 will mean more options for students seeking training and education in high demand occupations. Currently, Adverse impact keeps colleges from responding quickly to the local workforce needs of their districts by creating lower cost programs for students in high demand areas like health care and other career and technical fields. For example, several years ago, Central Oregon Community College had to eliminate non-credit training instruction of Phlebotomy (training in drawing blood) solely because an online institution in Eugene lodged a complaint about COCC's "invading their territory."

In some cases adverse impact adds unnecessary delays of up to a year or even more to deploy programs. Portland Community college began EMS and Criminal Justice programs, both of which were stalled about a year to negotiate claims of Adverse Impact.

Because adverse impact only works one way, for-profit schools may enter markets that community colleges already serve regardless of the impact. In health care occupations like nursing, for-profit program proliferation can overwhelm clinical sites crowding out community college programs. That's one of the reasons the Oregon Health Policy Board called for removing Adverse Impact as a barrier to education the health care workforce.

The programs affected by adverse impact tend to be the cost-intensive career and technical programs where colleges could create some lower cost opportunities for students but could not create the capacity to displace for-profit programs. It simply levels the playing field and adds competition over program quality. That's good for students.

OCCA urges your support of HB 3341.

From the desk of  
**Senator Alan Bates**  
State Senate District 3