

Dear Senate Education Committee:

I am urging a “NO” vote on SB 895. I do not believe that this bill, if passed, will do anything but create more confusion, and lead to possible bullying and privacy violations. This is nothing more than an attempt to shame parents who have chosen to not vaccinate their child for any of a variety of reasons.

This bill would create confusion because of the way Oregon’s exemption rates are calculated. Oregon currently requires 23 doses of 7 separate vaccines for school attendance (DTaP, IPV, Varicella, MMR, Hep B, Hep A, and Hib). Missing even one of those 23 doses requires an exemption form to be signed and that student is then counted as “exempt” which many have confused with “unvaccinated.” So, a nearly fully vaccinated child would be counted in a school’s exemption number, leading to confusion on what vaccination rates in the school truly are. For another example, even a child who has already had the chicken pox, and therefore has gained lifetime immunity, must still file an exemption form for the Varicella vaccine. They are now counted in the school’s exemption rate, even though they are no danger to anyone. Exemption rates, in a vacuum with no explanation of how they are calculated, are virtually meaningless, because they don’t paint the full picture. Very few children have been exempted from all 23 doses of the required shots, but since most of the public does not know what “exemption” means, they will likely interpret a 5% (for example) school exemption rate to mean that 5% of the school’s population is completely unvaccinated.

Additionally, SB 895 makes no indication that teachers, administrators, and other adults at the school will be figured into the school’s exemption rate. Why is the focus solely on unvaccinated students, when the majority of adults are unvaccinated, undervaccinated, or are vaccinated but their immunity has waned or the vaccine was ineffective for them? Adults in a school can make up 10 to 15% of the school population, yet they are being left out of the statistics? This makes no sense, and makes the data even more useless. If immunocompromised students are supposedly in danger from unvaccinated peers, then they are certainly in danger from unvaccinated adults in the school, but the spotlight is only on unvaccinated children. The fact that adults are not included in this bill makes it even more apparent that this is a blatant attempt at shaming parents.

I also have concerns that this bill could lead to bullying and privacy violations. How will we be guaranteed that it will not be possible to individually identify a student that has an exemption on file? If a particular school has a very low percentage exemption rate, it may be possible, in combination with other readily available information, to identify a particular student. This would be a violation of HIPPA privacy laws. If a student’s identity became known, there is a very real possibility that student and his or her family could be bullied by other students or parents.

It also seems that FERPA (Family Educational Rights and Privacy Act) laws would be in danger of being violated if a student is identified since FERPA protects the privacy of student education records, which

would include their vaccination status. A school must have written permission from the parent or student to release any information from a student's education record.

This bill's sponsor has publicly stated that SB 895 will help to facilitate "community conversation" about vaccination. How exactly does this bill accomplish this? By releasing confusing and incomplete (i.e. do not include adults at the school) exemption rates with no explanation of what they mean there can be no meaningful conversation and dialogue about this issue. The dangers of serious privacy violations of both HIPPA and FERPA laws and the very real possibility of bullying if information is inadvertently released or students are able to be identified due to small data samples, simply outweigh any purported benefits.

Our schools, our communities, and our kids deserve better than this.

Please vote NO on SB 895.

Sincerely,



Mrs. Darcy Rapoza

Salem