



Testimony on House Bill 2701-A
Senate Education Committee
May 18, 2017

Chair Roblan, Vice-Chair Linthicum, and members of the Committee. My name is Kyle Thomas and I am the Director of Legislative and Policy Affairs for the Higher Education Coordinating Commission. Thank you for the opportunity to provide comment on House Bill 2701-A.

I want to thank Sen. Roblan for holding a meeting earlier this week with one of the proponents of the bill and HECC staff to discuss the process we use in investigating and resolving student complaints. The –A6 amendment language, which came out of this meeting, ensures a career school has the right to learn of a complaint and pending investigation before HECC begins the process of investigating. This codifies an outreach and communication process that exists by rule and custom, and ensures the right of a school to understand the premise of a complaint and the nature of any investigation.

The bill also eliminates the word “probation” from the private career school statutes, so that students, media, and members of the public do not assume a school has been found by an independent party to have committed violations. Coupled with HB 2457, signed by the governor yesterday, which allows HECC to maintain the confidentiality of student complaints, this bill will reduce the unnecessary reputational harm that may occur simply because HECC has received a student complaint and is conducting an investigation. These are worthwhile improvements.

HECC is responsible for licensing, monitoring, and resolving complaints against private career schools under current law. The original bill, by requiring HECC to prevail at an administrative hearing prior to issuing a written notification to the school requesting the school take corrective measures, would have made it difficult and costly for HECC to engage in even simple regulatory oversight or to resolve student complaints informally.

It would have, in essence, required the HECC to notify a school of its intent to file a notice, and prevail administrative hearing. Only after proving in a hearing the school had operational deficiencies would HECC then gain the ability to warn the school of

those deficiencies, without gaining any authority to impose a sanction. It created a duplicative and costly administrative hearing requirement not found in other areas of Oregon law.

The version before you today with the –A6 amendment appropriately balances state oversight functions with the right of schools to be notified and informed of complaints, and the associated need for an investigation.

Thank you for considering this testimony.