

March 18, 2021

RE: Opposition to Senate Bill 223

Dear Chair Dembrow, Vice Chair Thomsen, Senators Gelser, Gorsek and Robinson:

After reading Senator Dembrow's "Concerns raised on Senate bill 223" memo dated March 17, I remain deeply opposed to Senate Bill 223. If the bill is truly an effort to protect kids from predatory teachers, then the solution should be correcting any problems that exist (more prevalent in public schools anyhow) with teacher registries and background checks. Period.

It is disingenuous to claim that the bill is about predatory teachers when so much of the wording (even after including the amendment) is about non-teacher specific issues. And it is outrageous to claim that this bill makes registration optional. Unless your intent is to divide communities, I'm assuming we all want private and public schools to participate in OSAA and related activities together. This bill forces public schools into the role of discriminating against private school kids and excluding them from extracurriculars. It is morally wrong.

I will give you a little about my background so you can understand why I am concerned about the bill, and why I do not want ODE to have authority over my kids' private schools.

In 2019, all three of my children were attending public school: one in high school, one in middle school, and one in elementary school. They had all been enrolled in public schools in Oregon since they were in kindergarten, but my concerns about public education in Oregon had been growing for years. I was seeing misplaced priorities— achievement taking a backseat to activism, and teachers' unions taking precedence over students.

In August 2019, our middle child started her high school freshman year at a Catholic school in Portland. The school was a better fit for her academic and spiritual needs than the public high school her older sister attended. Then 2020 struck. And we realized we could not in good conscience allow our other two children to remain in public schools either. By September 2020, all three children were enrolled in Catholic schools.

Now in reading SB 223, I am concerned that the problems I saw first-hand in my years as a public-school mom will be coming to my kids' private schools as well.

Here are a few of my specific concerns with the bill:

1. The language of "may become registered" is a thinly veiled threat and a bribe. The state would be using a very big stick by not allowing public schools to participate in activities with unregistered private schools. Private schools will be forced to register.
2. Registration will give ODE authority over private schools' curriculum, student behavior and discipline policies, instructional time, student mental health and abuse investigation, facility health and safety, and teacher competency. In other words, private schools will become "public school lite."
3. Putting an ODE "advisory committee" in charge of private schools in such a broad manner would violate Oregon families' First Amendment right to religious freedom and Fourteenth Amendment right to direct the education of their children. It would be a step backwards to education legislation struck down in the 1920's.
4. Many Oregonians are already concerned with the state's overreach, especially in areas that affect our children, especially since 2020. Many families are starting to vote with their feet by moving out of state. If Oregon chooses to violate our Constitutional rights with this egregious legislation, concerned parents that remain in Oregon will take up this matter in court. Religious liberty lawyers are ready to litigate. And win.

Senators, as stewards of this great state, please save Oregon a lot of time and money. Please scrap SB 223 in its entirety.

Sincerely,

Mary Miller