

Submitter: Beth Jones  
On Behalf Of:  
Committee: Senate Committee On Education  
Measure: SB1521

I oppose limiting local authority of school boards to terminate their superintendents.  
I oppose the violation of our 14th Amendment procedural due process right within this bill.

SB 1521 defines agency "guidance" and "statements" as binding state and federal LAW. However, under NO authority are agency guidance documents and statements considered law! Rules that carry the force and effect of law (legislative rules) must be distinguished from non-legislative rules, such as guidance documents and policy statements, which lack the force and effect of law! Guidance documents and policy statements are exempt from many procedures required for legislative rules (like notice and an opportunity to be heard) because they ARE NOT LAWS. The Administrative Procedure Act (APA) expressly exempts guidance and statements from notice and comment because they are not binding regulation. On its face, this bill violates our 14th Amendment procedural due process rights.

I oppose any amendments to ORS 332.505, but if you choose to adopt this bill, it should at least be amended to comply with our 14th Amendment Due Process rights!