



Oregon
Tina Kotek, Governor



OREGON
DEPARTMENT OF
EDUCATION

Oregon achieves . . . together!

Colt Gill

Director of the Department of Education

HB 3287: Transfer of Student Permanent Records after Private School Closure
House Education Committee
March 8, 2023

Good afternoon, Chair Neron and members of the committee. My name is Zoe Larmer, and I am the Legislative Director at the Oregon Department of Education, or ODE. I am here to provide neutral testimony on House Bill 3287, which prescribes requirements for the transfer of student permanent records when private schools close. Absent a current statutory framework governing the transfer of these records, some students who attended private schools no longer have access to their educational records following the school's closure.

The bill specifies that a private school must transfer all student permanent records to the education service district or to the administrative office of the parent organization if it is part of a system, organization, franchise or church ministry. HB 3287 also outlines the information that must be included in student permanent records including the name and address of the private school, the full legal name of the student, the student's date and place of birth, the name of the parents or guardians, subjects taken by the student, grades earned, credits earned, attendance record, and the date of withdrawal. The bill also allows for the transfer of these records in paper or electronic format.

Maintaining accurate student records and a standardized process in transferring them is important to students, their families and educators. We recognize that House Bill 3287 would ensure that students, especially those who are in high school, receiving special education services, or receiving accommodations through a 504 plan, have access to their permanent records.

However, we also recognize that there are potential challenges for the Legislature to consider. For example, there is currently no authority that requires private schools to disclose their information, which means that ODE does not currently have a complete list of private schools, nor the authority to compel private schools to respond in order to fully compile such a list. Additionally, ODE has neither a records department nor the infrastructure needed to support the transfer of these records. As a result, the Department would need to establish new infrastructure to meet the needs of private schools.

Regarding potential solutions to these challenges, one option would be to provide the State Board of Education with authority to develop an administrative rule to require private schools to transfer



Oregon

Tina Kotek, Governor



OREGON
DEPARTMENT OF
EDUCATION

Oregon achieves . . . together!

Colt Gill

Director of the Department of Education

student permanent records to a designated entity upon closure. Another potential solution would be to designate ODE as the custodian of student permanent records for private schools. A third option would be to fund Education Service Districts, or ESDs, to manage student permanent records for private schools within their service areas. Lastly, a centralized database could be established to store student permanent records for private schools. However, each of these solutions would have varying effects on ODE, including the need for additional resources and staffing, or additional resources to support the ESDs in managing their additional workload.

Alternatively, House Bill 3287 could be referred to the HB 4124 (2022) working group to contemplate this issue and to suggest solutions. This referral to a workgroup would allow for more comprehensive consideration of how the state can efficiently support the transfer of student permanent records from private schools.

In summary, House Bill 3287 seeks to ensure that students have access to their permanent records when private schools close in Oregon, which is an important problem to solve. We appreciate the opportunity to provide neutral testimony on this bill and look forward to working further with the Legislature as desired to support development of the Bill.

At this time, Chair Neron and members of the committee, I am happy to address any questions.

Respectfully submitted,

Zoe Larmer

Government Relations Director