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Colt Gill

Deputy Superintendent of Public Instruction

SB 53 A: Technical Changes to Regional Programs **House Education Committee** **April 27, 2021**

Chair Alonso Leon, Vice-Chairs Neron and Weber, and members of the committee, I am Nicole Peterson, Legislative Coordinator for the Oregon Department of Education (ODE). Thank you for the opportunity to provide testimony in support of Senate Bill 53 A.

Background

Eight regional programs provide specialized services and supports across Oregon for over 11,000 children, birth to 21, with low incidence/high need disabilities that include: autism spectrum disorder, blind and visually impaired, deaf and hard of hearing, deafblindness, orthopedic impairment, and traumatic brain injury. The eight regional programs are:

- Eastern Oregon (Intermountain ESD)
- Central Oregon (High Desert ESD)
- Southern Oregon (Southern Oregon ESD)
- Cascade (Linn-Benton-Lincoln ESD and South Coast ESD)
- Willamette (Willamette ESD)
- Columbia (Portland Public Schools)
- Lane (Lane ESD)
- Northwest (Northwest Regional ESD)

The regionalized model allows for an economy of scale that gives eligible children in all areas of the state access to specialized services from professionals in their community schools. Regional programs are funded through a combination of Legislative Grant in Aid and Federal Individuals with Disabilities Education Act (IDEA) dollars.

SB 53 A-Engrossed

In consultation with the Education Service Districts (ESD) and School District Superintendents that oversee the eight regional programs in Oregon, ODE has proposed SB 53 to revise the language that establishes these programs.

In order to best serve our students and ensure continued federal funding, SB 53 seeks two main changes. First, it aligns Oregon Revised Statutes 343.236 and 343.239 with recent clarifications from the IDEA, guidance from the Office of Special Education (OSEP) in 2016, and findings from

a 2018 Secretary of State Audit. Second, it proposes a study to be conducted by ODE on how special education is provided to students with low incidence disabilities. This would provide the Legislature with information identifying potential improvements and evaluating funding models in a report due in Spring 2022.

This study can help shed more light on what the options are moving forward for providing regionalized services. For more clarification on the study mentioned in section 4 of the bill, the word “program” is used to describe the regional model, but ODE is working to change the name of Regional Programs to Regional Inclusive Services. Talking about the program in terms of “services” will better support ODE’s vision for equity and high quality inclusion. If the study is initiated, we will have additional opportunities to research the most optimal means of providing inclusive services and ensuring that students are served in the least restrictive environment.

In section 1, page 2, lines-2-4 of the Introduced bill, we inadvertently repealed the following:

[(4) A school district that contracts to provide a program under this section shall be paid for the state-approved program as determined and funded by the Legislative Assembly. Contracting school districts are authorized to negotiate supplemental programs with participating school districts.]

The -1 amendment previously adopted in the Senate added this language back, as there was legitimate concern from both our partner schools and ODE that the removal of this language would cancel current contracts. Some of these contracts do include specialized programming to students. In effect, keeping this language intact means students will continue to receive specialized services from professionals who are licensed and specifically trained in their unique disability areas. If this language had been stricken in the middle of these contracts, Oregon would not have had a ready or workable model to move to that would provide stability for all students.

Fiscal Impact

There is no anticipated fiscal impact to ODE with the proposed bill, as many of the changes are technical in nature. The study named in the bill is expected to be absorbed with ODE’s current staffing levels and resources.

Thank you for the opportunity to provide comments, and we welcome any questions you may have.

Respectfully submitted,

Nicole Peterson

Legislative Coordinator