

## SB 575 A STAFF MEASURE SUMMARY

### Senate Committee On Education

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**Action Date:** 04/04/23

**Action:** Do pass with amendments. Refer to Ways and Means by prior reference. (Printed A-Eng).

**Vote:** 6-1-0-0

**Yeas:** 6 - Anderson, Dembrow, Frederick, Gelsner Blouin, President Wagner, Weber

**Nays:** 1 - Robinson

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Lisa Gezelter, LPRO Analyst

**Meeting Dates:** 3/14, 4/4

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#### WHAT THE MEASURE DOES:

Requires Oregon Department of Education (ODE) to develop and implement a statewide education plan for students who are eligible for special education as a child with a disability. Directs ODE to convene and consult with advisory group. Prescribes advisory group membership requirements, duties, requirements for plan to address specific topics and provide strategies to meet certain goals, and reporting requirements. Requires disaggregation of data by race and ethnicity, and by disability category further disaggregated by race and ethnicity. Directs ODE to award grants to Early Learning Hubs, early learning providers, school districts, education service districts, post-secondary institutions of education, tribal governments, community-based organizations, or consortia to implement plan strategies. Directs State Board of Education (SBE) to establish grant eligibility requirements in rule. Requires every school district to establish a special education advisory council and convene that council by February 1, 2024. Allows districts with fewer than 2,500 average daily membership to participate in a regional special education advisory council. Establishes duties and membership of special education advisory councils. Requires ODE to issue guidelines to assist districts in establishing and administering special education advisory councils. Establishes reporting requirements for local or regional advisory councils. Allows use of Student Investment Account funds for establishment and operation of special education advisory councils. Declares emergency, takes effect July 1, 2023.

#### ISSUES DISCUSSED:

- Needs of special education students
- Examples of other statewide plans for specific groups of students

#### EFFECT OF AMENDMENT:

Requires disaggregation of data by race and ethnicity, and by disability category further disaggregated by race and ethnicity. Extends date for convening of district special education advisory councils to February 1, 2024.

#### BACKGROUND:

Oregon has established statewide education plans for students who are Black or African American, American Indian or Alaska Native, Latino or Hispanic, and minority gender identities or sexual orientations. These plans require the Oregon Department of Education (ODE) to form advisory groups composed of individuals who identify as members of each group in order to identify strategies for addressing historically disproportionate educational outcomes. Typically, the plans involve grant-making to schools or community-based organizations to address the needs of the student population specified in the plan.

Federal laws (the Individuals with Disabilities Education Act, or IDEA, and Section 504 of the Rehabilitation Act) work together with state law to guarantee the educational rights of students with disabilities. Schools are required to provide students with disabilities with a free, appropriate public education (FAPE) and are prohibited

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from discriminating against students with disabilities. In January 2019, advocates for students with disabilities filed a class-action lawsuit in federal court, alleging that the State of Oregon had failed to ensure that students with disabilities had access to the educational opportunities guaranteed to them. The State Board of Education enacted a General Supervision Rule in July 2022 (OAR 581-015-2015) that allows the department to monitor whether school districts are operating in compliance with legal and regulatory requirements. The rule is specific to programs for students with disabilities and allows the department to provide technical assistance, coaching, and professional development; to notify districts of any identified noncompliance within three months (or 30 days in certain cases); and to take any required corrective action. The rule requires districts to take specific actions and provides the department with the ability to withhold funds.

Senate Bill 575 A establishes a statewide plan for students with disabilities, similar to existing statewide plans, and requires school districts to convene special education advisory councils.