



# Disability Rights Oregon

TO: Senate Committee on Education  
FROM: Disability Rights Oregon  
DATE: March 20, 2023  
RE: SB 633 and Regional Centers for Special Education

Chair Dembrow, Vice Chair Weber, and members of the Committee,

Thank you for the opportunity to address the Committee on the importance of supporting students with disabilities at school. At Disability Rights Oregon, we have worked for decades to support students in special education in an inclusive, well-rounded educational environment. DRO opposes SB 633 as currently written.

DRO and the members of the committee share a common goal. We all believe students in special education should receive better services and that improvement across the board in Oregon schools is vitally necessary. In that process, we all want students to have their needs met and to ensure schools have the tools they need to support students with disabilities effectively. What methods will best ensure that students with disabilities get the supports they need are sometimes a point of difference even among allies.

A central belief of the disability rights movement and a central tenet of disability rights law is not just that students with disabilities should get an education, but that they should get an education in the most integrated, least restrictive environment. That environment will, for almost all students, be their neighborhood school. For this reason, educational resources should be heavily weighted into pushing resources out into neighborhood schools, in communities all over Oregon.

Establishing regional centers that will instead pull students with disabilities in to a regional hub school, away from their neighborhood schools, will increase the separation between students with disabilities and their peers. Most school districts are capable of serving students with disabilities in their neighborhood schools. School districts need adequate resources to serve those students, as well as a clear, enforced message that they should truly serve all students. With both those elements in place, only very rarely will students need to be pulled out of their neighborhood schools. In the absence of a regional center designed to push services and supports out into the neighborhood schools, regional centers that pull students out of their neighborhood schools should not be the legislature's first choice to support students with disabilities.

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**Disability Rights Oregon is the Protection and Advocacy System for Oregon**

Beyond the larger question of where and how to serve students with disabilities, the regional center model is unlikely to succeed across Oregon. While some regional models may succeed in the Portland metro area, where any student is likely to be less than an hour's drive from a central location, the regional model will be impractical in central, eastern, southern, or coastal Oregon. Most students simply cannot tolerate, nor should they have to accept, a 90 minute or two-hour commute one way to their school. Even if a student could manage spending a large fraction of their day in transit, the transportation costs in those regions would be very significant, at a time when school bus drivers and transportation staff are especially scarce. Those resources would be better directed to making the neighborhood schools work for students with disabilities.

Finally, the broad terms of the bill leave almost unlimited discretion to the Oregon Department of Education to select program participants, to define the terms and timelines for participation, and to decide what data is monitored. ODE has a poor history in supporting such efforts. The Education Service Districts are supposed to serve in essentially this capacity of "regional centers for special education." ORS 334.005(ESD role is "one of leadership and service" to "[f]oster[] the attainment of high standards of performance by all students"). If ODE were capable of implementing the broad program directions outlined in SB 633 in an effective way, SB 633 would be unnecessary: the ESDs would already accomplish this goal.

While DRO shares the broad aims of SB 633—improving educational services for students with disabilities—its method of pulling students from neighborhood schools and centralizing them in segregated placements is not the best approach, nor a focus permitted by federal law absent all efforts to keep students in their neighborhood schools. The process would also be unworkable in rural areas of the state. Neither is ODE capable of operating such a program properly with few legislative guidelines.

### **About Disability Rights Oregon**

Since 1977 Disability Rights Oregon has been the State's Protection and Advocacy System.<sup>1</sup> We are authorized by Congress to protect, advocate, and enforce the rights of people with disabilities under the U.S. Constitution and Federal and State laws, investigate abuse and neglect of people with disabilities, and "pursue administrative, legal, and other appropriate remedies".<sup>2</sup> We are also mandated to "educate policymakers" on matters related to people with disabilities.<sup>3</sup>

**If you have any questions regarding DRO's position on this legislation, please call Meghan Moyer at 503-432-5777 or email her at [mmoyer@droregon.org](mailto:mmoyer@droregon.org).**

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<sup>1</sup> See ORS 192.517.

<sup>2</sup> See 42 U.S.C. § 15041 et seq; 42 U.S.C. § 10801 et seq.

<sup>3</sup> See 42 U.S. Code § 15043(a)(2)(L).

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