

May 10, 2023

House Committee on Education  
Representative Courtney Neron, Chair

RE: SB 819 – Dash 13 Amendments – Neutral with strong concerns

Chair Neron and Members of the House Committee on Education:

Thank you for the opportunity to comment on the Dash 13 amendments to SB 819A. OSEA is neutral with strong concerns on the Dash 13 amendments as currently written.

The Oregon School Employees Association (OSEA) members support special education students in all Oregon counties and in nearly all levels of Oregon public education, including Head Start programs, K-12 school districts, education service districts, and community colleges. Classified employees get great satisfaction by working with all of their students, including their special education students. Many of our members feel called to do this work and continue to do so from five to 25 years. It should be no surprise that many of our members who support special education are also caregivers to children with IEPs at home.

OSEA strongly believes that special education students should have the best quality educational experience that supports their individual needs. We support the need for all students to have full access to a quality educational experience.

That said, Oregon is experiencing critically low staffing levels in public education. We believe that is due to the comparatively substandard quality of classified positions as our members deal with some or all of the following barriers to a higher quality of life, because they: 1) make approximately \$30,000 per year, 2) do not have equal access to unemployment insurance given to other Oregon employees, 3) many are not scheduled for more than 3.5 hours a day, so do not qualify for benefits, and 4) many do not have Just Cause in their collective bargaining agreement, so may be terminated at almost any time for almost any reason.

It is with the dual perspectives of parent/caregiver and education professional that we have the following concerns about the Dash 13 amendments and its implementation. Given that section 4a indicates that SB 819 becomes operable on July 1, 2023, we are gravely concerned that school districts will not have resources to support students with the highest need. Some students have been described as medically fragile and will require dedicated staffing. Some will likely need a 4:1 ratio (four staff to one student). Currently, Oregon is at critical staffing levels in virtually all school districts. We do not have enough people to do the work now. SB 819 requires increased instructional hours in addition to the current population being served. So, we need to hire and train more professional educators to ensure all students get the education they deserve.

Additionally, there is no indication in the bill that there will be a roll out for this shift in programmatic support that would accommodate the system's need to implement this new direction with best planning, deliberate innovation, problem-solving and safety.



## **Oregon School Employees Association**

www.osea.org

**State Office:** 4735 Liberty Road S, Salem, OR 97302-5036

**P:** 800-252-6732, 503-588-0121 **F:** 503-588-8307

Without building best planning, recruitment, communication, and infrastructure, the alternative scenario will likely lead to some of Oregon's highest need students returning to a school setting with inadequate support. OSEA is very concerned about the quality of each student's educational experience and the ability of each school district to maintain the highest levels of instructional time and safety for students and staff.

SB 819 adds additional pressure to a system that is experiencing the impacts of low staffing which will exacerbate the current unprecedented increase in student behaviors that create injury. Education employees are reporting frequent injuries caused by students, and yet they are provided with limited training and scarce options to protect themselves from harm. The procedures to best support special education students are complex.

Laws, policies and guidelines are implemented differently, depending on the age of the student and type of state-supported facility, whether it is a Head Start program, K-12 public school, ESD, or facility that supports a higher level of care for youth. Additionally, state direction on special education for K-12 students is implemented differently in all 197 school districts, which creates inconsistent support for Oregon's students and the professional classified staff who support them. There is an absence of direction in SB 819 on how best to implement the removal of abbreviated school days (as defined by the bill) by school districts while setting all students and staff up to succeed.

Finally, the language in section 5 indicates that there will be compensatory education for those students who did not get the same hours as other students of same age and district. As there is no description of this education beyond the two hours instruction for each one hour lost, it is likely to be implemented from classified staff as they may be easier and less expensive to find than a licensed teacher who may have time to provide additional instructional hours. We are concerned that this compensatory instruction may include providing education offsite or in a way that increases likelihood of injury.

Thank you for the opportunity to provide this testimony.

Susan Allen  
OSEA Government Relations Specialist

