



TO: Senate Committee on Education
FROM: Stacy Michaelson, East Multnomah County Schools
DATE: February 8, 2024
RE: SB 1552

Chair Dembrow, Vice-Chair Webert, Members of the Committee:

For the record, I am Stacy Michaelson, representing the school districts of East Multnomah County and Multnomah ESD. I write today in support of a number of elements of SB 1552 -1.

Funding for Youth Education Programs, Sections 20-27 of -2

Background

I'd like to begin by providing some context. The Juvenile Detention Education Program (JDEP) serves youth in our 11 county juvenile detention facilities. The Youth Corrections Education Program (YCEP) serves youth in 8 secure Oregon Youth Authority facilities.

In the 22-23 school year, the two programs served 2,024 students. 45% of JDEP students and 50% of YCEP students are students of color. 32% of JDEP students qualified for Special Education, and 39% of YCEP students qualified for Special Education. For reference, the statewide Special Education rate is 16%.

For years, these programs had been under-funded, operating school years 22% longer than a standard district with no additional funding. JDEP in particular received less funding per student than YCEP, creating inequity between the programs. On top of this, over the past decade fewer youth were held in custody, which is generally a good thing. But with fewer youth in the programs, our statutory funding went down. But a classroom costs the same amount regardless of whether it serves 5 students or 10. So had declining resources while overhead costs remained steady.

In the 21-23 biennium, the legislature made an \$8 million General Fund investment to stabilize these programs and provide adequate staffing. For 2023-2025 that was increased to \$8.3 million. To give a sense of how critical this funding is, the following table shows what portion of each site's budget came from this additional funding (based on 22-23 school year):

County Facility or OYA Facility	Educational Provider	Funding from GF Investment
Deschutes County	Bend-LaPine School District	67%
Douglas County	Douglas ESD	78%
Jackson County	Medford School District	24%
Josephine County	Grants Pass School District	78%
Klamath County	Klamath Falls City Schools	79%
Lane County	Lane ESD	72%
Linn County	Multnomah ESD	60%
Marion County	Willamette ESD	53%
Multnomah County	Multnomah ESD	72%
Yamhill County	Multnomah ESD	64%
Wasco County	North Wasco School District	53%
MacLaren Youth Correctional Facilities	Willamette ESD	9%
Eastern Oregon Youth Correctional Facility	Harney County School District	32%
Rogue Valley Youth Correctional Facility	Three Rivers School District	28%
Camp Riverbend (La Grande)	InterMountain ESD	57%
Camp Florence	Multnomah ESD	58%
Jackie Winters Transition Program (Albany)	Multnomah ESD	28%
Camp Tillamook	Tillamook School District	36%
Oak Creek Youth Correctional Facility (Albany)	Multnomah ESD	17%

The \$8 million 21-23 investment was made with the commitment from sponsors and stakeholders to come back with a proposal for long-term sustainability. The language in SB 1552 is that proposal.

What SB 1552 Does:

First, the bill creates a distinct account to fund both programs, to be known as the Juvenile Justice Education Fund. This allows ODE to move resources between the two programs as

needed. There was a budget note in 2023 directing ODE to mingle funds as needed. The language in SB 1552 makes this a formal joint account for budgeting purposes.

Second, the bill requires ODE to submit a report to the legislature during the budgeting process, identifying a Target Funding Level for the new Juvenile Justice Education Fund. To calculate that Target Funding Level, ODE will establish a baseline average per-classroom funding need, using figures and contracts from the 23-25 biennium. Then, each biennium, that baseline will be adjusted at the rate of State School Fund growth and multiplied by the number of classrooms necessary to serve students. This approach ensures the Target Funding Level is reflective of any increases or decreases in the number of classrooms (and therefore overhead costs) across programs.

It remains up to the Legislature each biennium whether to fund at that target level or not. But this gives us a consistent process for how we determine the amount needed to provide adequate staffing and support to students, and it ensures that JDEP and YCEP don't get lost in the broader budget conversation. SB 1552 also makes JDEP and YCEP an allowable use of the Statewide Education Initiatives Account of the Fund for Student Success. This will give the Legislature additional flexibility in the budgeting process, so you are not limited to General Fund investments to keep the program afloat.

The final element of the bill is about how funds are allocated to each site. The bill codifies in statute direction that was given to the agency via budget notes in 2021 and 2023. We've learned that there is no universal formula that works for sites of such varying sizes and student populations. The language in SB 1552 says that when ODE is setting contract amounts for JDEP and YCEP providers, the agency must take into consideration:

- The number of classrooms at the facility
- The total number of students served at the facility
- The proportion of students from historically-underserved communities
- The proportion of students qualifying for Special Education
- The level of transition services provided to students (this was not in the 21-23 budget note, but ODE included it following 2022 legislation)

Why This is Needed

Incarcerated students are some of the most vulnerable when it comes to the risk of not completing high school. Often they enter the system disconnected from school. Our ability to re-engage them with school or keep them on track to receiving their diploma is one of the best ways we can support their future success. To do this, we need to ensure that every classroom in a juvenile detention or youth corrections facility has adequate staffing.

SB 1552 ensures that these programs are always given the consideration they deserve in the budgeting process and provides the agency with on-going direction to allocate dollars where they are most needed and will be most effective.

Youth Advisory Group (Sections 1-8)

Students should always be at the center of our policy choices. Just as many school boards seek out student input on local policy decisions, so too should our state. The creation of the Youth Advisory Group will ensure that student voices are included in the statewide decisions that will most affect them. The dedication to representation of a wide array of student experiences is appreciated.

Opioid Antagonist Policy Clarification (Sections 29-30)

This clarification that districts have the ability to determine which schools, if any, should have an opioid-antagonist on site is an appreciated technical fix.

Education for Occupational or Professional License (Section 44)

Many formerly justice-involved youth struggle to find a career path where their prior records won't be a hindrance. The ability for individuals to get a clear answer about how their prior record may impact their ability to obtain a particular license will help ensure that they don't waste limited time or money pursuing an education that will not result in a professional certification. This is one step in a much broader conversation about the need to remove barriers to employment for our youth who have been incarcerated.

Recovery Schools (Section 45)

At the request of school districts in Multnomah County, Multnomah ESD has opened a recovery school for the 2023-2024 school year. We supported the legislation that created a path for a statewide system of recovery schools, and anticipate that MESD will apply for one of the state contracts when that RFP goes live. The technical fixes included in this section help to clarify how this new system of state-contracted recovery schools should be situated in the broader context of Oregon's K-12 system. These are useful clarifications.

Definition of Classified School Employees (Sections 46-47)

We believe it was not the intention of SB 283 (2023) to include management-level employees in the definition of classified employees for the purposes of just cause protections, and support this clarification to limit the scope to our represented classified employees.