

TO: House Committee on Education
FROM: Disability Rights Oregon
DATE: February 17, 2024
RE: **HB 2953 - Support**

Chair Neron, Vice Chairs Dobson and McIntire, and Members of the House Education Committee,

My name is Ben Gurewitz, and I am a public policy advocate for Disability Rights Oregon. We are proud to support HB 2953 if amended with measures of accountability needed to ensure that the additional funds it will provide result in real benefits to students with disabilities.

Currently, Oregon's State School Fund provides additional funding for students receiving special education services. However, districts do not receive funding for more than 11% of their student population, regardless of actual need.

Disability Rights Oregon is concerned that this funding cap violates federal law. In 2018, a U.S. Department of Education investigation found that Texas' 8% cap on special education funding violated IDEA. Oregon's policy raises similar concerns.

That concern is amplified by consistent data and recent history. According to the U.S. Department of Education, students with disabilities made up 15% of the national student population in 2022—mirroring Oregon's statewide percentage. It should come as no surprise then that the current funding cap forces many districts to pull from general fund dollars to fulfill their IDEA obligations. When general funds are insufficient, those districts struggle to identify students and provide them with legally required services. This creates an unfair system in which students compete for insufficient resources.

While we support increasing funding, it is critical that the Oregon Department of Education holds districts accountable to ensure that the additional funds that this bill would provide are used to provide the evidence-based services and supports that students with disabilities need to be successful in our public schools. Additional resources must translate into meaningful improvements in special education services. To measure progress, we recommend the following benchmarks:

- **Objectively measured increased proficiency** in reading and math among special education students.

- **Reduced classroom time lost** due to shortened school days, informal removals, restraint, seclusion, or suspension.
- **Expanded teacher training**, with more educators completing state-approved reading and math instruction programs suitable for at least 50% of K-3 special education students.
- **Clear targets for inclusive education for all students with disabilities**, with accountability for when targets are not met by school districts who rely on segregated models of special education services.

We urge the Legislature to ensure that special education funds are used effectively to support students with disabilities. Thank you for your time and consideration.

About Disability Rights Oregon

Since 1977 Disability Rights Oregon has been the State's Protection and Advocacy System.¹ 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".² We are also mandated to "educate policymakers" on matters related to people with disabilities.³

If you have any questions regarding DRO's position on this legislation, please call Ben Gurewitz at 971-806-7908 or email him at bgurewitz@droregon.org.

¹ See ORS 192.517.

² See 42 U.S.C. § 15041 et seq; 42 U.S.C. § 10801 et seq.

³ See 42 U.S. Code § 15043(a)(2)(L).