

**REVENUE:** No revenue impact

**FISCAL:** No fiscal impact

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<b>Action:</b>	Do Pass
<b>Vote:</b>	4 - 0 - 1
<b>Yeas:</b>	George, Morse, Shields, Hass
<b>Nays:</b>	0
<b>Exc.:</b>	Bonamici
<b>Prepared By:</b>	Linda Lindholm, Administrator
<b>Meeting Dates:</b>	4/26, 5/3

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**WHAT THE MEASURE DOES:** Requires residential facilities to ensure that children who reside at the facility receive appropriate educational services. Declares emergency, effective July 1, 2011.

**ISSUES DISCUSSED:**

- Cooperation between agencies, school districts and facilities
- Licensure agreement elements
- Comprehensive and age-appropriate educational services
- Necessity of measure for clarity and leverage

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Prior to licensure, a person applying for a license to operate a residential facility must meet certain criteria. If the residential facility proposes to house persons under the age of 21 years, the facility must submit written proof to the licensing agency demonstrating that the facility will ensure that the children who reside at the residential facility receive appropriate educational services. The educational services must be comprehensive and age-appropriate, in compliance with requirements of state and federal law, and if applicable, in compliance with the individual education program of the child. Requirements of this measure encompass both a person who applies for licensure and one who applies for renewal of a license.

Current practice is that residential providers have agreements with a local school or an Education Service District (ESD) to provide educational services that are funded through the Department of Education. This measure codifies current practice and, according to Legislative Fiscal Office analysis, creates no additional workload, cost or responsibility for the Oregon Health Authority, Department of Human Services or the Department of Education.

5/4/2011 2:48:00 PM

*This summary has not been adopted or officially endorsed by action of the committee.*