



# Marion County

## OREGON

April 3, 2013

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Speaker Tina Kotek, Chair  
House Committee on Education  
Oregon State Capitol  
Salem, Oregon 97301

Dear Chair Kotek:

Thank you for the opportunity to testify in support of House Bill 3394. I also would like to express my appreciation to Representative Sprenger for her work on this legislation and to the co-sponsors.

House Bill 3394 is a carefully crafted solution to keeping young children safe when they attend early learning programs such as Head Start and Early Intervention/Early Childhood Special Education in former school buildings.

A November 28, 2012 letter from Legislative Counsel to Representative Sprenger confirms that "school" is not defined in ORS 802.462, although "school zone" is defined there. For purposes of defining a "school" relative to "school zones," Oregon relies on the federal definition included in the Manual on Uniform Traffic Control Devices. The federal manual defines a "school" as:

"A public or private educational institution recognized by the state education authority for one or more grades K through 12 ***or as otherwise defined by the State.***" [emphasis added]

As school districts reduce budgets, schools are being consolidated and the buildings (often in rural areas) used for other purposes. In the Salem-Keizer School District, there are four such schools that currently house early learning programs. These buildings once acquired designated school zones and accompanying signs prior to the change in student population, but now are at risk of having those school zone signs removed because their student population is no longer encompassed in the federal definition of "school."

Because these school buildings are in rural areas, many are adjacent to county roads where the posted speed limit is 55 MPH but where drivers in reality often reach speeds in excess of 60 MPH. The road shoulders can be narrow and families with young children who have special needs or who experience poverty are especially at risk as parents park and escort their children onto school premises. Young children are prone to "dart," parents can become distracted, and the child is quickly put in harm's way.

House Bill 3394 provides a state definition of "school" for purposes of "school zones" so that communities can retain school zones at such rural school sites, and so that drivers will continue to slow down as they pass these school buildings, even when students are 3 or 4-year-old children. The definition is purposely narrow to avoid an unintended consequence of requiring school zone signs for all home-based or private child care centers or preschools which are more likely to have safer distances from fast-moving traffic.

I ask your support of House Bill 3394.

Sincerely,

Janet Carlson  
Marion County Commissioner

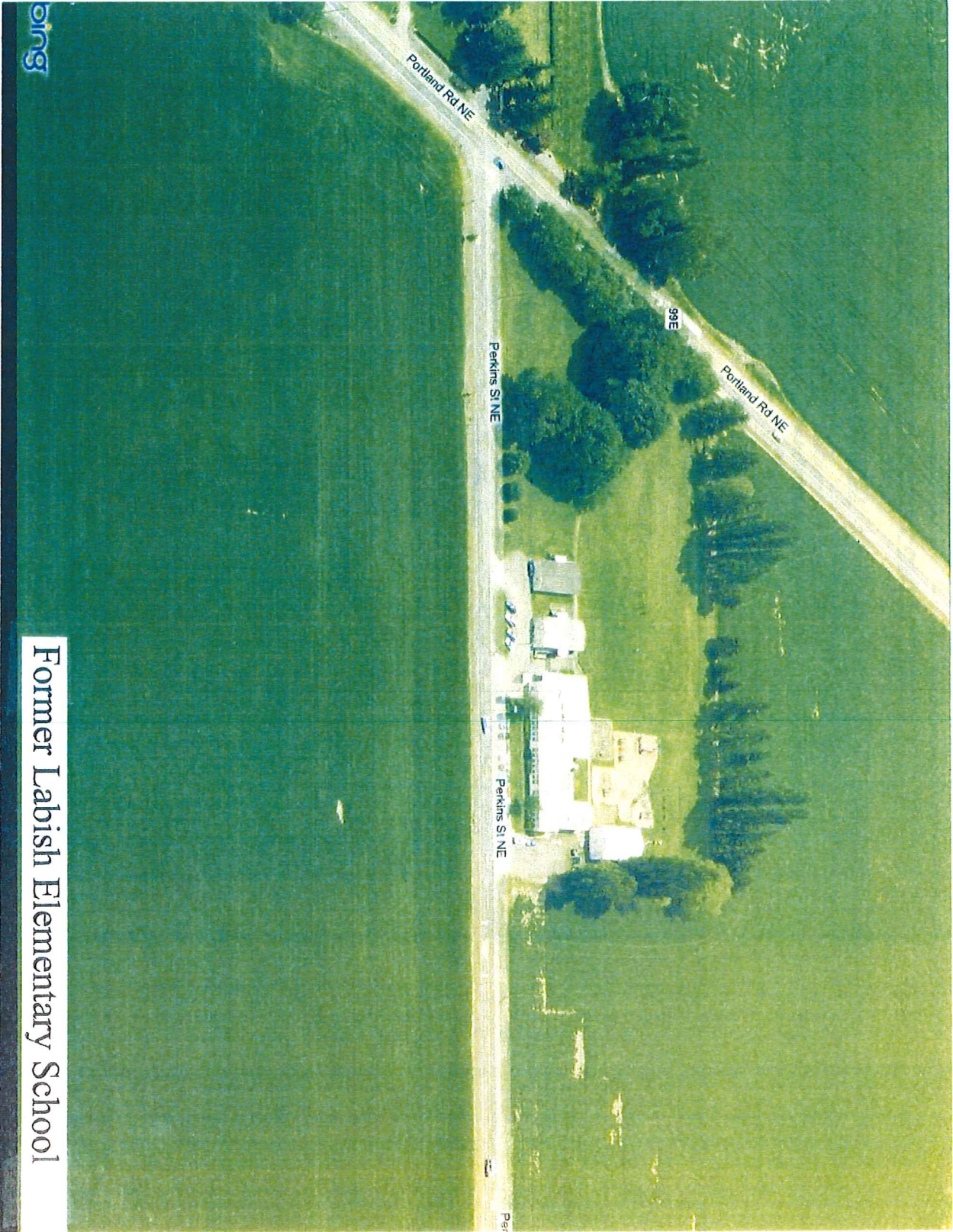




**Buena Crest Head Start**

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Former Labish Elementary School

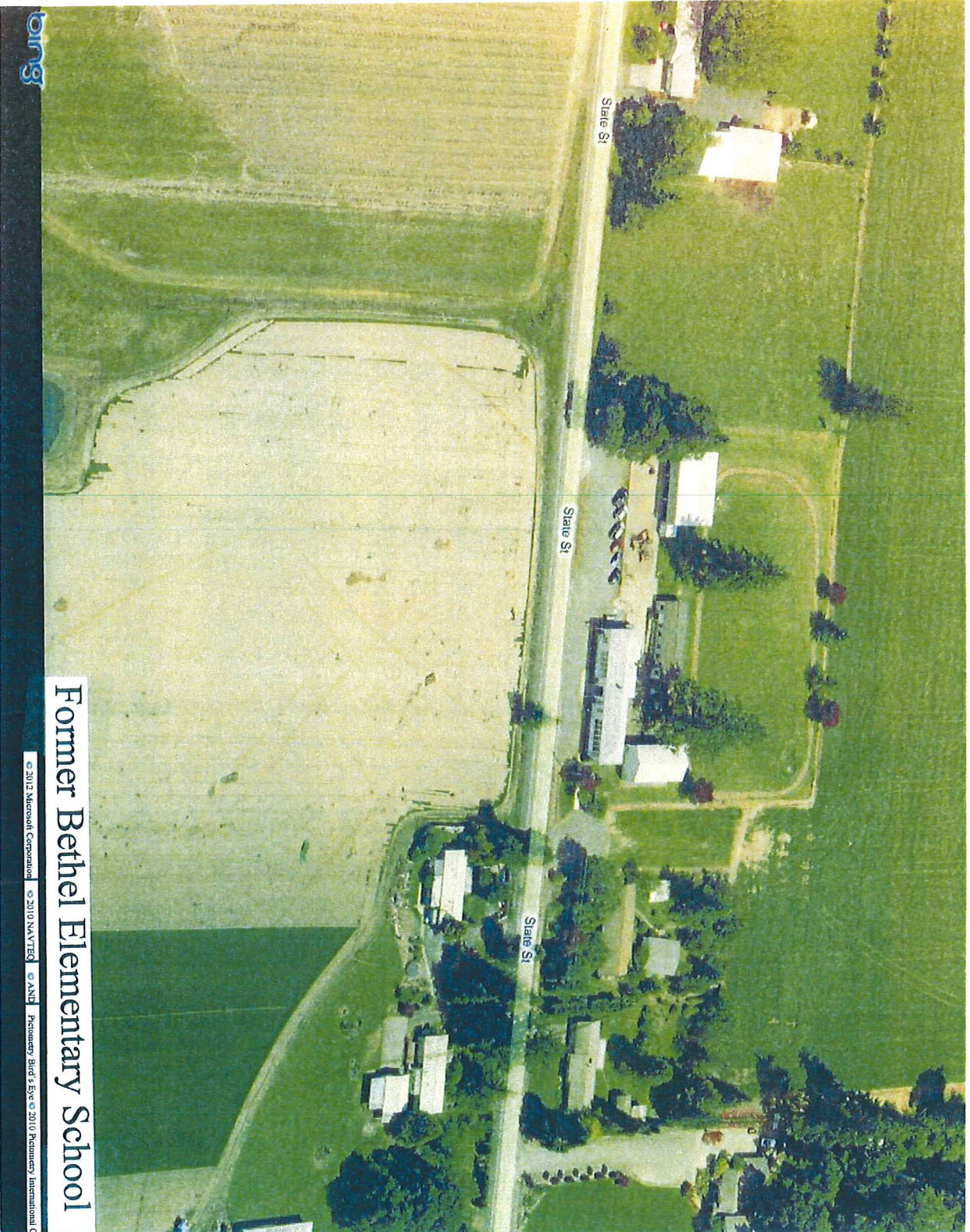




# Former Fruitland Elementary School

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