

FISCAL IMPACT OF PROPOSED LEGISLATION**Measure: HB 2743 - A**Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office***Only Impacts on Original or Engrossed
Versions are Considered Official***

Prepared by: Kim To
Reviewed by: Doug Wilson, Daron Hill, Laurie Byerly, Paul Siebert
Date: 4/12/2013

Measure Description:

Establishes Task Force on High School and Transition Success for Students with Disabilities.

Government Unit(s) Affected:

Oregon Department of Education (ODE), Legislative Administration Committee (LAC), Department of Community Colleges and Workforce Development, Department of Human Services (DHS), Oregon Student Assistance Commission (OSAC), Oregon University System (OUS)

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

House Bill 2743 A-Engrossed establishes the 21-member Task Force on High School and Transition Success for Students with Disabilities charged with preparing a report for the Legislative Assembly related to high school and post-secondary educational opportunities for students with disabilities. The task force is authorized to recommend legislation, and make recommendations to the Oregon Education Investment Board about specific goals for achievement compacts for school districts, education service districts, community colleges, and public universities. The task force must submit an update to the Legislative Assembly by February 20, 2014, and a final report by July 1, 2014. The bill contains an emergency clause and is effective on passage. The task force sunsets on the convening of the 2015 legislative session.

Oregon Department of Education (ODE)

The Oregon Department of Education anticipates that passage of this bill will require ODE to collect and analyze information and data regarding students with disabilities to present to the task force. This fiscal impact assumes that ODE will use existing staff and resources to gather the information that will help the task force formulate the strategies and develop legislation required by this bill. However, if the data and support required exceeds expectations, ODE may need to return to the Emergency Board or Legislative Assembly to seek additional funding and position authority.

Legislative Administration

The fiscal impact of this bill on the Legislative Administration is indeterminate depending on the number and geographic location of meetings, the scope of the study undertaken, and the donations garnered by the task force. The task force is allowed to accept donations of staff support, office space and equipment from any business or nonprofit entity. At this time, no such entity has been identified. The bill requires the Legislative Administration Committee to provide staff support to the task force. The bill allows the task force to specify the times and places of the meetings. If meetings are held outside the Capitol Building, support staff will incur travel expenses. Although the 2013-15 Legislative Branch budget contains funds allocated for interim committee and task force, if the work required by this task force, or if the cumulative enactment of other legislation with interim committees and task forces exceeds expenditure levels beyond those assumed in the 2013-15 budget, additional General Fund resources may be required.

Oregon University Systems (OUS), Oregon Student Access Commission (OSAC), Department of Human Services (DHS), Department of Community Colleges and Workforce Development (CCWD)
The Oregon University Systems, the Oregon Student Access Commission, the Department of Human Services, and the Department of Community Colleges and Workforce Development are required to appoint representatives to serve on the task force. The fiscal impact on these agencies is anticipated to be minimal. Each agency will use existing staff and resources to serve the task force in an advisory role.

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

| | |
|-----------------------|--|
| Action: | Do Pass as Amended and Be Printed Engrossed and Rescind the Subsequent Referral to the Committee on Ways and Means |
| Vote: | 8 - 0 - 1 |
| Yeas: | Fagan, Gomberg, Gorsek, Huffman, Parrish, Reardon, Whisnant, Gelser |
| Nays: | 0 |
| Exc.: | Sprenger |
| Prepared By: | Rick Berkobien, Administrator |
| Meeting Dates: | 3/8, 4/12 |

WHAT THE MEASURE DOES: Establishes Task Force on High School and Transition Success for Students with Disabilities consisting of 21 members to be appointed by Chief Education Officer, including one person with a disability who graduated from high school within five years of the time of appointment; one parent of a student with a disability; and one member from Disability Rights Oregon. Outlines areas of high school transition for the task force to study and upon which to make recommendations. Requires task force to make recommendations to Oregon Education Investment Board (Board) about goals for achievement compacts for school districts, education service districts and other educational entities. Requires task force to recommend legislation based on its study. Stipulates that task force consider how proposed modifications to funding formula align with Board policies state goal for graduation rates and post-secondary educational attainment. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Composition of task force membership
- Variety of needs of students involved

EFFECT OF COMMITTEE AMENDMENT: Changes composition of task force members to be appointed by the Chief Education Officer and reduces the total number of task force members from 24 to 21 members. Adds to composition of membership: one person with a disability who graduated from high school within five years of the time of appointment; one parent of a student with a disability; and one member from Disability Rights Oregon.

BACKGROUND: The transition from adolescence to adulthood can include employment, postsecondary education, or both. For youth with disabilities, this period can also include transitioning from receiving services and supports from their school district or another youth-oriented service agency to adult services providers. Recognizing the importance of maintaining a continuum of services beyond high school and into adulthood, federal disability legislation requires the inclusion of transition planning in each child's Individualized Education Program. By the time a student reaches the age of 16 (if not before), the IEP *must* include measurable postsecondary goals and identify appropriate transition services. House Bill 2743 recognizes the importance of transition planning by establishing a twenty-one member task force of stakeholders to study issues and make recommendations to the Legislative Assembly.

A-Engrossed
House Bill 2743

Ordered by the House April 18
Including House Amendments dated April 18

Sponsored by Representative GELSNER; Representative BUCKLEY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes Task Force on High School and Transition Success for Students with Disabilities.
Sunsets task force on date of convening of 2015 regular session of Legislative Assembly.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Task Force on High School and Transition Success for Students with Disabilities;
3 and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) The Task Force on High School and Transition Success for Students with**
6 **Disabilities is established.**

7 **(2) The task force consists of 21 members appointed as follows:**

8 **(a) The Speaker of the House of Representative shall appoint two members who are**
9 **members of the House of Representatives at the time of appointment.**

10 **(b) The Senate President shall appoint two members who are members of the Senate at**
11 **the time of appointment.**

12 **(c) The Chief Education Officer shall appoint:**

13 **(A) One person with a disability who graduated from high school within five years of the**
14 **time of appointment.**

15 **(B) One parent of a student with a disability.**

16 **(C) One high school registrar.**

17 **(D) Two high school counselors.**

18 **(E) One special education teacher.**

19 **(F) One high school principal.**

20 **(G) One school district director for special education.**

21 **(H) One representative of a disability services office of a community college.**

22 **(I) One representative of a disability services office of a public university.**

23 **(J) One representative of the Oregon Student Access Commission.**

24 **(K) One representative of the Employment First Initiative through the Department of**
25 **Human Services.**

26 **(L) One transition specialist from the Department of Education.**

27 **(M) One counselor from the Office of Vocational Rehabilitation Services of the Depart-**
28 **ment of Human Services.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 (N) One representative of the University of Oregon Center for Excellence in Develop-
2 mental Disabilities.

3 (O) One representative of a trade program, an apprenticeship program or a career path-
4 way program at a community college.

5 (P) One representative of Disability Rights Oregon.

6 (3) The task force shall prepare a report for the Legislative Assembly. The report shall
7 relate to high school and transition success for students with disabilities.

8 (4) For the purpose of providing the report described in subsection (3) of this section, the
9 task force may study and make recommendations to improve:

10 (a) The understanding of modified diplomas and extended diplomas by high school coun-
11 selors, educators, parents, students and teachers.

12 (b) The consideration of modified diplomas and extended diplomas by admissions officers
13 of public universities.

14 (c) Participation of students who have individualized education plans in high school
15 courses, programs or activities that could result in college credit.

16 (d) Standards that outline the necessary documentation a student should present to a
17 community college or to a public university in order to access appropriate student support
18 services for a disability.

19 (e) Strategies for increasing college affordability for students with individualized educa-
20 tion plans and for expanding the role of state financial aid for students with disabilities when
21 the students' access to federal financial aid is reduced.

22 (f) Strategies for collaboration between school district transition programs and programs
23 at community colleges and public universities, including the possible payment by school dis-
24 tricts for students participating in transition programs that may result in college credit.

25 (g) The recruitment to career pathway programs and apprenticeship programs for stu-
26 dents who have individualized education plans.

27 (h) Strategies for high schools to educate students who have individualized education
28 plans about the accommodations, financial aid and student service options that are available
29 for post-secondary education.

30 (i) The use of technology as an accommodation for students with disabilities in high
31 schools and post-secondary education to boost student achievement.

32 (j) Regular diploma graduation rates for students who have individualized education
33 plans, particularly students with specified learning disabilities and other health impairments.

34 (5) In addition to the recommendations compiled as described in subsection (4) of this
35 section, the task force may make recommendations to the Oregon Education Investment
36 Board about specific goals for achievement compacts for school districts, education service
37 districts, community colleges and public universities that will help drive and track improved
38 post-secondary success for students who have individualized education plans.

39 (6) Based on the study and recommendations compiled as described in subsection (4) of
40 this section, the task force may recommend legislation that:

41 (a) Implements post-secondary education opportunities for students with disabilities.

42 (b) Increases the rate of participation of students who have individualized education plans
43 in high school courses, programs or activities that could result in college credit.

44 (c) Coordinates school district transition programs and programs at community colleges
45 and public universities.

1 (d) Improves recruitment of students who have individualized education plans in appren-
2 ticeships, career pathway programs and other post-secondary education opportunities.

3 (e) Establishes a process to uniformly record credits and grades for high school diplomas,
4 modified diplomas and extended diplomas.

5 (7) When making the recommendations described in subsections (4) to (6) of this section,
6 the task force shall consider how proposed modifications to the state's school funding for-
7 mula align with the policies established by the Oregon Education Investment Board and with
8 the state goal for high school graduation rates and post-secondary educational attainment
9 expressed in ORS 351.009.

10 (8) A majority of the voting members of the task force constitutes a quorum for the
11 transaction of business.

12 (9) Official action by the task force requires the approval of a majority of the voting
13 members of the task force.

14 (10) The task force shall elect one of its members to serve as chairperson.

15 (11) If there is a vacancy for any cause, the appointing authority shall make an appoint-
16 ment to become immediately effective.

17 (12) The task force shall meet at times and places specified by the call of the chairperson
18 or of a majority of the voting members of the task force.

19 (13) The task force may adopt rules necessary for the operation of the task force.

20 (14)(a) The task force shall submit an update about its progress to the legislative com-
21 mittees of the Legislative Assembly related to education and higher education no later than
22 February 20, 2014.

23 (b) The task force shall submit a final report, and make any recommendations for legis-
24 lation, to the interim committees of the Legislative Assembly related to education and higher
25 education no later than July 1, 2014.

26 (c) The task force shall submit any recommendations about achievement compacts as
27 described in subsection (5) of this section to the Oregon Education Investment Board no
28 later than July 1, 2014.

29 (15) The Legislative Administration Committee shall provide staff support to the task
30 force. The Legislative Administration Committee, on behalf of the task force, may accept
31 donations of staff support, office space and equipment from any business or nonprofit entity
32 that has an interest in improving the post-secondary education and workforce success of
33 individuals with disabilities.

34 (16) Notwithstanding ORS 171.072, members of the task force who are members of the
35 Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-
36 teers on the task force. Other members of the task force are not entitled to compensation
37 or reimbursement for expenses and serve as volunteers on the task force.

38 (17) All agencies of state government, as defined in ORS 174.111, are directed to assist
39 the task force in the performance of its duties and, to the extent permitted by laws relating
40 to confidentiality, to furnish such information and advice as the members of the task force
41 consider necessary to perform their duties.

42 **SECTION 2.** Section 1 of this 2013 Act is repealed on the date of the convening of the 2015
43 regular session of the Legislative Assembly as specified in ORS 171.010.

44 **SECTION 3.** This 2013 Act being necessary for the immediate preservation of the public
45 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect

1 **on its passage.**

2
