

SB 155 B BUDGET REPORT and MEASURE SUMMARY

Carrier: Sen. Roblan

Joint Committee On Ways and Means

Action Date: 06/14/19

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Senate Vote

Yeas: 11 - Beyer, Frederick, Girod, Hansell, Heard, Johnson, Manning Jr, Roblan, Steiner Hayward, Thomsen, Wagner

Exc: 1 - Baertschiger Jr

House Vote

Yeas: 9 - Gomberg, Holvey, McLain, McLane, Nosse, Piluso, Rayfield, Smith G, Stark

Prepared By: Lisa Pearson and Cathy Connolly, Department of Administrative Services

Reviewed By: Tim Walker, Legislative Fiscal Office

Department of Human Services

2019-21

Teacher Standards and Practices Commission

2019-21

Department of Education

2019-21

Budget Summary*

| | 2017-19 Legislatively Approved Budget ⁽¹⁾ | 2019-21 Current Service Level | 2019-21 Committee Recommendation | Committee Change from 2017-19 Leg. Approved | |
|--|---|----------------------------------|-------------------------------------|--|----------|
| | | | | \$ Change | % Change |
| Department of Human Services | | | | | |
| General Fund | \$ - | \$ - | \$ 2,460,895 | \$ 2,460,895 | 100.0% |
| Other Funds | \$ - | \$ - | \$ 820,749 | \$ 820,749 | 100.0% |
| Federal Funds | \$ - | \$ - | \$ 392,329 | \$ 392,329 | 100.0% |
| Total | \$ - | \$ - | \$ 3,673,973 | \$ 3,673,973 | 100.0% |
| Teacher Standards and Practices | | | | | |
| Other Funds Limited | \$ - | \$ - | \$ 525,000 | \$ 525,000 | 100.0% |
| Total | \$ - | \$ - | \$ 525,000 | \$ 525,000 | 100.0% |
| Department of Education | | | | | |
| General Fund | \$ - | \$ - | \$ 1,621,607 | \$ 1,621,607 | 100.0% |
| Total | \$ - | \$ - | \$ 1,621,607 | \$ 1,621,607 | 100.0% |

⁽¹⁾ Includes adjustments through December 2018

* Excludes Capital Construction expenditures

Position Summary

Department of Human Services

| | | | | |
|--------------------------------------|------|------|------|------|
| Authorized Positions | 0 | 0 | 13 | 13 |
| Full-time Equivalent (FTE) positions | 0.00 | 0.00 | 9.75 | 9.75 |

Teacher Standards and Practices

| | | | | |
|--------------------------------------|------|------|------|------|
| Authorized Positions | 0 | 0 | 3 | 3 |
| Full-time Equivalent (FTE) positions | 0.00 | 0.00 | 2.25 | 2.25 |

Department of Education

| | | | | |
|--------------------------------------|------|------|------|------|
| Authorized Positions | 0 | 0 | 6 | 6 |
| Full-time Equivalent (FTE) positions | 0.00 | 0.00 | 4.22 | 4.22 |

Summary of Revenue Changes

Senate Bill appropriates \$2,460,895 General Fund to the Department of Human Services (DHS). The bill also provides Other Funds and Federal Funds expenditure limitation, which will be supported by existing funding sources. The Teacher Standards and Practices Commission (TSPC) is expected to increase fees to fund three investigator positions. Senate Bill 155 also provides a \$1,621,607 General Fund appropriation to the Oregon Department of Education (ODE).

Summary of Education Subcommittee Action

Senate Bill 155 clarifies and expands sexual misconduct reporting requirements in schools. It appropriates a total of \$4.1 million General Fund between DHS and ODE. It also increases Other Funds expenditure limitation by a total of \$1.3 million between DHS and TSPC, and provides \$0.4 million Federal Funds expenditure limitation to DHS. Additionally, Senate Bill 155 provides a total of 22 positions among the three agencies to meet the investigatory and oversight functions required by the bill. The bill brings Oregon law into compliance with the Every Student Succeeds Act (2014). Mandatory reporters will contact DHS, who will refer the reports to law enforcement if a criminal act may have occurred. DHS will investigate regardless of criminality and will refer cases and files to the ODE for non-licensed school employees, volunteers, and contractors and to TSPC for licensed employees.

Department of Human Services

Senate Bill 155 requires DHS to conduct an investigation upon receipt of a report of abuse involving a child and a person who is a school employee, contractor, agent, or volunteer. DHS must notify TSPC and ODE within three business day of the report. The bill also defines how to make reports on all incidents of suspected abuse or sexual conduct.

The Office of Training, Investigations and Safety (OTIS) in the Shared Services Division will be responsible for investigations of reports of abuse occurring in a school setting and this will require three permanent Investigator 3 positions (2.25 FTE) to screen referrals and then investigate referrals as needed, one permanent Administrative Specialist 1 position (0.75 FTE), a permanent Compliance Specialist 2 (0.75 FTE) and one permanent Principal Executive Manager (PEM) C (0.75 FTE) manager for the unit.

In the Child Welfare Division, this new responsibility will require seven permanent Social Service Specialist 1 positions (5.25 FTE) to address the workload associated with screening and providing services required in the bill. This includes receiving and documenting reports, assigning the reports to workers, and workers conducting assessments on those additional reports. In addition, there will need to be initial and ongoing training, rule writing, and child welfare procedure written. This includes learning changes to OR-KIDS, current practice and procedure for screeners, child protective workers, supervisors, consultants, and office staff, as well as increased founded disposition review and Department of Justice consultation.

Senate Bill 155 requires changes to the OR-KIDS system, which is used to capture initial report of child abuse. The Centralized Abuse Management (CAM) system, which is used to meet the requirement of the OTIS staff, will also need to be updated to include a new type of abuse report and implemented in schools across Oregon.

Teacher Standards and Practices

Senate Bill 155 removes the requirement a school district must complete an investigation of complaints against licensed personnel, resulting in increased work for TSPC. To meet the additional demand and complete the investigations within 90 days, the bill provides expenditure limitation for three permanent investigator positions (2.25 FTE). The positions include two Investigator 2 positions and one Investigator 3 position, who will begin work in January 2020. The expenditure limitation includes Services and Supplies to support the positions and to contract with the Department of Justice for enforcing subpoenas.

Department of Education

Senate Bill 155 provides six permanent positions (4.22 FTE) to develop policies and processes for investigations, final orders, recommendations to licensing agencies and appeals, and developing and managing a contract for investigators. Beginning July 2019, one Program Analyst 2 position will create the required training for education providers, the four state-sponsored charters, the Youth Corrections Education Program, and the Oregon School for the Deaf. Also, an Information System Specialist 7 will start work on July 1, 2019 to obtain and install a database system, which will be used to track ongoing and completed investigations. This system is needed because education providers must conduct additional background checks before hiring new employees and providers must ask ODE if a non-licensed job candidate is the subject of an ongoing investigation or has been investigated previously with confirmed allegations. Two Operations and Policy Analyst 4 positions will start work in September 2019 and will initially develop policies and processes; once this initial work is complete they will lead investigations, write final orders, and ensure investigations are complete with 90 days. They will also communicate with TSPC, school districts, law enforcement, and will present cases to the Office of Administrative Hearings along with preparing and delivering reports to the State School Board and the Legislature. They will also help train the four state-sponsored charters, the Youth Corrections Education Program, and the Oregon School for the Deaf. An Operations and Policy Analyst 3 will start in January 2020 to oversee investigations and write final orders, while an Administrative Specialist 2 will begin work in June 2020 to manage the complaint intake process, prepare all paperwork, track investigator contracts, and perform background checks.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

Department of Human Services, Teacher Standards and Practices, Department of Education
 Cathy Connolly -- 503-373-0083, Lisa Pearson -- 503-373-7501

| DESCRIPTION | GENERAL FUND | LOTTERY FUNDS | OTHER FUNDS | | FEDERAL FUNDS | | TOTAL ALL FUNDS | POS | FTE |
|--|--------------|---------------|--------------|------------|---------------|------------|-----------------|-----|-------|
| | | | LIMITED | NONLIMITED | LIMITED | NONLIMITED | | | |
| SUBCOMMITTEE RECOMMENDATION | | | | | | | | | |
| <u>Department of Human Services</u> | | | | | | | | | |
| SCR 010-45 - Shared Services | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 759,699 | \$ - | \$ - | \$ - | \$ 759,699 | 6 | 4.50 |
| Services and Supplies | \$ - | \$ - | \$ 61,050 | \$ - | \$ - | \$ - | \$ 61,050 | | |
| SCR 010-50 - SAEC | | | | | | | | | |
| Personal Services | \$ 2,888 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 2,888 | 0 | 0.00 |
| Services and Supplies | \$ 521,143 | \$ - | \$ - | \$ - | \$ 392,329 | \$ - | \$ 913,472 | | |
| Special Payments | \$ 820,749 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 820,749 | | |
| SCR 060-06 - Child Welfare Prog Delivery & Design | | | | | | | | | |
| Personal Services | \$ 828,506 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 828,506 | 7 | 5.25 |
| Services and Supplies | \$ 287,609 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 287,609 | | |
| <u>Teacher Standards and Practices</u> | | | | | | | | | |
| SCR 001 - General Program | | | | | | | | | |
| Personal Services | \$ - | \$ - | \$ 437,655 | \$ - | \$ - | \$ - | \$ 437,655 | 3 | 2.25 |
| Services and Supplies | \$ - | \$ - | \$ 87,345 | \$ - | \$ - | \$ - | \$ 87,345 | | |
| <u>Department of Education</u> | | | | | | | | | |
| SCR 100 - Operations | | | | | | | | | |
| Personal Services | \$ 818,074 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 818,074 | 6 | 4.22 |
| Services and Supplies | \$ 703,533 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 703,533 | | |
| Capital Outlay | \$ 100,000 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 100,000 | | |
| TOTAL ADJUSTMENTS | \$ 4,082,502 | \$ - | \$ 1,345,749 | \$ - | \$ 392,329 | \$ - | \$ 5,820,580 | 22 | 16.22 |
| SUBCOMMITTEE RECOMMENDATION | \$ 4,082,502 | \$ - | \$ 1,345,749 | \$ - | \$ 392,329 | \$ - | \$ 5,820,580 | 22 | 16.22 |