



Date: February 2, 2021
To: House Education Committee, Chair Alonso Leon and Members
From: Laurie Wimmer, OEA Government Relations
RE: *HB 2060 [Student Success Act changes]*

On behalf of OEA's 41,000 members, it is my honor to submit testimony regarding the bill before you, which asks you to consider changing several provisions of the landmark Student Success Act of 2019.

As a person who worked to create and pass the language incorporated in this new game-changing education grant, I offer our association's view of the various elements of HB 2060 – most of which we support, but with a notable exception. I will take each content area separately below:

Nutrition Access: Clarification

We believe that the technical fix found in **HB 2060 does not go far enough to ensure that the intent of the original act** will be honored. We are proud of our 2019 Legislature, which sought to ensure that all students whose households are under the Federal Poverty Level 300% mark would have access to no-cost school meals. As envisioned, all districts providing school meals would participate with uniform income eligibility requirements to ensure equity of access statewide, unless the district sought to opt out. After the SSA passed, however, the interpretation of the law was that all districts would have to opt in. HB 2060 does correct some of the technical issues with school nutrition, but it does not address this unintended problem. **HB 2536**, which will also be considered by this committee, is OEA's preferred approach to clarifying that our students who qualify be given the opportunity to access these school meals. It includes both the remedies found in HB 2060 and the additional clarification we seek. We urge this committee to pass HB 2536 to fully resolve the nutrition program issues.

Mental and behavioral health targets: Oppose

In drafting the language that would become a part of HB 3427 – the Student Success Act – a team of education advocates debated long and hard about the need for grantee accountability and how best to determine whether districts had invested their share of the resource in the priorities they outlined in their grant applications. A mix of statewide and local metrics were allowed, to demonstrate fidelity to their grant proposals as it relates to helping our most marginalized students achieve. We knew that some of the uses of the grant funds would not be so easily measurable, so we left to districts the ability to demonstrate that they had used their money wisely and well, to good effect in those areas. Our team deliberately did not attempt to second-guess the kinds of evidence a district may offer to reflect that their mental and behavioral health investments had yielded results.

There are several reasons for this. In the case of student mental health, there are no easy metrics that directly correspond to the efficacy and fidelity of mental health service provision in schools. There are student privacy issues in the health-care realm that are further impediments. Test results and other regularly collected academic data points are irrelevant to this investment area. If a district's grant application proposes to use a portion of the resource to hire a school counselor, social worker, or school nurse, for instance, demonstration that the money went to do just that should be evidence enough that the grant terms were met. **Outcome "targets" may not be easily demonstrated in a way that**

verifies accountability to the non-linear work of addressing student mental health concerns. We also object to setting the precedent of leaving to the State Board of Education the determination of metrics for this one use, when all others are either legislatively or locally set.

Though stakeholders were apprised before the last legislative session that the Department sought other changes found in this bill, the idea of a statewide mental health metric is a new add-on not broadly debated with entities involved in the creation of the original legislation. We respectfully ask that HB 2060 be amended to either delete this section or to ensure that school districts set their own local metric, which can be input-based rather than outcome-driven, as a part of their SSA grant applications.

School for the Deaf and juvenile education programs added: Support

In 2019, we proposed the addition of the School for the Deaf and education programs serving adjudicated youth. We are happy to see these students added to the Student Investment Account. Though their addition lessens the per-student funding for all eligible public education entities who may apply for SIA grants, we believe this to be a fairness matter and support the change.

State-sponsored charter schools: Support with Clarification

Our work to carefully prioritize resources for our historically marginalized student populations applies to the charter school realm as well. We agreed that only those charter schools that served large numbers of “Focal Group” students – a rarity among Oregon’s 127 charter schools – would be entitled to access as independent entities applying for SIA grants. At this writing, just a few districts meet that standard, but one of them, a state-sponsored charter, is unable to access the funds because of an unintentional drafting decision that failed to capture our original intent. We support the fix, as long as the record is clear that a state-sponsored charter school must still meet the demographic criteria set forth in the Student Success Act in order to qualify as an independent grant applicant.

Thank you so much for your consideration of these points. We hope to see an amended version of HB 2060 that we are able to unequivocally support.