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Director of the Department of Education

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**SB 215 B: Oregon Department of Education Omnibus Technical Fixes**  
**House Rules Committee**  
**June 21, 2023**

Chair Fahey, Vice-Chairs Breese-Iverson and Kropf and members of the House Rules Committee, my name is Zoe Larmer and I am the Government Relations Director for the Oregon Department of Education (ODE). Thank you for the opportunity to provide testimony in support of Senate Bill 215 B, which will help ensure clarity in our education system and improve upon educational services provided throughout Oregon. These statute changes update outdated language, and create clearer statutory guidance for educators, districts and ODE in our work to support students.

SB 215 B contains largely technical changes, including:

Making changes to Oregon’s USDA Foods Program and other child nutrition related statutes to allow for cost coverage for programs and update outdated language.

- Adds language allowing ODE to charge an equitable amount for fees dependent on the kind of product and program costs associated with the product
- Changes the word “Lunch” in “School Lunch” to “Food,” as the funding relates to other meal programs, i.e. School Breakfast
- Removes language indicating “summer months” to allow for this particular reimbursement to apply to sites that provide meals during unanticipated closures falling outside of the May-August timeframe

Updating the Speech Language Pathology Grant Program to clarify how the program should operate.

- Redefines “participant”
- Adjusts the language to reflect the licensing and certification process for Speech-Language Pathologists and Speech-Language Pathology Assistants
- Clarifies who receives the payment, and making language between sections congruent



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Improving the complaint and appeals process by giving the Oregon Department of Education (ODE) subpoena power where required to investigate and disallowing public disclosure of information pertaining to an ongoing investigation.

- The subpoena power is only related to the areas of law ODE has been directed to enforce, which would allow it to collect information needed for its investigations; these areas of law include investigating allegations of religious entanglement, discrimination, retaliation, violations of restraint and seclusion law, and violations of the Division 22 standards
- Documents related to an investigation would be confidential and not subject to public inspection while a case is still pending; however, this would not prevent the disclosure of public records related to an investigation once that investigation concludes

Making additional changes to SB 155 (2019) to clarify ODE's role in the process.

- Senate Bill 155 (2019) is a law designed to help ensure the safety of all pre-K-12 students in Oregon; ODE's specific role is to conduct investigations for reports of sexual conduct involving school employees, contractors, agents, and volunteers who are not licensed by the Teachers Standards and Practices Commission (TSPC)
- This would allow flexibility to determine who is the appropriate recipient of the required notification; currently, ODE is required to send its determination to the involved student, regardless of that student's age
- This would prohibit the re-disclosure of confidential documents when those documents are disclosed to others as required by that statute; this mimics language from SB 242 (2021) changing TSPC's SB 155 investigations
- This also adds language to direct law enforcement and DHS also to disclose the outcomes of their investigations to ODE if the alleged child abuse may be conduct subject to ODE's investigations under SB 155

Requiring Education Services Districts receiving funds from the Student Education Initiatives Account to provide support for school districts, eligible charters, and Youth Corrections & Juvenile Detention Education Programs.

- Removes "school district" language and replaces it with "recipients" so Education Service Districts (ESDs) are required to provide support to all potential Student Investment Account grantees in their region – school districts, charter schools, and Youth Corrections Education Programs and Juvenile Detention Education Programs (YCEPs/JDEPs)



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- Requires ESDs to consider all of the eligible grantees in their region when designing and planning their technical assistance and supports as part of their Local Service Plan

Updating the Student Success Act to clarify that the Student Success Teams that operate under the Intensive Program for high needs school districts are not public bodies.

- This change would create the right structural conditions to promote the type of authentic discourse and collaboration that was intended when the law was first passed.

There is a small amendment (-B7) to correct an unintended change made to the Intensive Program, ensuring the program will work as originally imagined under the Student Success Act.

These changes have no anticipated fiscal impact. Thank you for the opportunity to provide comments, and we welcome any questions you may have. We urge your support of SB 215 B.

Respectfully submitted,

Zoe Larmer

Government Relations Director