



**COALITION OF
OREGON SCHOOL
ADMINISTRATORS**

Coalition of Oregon School Administrators
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Date: February 7, 2023
To: Senate Committee on Education
From: Morgan Allen, on behalf of COSA
Subject: Senate Bills 289, 290 and 291

Dear Chair Dembrow, Vice-Chair Weber and members of the Senate Education Committee:

My name is Morgan Allen and I am pleased to be here today on behalf of the Coalition of Oregon School Administrators (COSA) to offer our feedback on SB 289, 290 and 291. COSA represents over 2,800 administrators across Oregon who serve in roles ranging from principal, to central office administrator, to superintendent.

Our members believe that these bills could be enhanced by giving ODE the tools to offer technical support, professional development, coaching, and support to school districts in order to head off non-compliance with all state and federal laws.

Background on ODE Oversight of School Districts - Division 22

At present, the Oregon Legislature and the State Board of Education have determined that the Oregon Administrative Rules in Chapter 581, Division 22 must be followed and met for a school district to be considered "standard." Division 22 requirements include items you might expect, such as diploma requirements and required instructional hours. It also includes such items as universal screening for dyslexia and fingerprinting. The list is broad and district compliance is meant to convey a level of basic service and support for students in our K-12 system.

A Brief Summary of Current Accountability for Division 22

ODE monitors Division 22 compliance through professional learning and training, district complaint processes, and, most importantly, the school district assurances process.

School districts are currently required to submit an assurance report to the community they serve at a school district board meeting, post the report on the school district website, and submit the assurance report to ODE. For each Division 22 requirement, the school district has to report whether or not they are in compliance with the requirement. If a district reports being out of compliance, ODE staff will follow up with the district.

The current Division 22 follow-up process requires ODE to provide coaching or technical support and assistance to correct areas of noncompliance. If a district is found to be out of compliance, the district must submit a plan (approved by ODE) to come back into compliance by the beginning of the next school year. An extension of up to twelve months may be offered if the correction cannot be made by

the beginning of the next school year. Ultimately, if a district does not comply with the Division 22 requirements, ODE may withhold State School Funds until the district comes back into compliance.

Senate Bill 289, 290 and 291 Propose New Systems Of Accountability and Oversight for ODE

All three bills propose significant changes to the oversight role of the Oregon Department of Education.

For example:

- **Senate Bill 289** proposes elevating compliance with all state and federal laws related to student health and safety, discrimination, special education, or access to education to an enhanced Division 22-like level of compliance. Additionally, it allows ODE to declare a school district conditionally standard if it is out of compliance with any other state or federal law, authorizes ODE to issue civil penalties of up to \$5000 against educators, and prohibits participation in interscholastic activities for violations.
- **Senate Bill 290** clarifies that ODE has authority over K-12 schools and Early Intervention/Early Childhood Special Education and requires the agency to enforce all state and federal laws, rules, and regulations that have the force of law.
- **Senate Bill 291** requires that ODE investigate and correct violations of laws related to discrimination, restraint and seclusion, and religious activity when it becomes aware of possible violations.

COSA members support the goal(s) of each of these bills - ensuring that school districts are adhering to state and federal laws and requirements. However, there are some provisions that we believe give too much authority to ODE. For example, we do not believe that ODE should be able to issue civil penalties to educators or prohibit school districts from participating in interscholastic activities. Instead, we reiterate our belief that these bills could be enhanced by giving ODE the tools to offer technical support, professional development, coaching, and support to school districts in order to head off non-compliance with all state and federal laws.

It is still very early in the 2023 Legislative Session. There is time to convene relevant stakeholders and legislators to review these bills and come to consensus on ways to both increase accountability and give school districts and educators the tools needed to ensure they are not out of compliance in the first place.

COSA and our members are ready to support such a collaborative effort.