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To: Senate Committee on Education
From: Richard Donovan, Legislative Services Specialist
Re: Senate Bills 289, 290, 291, 819, 821
Date: February 7, 2023

Chair Dembrow, Vice Chair Weber, and members of the committee:

On behalf of the OSBA membership, including 197 school districts and 19 Education Service Districts, thank you for the opportunity to submit testimony Senate Bills 289, 290, 291, 819, and 821, all scheduled for a same-day hearing.

The changes contemplated across the suite of five bills all stem, generally, from the treatment of some students by school district employees. Oregon currently enrolls more than 530,000 students in K-12 public education. Some of these students, along with other former students, describe being poorly and illegally treated by school district employees. Often, but not always, these complaints result from choices made at the district level during the COVID-19 pandemic, and include: illegally being placed on a shortened/abbreviated school day; having no recourse to effectively enforce rights to equal treatment under the law; and real harm and loss, including financial and learning loss, suffered as a result of illegal or inappropriate school district employee decisions.

In considering these bills and the larger policies, it is important to acknowledge this trauma. Not all facts are known, but the what these students and families describe is not what we should strive towards in education.

With that student-centered acknowledgement in mind, the language in this suite of bills is incredibly challenging for school districts. Some parts of the bills would fundamentally move rights and could put Oregon out of sync with federal special education law. Others bill language would dramatically move control and oversight to the state agency level, potentially at huge cost.

The rights and wellbeing of these students, and all students, are crucial. However, these bills envision huge, sweeping changes that could disrupt public education in Oregon. Going forward, we would like to work collaboratively with the bill proponents to work to find amendments to the bill that would preserve the rights of students while minimizing the disruption to the public K-12 school system.