



TO: House Education Committee  
FROM: Stacy Michaelson, East Multnomah County School Districts  
DATE: May 8, 2023  
RE: SB 819-A -and -13

Chair Neron, Vice-Chairs Hudson and Wright, Members of the Committee:

For the record, I'm Stacy Michaelson, here today representing the six school districts in East Multnomah County (Centennial, Corbett, David Douglas, Gresham-Barlow, Parkrose, and Reynolds), as well as Multnomah Education Service District.

I want to start out today by saying that we appreciate the intent behind SB 819. I participated in the House side workgroup on the bill in the hope that we could address potential unintended consequences and challenges with implementation. I want to thank the Chair and Vice Chair for their work leading that process. Unfortunately, we do still have concerns about the -13 amendments

### **Scheduling**

#### **Appreciation - Shift from Daily Comparison**

In the workgroup process, I raised concerns about how the A-Engrossed version of the bill might impact regional schools or programs, such as those operated by an education service district. Given that we serve students from a variety of districts, each with their own unique schedule, a daily comparison for determining abbreviated days posed challenges. So I do want to name appreciation for the 2-week comparison window.

#### **Concerns - What Hours or Services Need to be Matched?**

In the majority of the workgroup we discussed a reference point of either instructional hours or bell-to-bell schedule. The new language distinguishing and defining educational services was only shared with all workgroup members hours before the final meeting, so we had no time to vet this new approach as a group.

Throughout the -13s there are references to "instruction *and* educational services" and also "instruction *or* educational services." From the language as written, it is not clear if the intent is to match a school day, as in bell-to-bell schedule, *or* if the expectation is that a school or program match specific elements of a resident district's school day.

If the intent is to match a resident school district's day length, it would be more straightforward for the bill to reference the amount of time between the first bell and dismissal.

If the intent is to match specific aspects of the school day, I want to name that, that goes beyond what was ever discussed by the workgroup and gives us significant concerns. This would impact the ability of regional schools to manage their own schedules. It would also create challenges for schools and programs run by local districts that offer unique programming.

#### Specific Example: Zero Period

If the intent is to require matching specific categories of time, I still think the -13s are unclear. For example, the -13s include in the definition of "educational services:" "(E) Optional school programs held during the school day, including study periods and advisory periods that are open to the majority of students in the school."

According to the Chair, this is not intended to capture things like a zero period that a resident school district might offer, but it would be helpful to see this clarified in the language. This is an example of how defining a school day based on a bell-to-bell schedule would add clarity.

#### **Concerns - Online Options**

The bill includes language that would be interpreted as any online program that is not synchronous would not meet the definition of "meaningful access." There are various online options operated by districts, which families can opt into, that offer students the ability to work through curriculum at their own pace.

While I'm still collecting feedback from the districts I represent, there is significant concern about what this might mean for online options and their ability to offer these programs to students and families. Much like the exemptions for other programs that students may opt into, it would make sense to create an exemption for online programs that are the choice of students/families.

#### **Concern - Exemptions for Students in the Carceral System**

The A-Engrossed bill included an exemption for adult local or regional correctional settings. Multiple members of the workgroup requested that the Juvenile Detention Education Program and the Youth Corrections Education Program both be included for exemption as well. While these programs were added to the -13, the adult correctional settings were removed. I believe that all three of these programs should be included as exemptions to the definition of an abbreviated day.

#### **Information - Budget & Timeline**

I understand the desire to address situations where students have been denied access to an education and I appreciate the urgency in addressing this situation. But I do want to ensure that members of the committee understand the practical implications of this bill absent additional investments.

Our districts are currently approving their budgets for the coming year. In Multnomah County, recognizing the important work of our staff who support students with disabilities, our ESD recently went through a reclassification for many of our classified staff and moved folks up on the salary schedule. This increase was built into our slot costs presented to component districts as they select services from the ESD and set their local budgets.

The implication of the timing of this bill is such that if our schools or programs need to increase the length of the school day, that will reopen bargaining for the ESD. Depending on how long that takes, any additional costs will then hit our component districts this summer or fall - long after their 23-24 budgets have been approved by their boards.

Again, I understand the urgency in addressing the situations where students have been denied adequate access to education. However the bill as written will have a significant impact on our system and, without additional funding, it will require the shifting of dollars. I believe it's important that the committee is not caught off guard when districts are needing to approve new budgets in the coming months.

Thank you for the opportunity to participate in the workgroup and to offer additional feedback today.