

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

For the record, my name is Conner Booth, and I am Representative Jami Cate's Legislative Aide, and will be testifying on her behalf as she had a previous work commitment, and also knows you've given a lot of time and attention to the conversation of lifting the SPED cap and creating a homeless weight in the school funding formula, and didn't want to take up more of your time repeating why this is such a critical step for ensuring our students who require the most resources to have an equal chance at a quality education, receive the support they desperately need.

In light of that, Rep Cate. wanted me to cover some of the arguments against this bill that we continue hearing, and why they fall flat in the realities our schools are facing.

The first is that removing the SPED cap will incentivize schools to *over* identify students as SPED. With all the costs associated with IEPs and meeting the federal requirements for SPED students, it is hard to imagine it would be worthwhile for schools to *over* identify students, but if a few students get over identified, isn't that far less detrimental than students being *under* identified? Or for 8% of SPED students at some schools to not even receive the resources they deserve?

Schools are required to be proactively looking for students who qualify as SPED, to ensure they get the support necessary to achieve their potential scholastically. But if you look at schools like those in Rep. Cate's district, who are already at roughly 19% SPED rates, those schools are so *dis*-incentivized to identify kids as SPED—and with their budgets already stretched thin covering their excess of SPED students—they are much more likely to turn a blind eye to the lowest levels of SPED students just to avoid incurring additional IEP costs.

Another argument essentially blames school districts for not doing enough early intervention to prevent higher SPED rates. The statewide average is around 14%, and only a small percentage of schools in the state fall below the 11% cap, so if schools are somehow at fault, it is a state-wide issue. But this assumption also ignores systemic issues that create pockets of high SPED rates like those seen in Rep Cate's district. Generations of rampant chronic substance abuse issues, socioeconomic challenges from lost industry, and the like, have left their mark on the youth going through the education system, and it fails students to not have allowance for outliers where "early intervention" alone can never suffice to drop SPED rates below 11%.

And the last, and probably biggest argument, is always funding. In a perfect world, the added weights for removing the SPED cap and for our homeless students would be fully funded, ensuring resources from other students aren't jeopardized. But we don't live in a perfect world with unlimited state budgets. And so these concepts have always stalled out in the Legislature. But if you look at a pie chart of the state school funding allocations, you'd see that SPED is a very small wedge—only about 7% with the 11% cap, and poverty is even smaller at about 2%--which is the only weight that touches on our homeless students at all, but doesn't even truly scratch the surface at their true needs. General Education is over 2/3's of the pie by comparison.

Schools that have the financial burden of an extra 8% of SPED students, and a higher concentration of homeless students requiring additional resources, have to take those resources from the rest of their student population—and when it's such a concentrated population, it's a big hit. If that strain was shared by schools across the state by fixing the funding formula, no one school would be bearing the brunt of “robbing Peter to pay Paul” like our most in-need schools are now, it would just mean a tiny sliver less in that over 2/3's general education piece of the pie. Schools receiving thousands more per student on average might have a little less *excess* in their budget to play with so that schools in need can be a little less in need.

And that isn't to say that fully funding this change is absolutely the ideal, but if it isn't the budget priority of the Legislature to fully fund this change, should that stop us? Should the politics continue causing our most at-risk students to keep taking a back seat? What if only half the funding can be prioritized? Or a third? Or even none? Is it less risky for students who have *more* to keep having more, than for kids desperately in need to keep being in need?

Oregon's student funding formula was supposed to ensure equity in our student's education, and it's failing to do that. We have the chance to commit to fixing it, and truly giving our kids who need our help the most, a fair shot at a better future. I urge your support of HB 4079.