

**HOUSE COMMITTEE ON EDUCATION**

**April 20, 2005 Hearing Room E**

**1:00 P.M. Tapes 88 - 89**

**MEMBERS PRESENT:           Rep. Linda Flores, Chair**

**Rep. John Dallum, Vice-Chair**

**Rep. Steve March, Vice-Chair**

**Rep. Debi Farr**

**Rep. Arnie Roblan**

**Rep. Chip Shields**

**MEMBER EXCUSED:           Rep. John Lim**

**STAFF PRESENT:             Jim Keller, Committee Administrator**

**Kellie Whiting, Committee Assistant**

**MEASURES/ISSUES HEARD:**

**HB 2953 – Public Hearing**

**These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.**

**TAPE/#    Speaker                    Comments**

**TAPE 88, A**

002 Chair Flores Calls the meeting to order at 1:02 p.m. and opens the public hearing on HB 2953.

**HB 2953 – PUBLIC HEARING**

011 Jim Keller Explains HB 2953.

015 Chair Linda Flores House District 51. Introduces the constituents in support of the bill and invites them to testify.

028 Yvonne Christensen Oregon Substitute Teacher Association. Provides background and testimony in support of HB 2953. States in Oregon all substitute teachers are licensed through Teacher Standards and Practices.

073 Phyllis Remy Substitute Teacher, OR. Testifies in support of HB 2953. Comments on the minimum requirements of the bill in regards to evaluations.

099 Tom Heiser Substitute Teacher, Salem OR. Testifies in support of HB 2953. Comments on his experience as a teacher and a substitute. Comments on the difficulties substitute teachers have inside the classroom and the challenges in regards to the evaluation process. Notes on the issues of dismissal and the importance of knowing the rationale behind dismissal. States the conference with the administrator is important.

155 Phyllis Kirkwood Past President, Oregon Substitute Teacher Association. Submits and reads from written testimony in support of HB 2953 (**EXHIBIT A**). Explains the fairness approach for dismissal. Comments that the passage of the bill would solve the problems they have had in the past in regards to substitute teachers.

230 Rep. Farr Inquires if they have met with an administrator when dismissed and if the administrator gave the reasoning behind the dismissal.

242 Kirkwood Responds she has met with an administrator and explains the outcome of the meeting.

260 Christensen Responds that in North Clackamas the policy is pro-active in regards to evaluating substitute teachers.

280	Rep. Farr	Inquires if they have been in the situation where the administrator gave legitimate reasoning for dismissal.
282	Christenson	Responds she has not sat in on meetings in that type of situation.
302	Kirkwood	Responds administrators can bar substitutes from the entire district and explains the policy.
316	Rep. Farr	Inquires if there has been an interview with legitimate concerns.
330	Christenson	Responds she has sat in on a conference.
340	Kirkwood	Responds.
343	Rep. Roblan	Inquires about how they would decide to employ a substitute from a list.
353	Christenson	Responds there is an automated system to select a teacher, or the teachers can request a specific substitute.
379	Rep. Roblan	States the bill would become an administrative rule. Inquires about the Oregon Substitute Teacher Association's interpretation.
392	Christenson	Responds it is the intent to be informed.
395	Rep. Dallum	Inquires if the substitute teacher is barred or is not called because of a potentially better teacher being on the list.
402	Christenson	Responds it is not a huge issue, but there are complaints. Comments on the loss of income and challenges for substitutes who do not feel that they did anything wrong.

**TAPE 89, A**

002	Kirkwood	Responds schools have their favorite substitute teachers and there are many reasons behind not being called. Explains the situations in which there are not conferences with the administrators.
023	Chair Flores	Inquires about the number of concerns.

027	Kirkwood	Responds the principals have stated one complaint a month.
037	Rep. Dallum	Comments that the problem in his districts was to find enough substitutes.
047	Heiser	Comments about a complaint against him and the time it took to be re-instated due to an investigation.
056	Christenson	Comments on the number of teachers that have come to her with a concern and wanted to know of their legal rights. Comments the issue comes up at least once a year.
070	Chuck Bennett	Confederation of School Administrators (COSA). Testifies in opposition of HB 2953. Comments on the current concerns. States the fundamental concern in regards to substitute teachers is the shortage. Objects to the prior testimony in regards to barring substitute teachers. Reiterates there are conferences conducted with principals and administrators in regards to potentially resolving the problems. Notes they are not hired, but not barred. Comments if there are significant concerns there are conferences conducted relative to the concerns.
143	Jim Green	Oregon School Board Association (OSBA). Testifies in opposition of HB 2953. Comments on the concerning language of the bill in regard to potential liability issues. Refers to page two of the bill and notes on the timeliness to responding to the concern. Comments on the remedy of law in respect to the requirements of the bill. Comments employment in Oregon is at-will.
200	Rep. Dallum	Inquires about the survey conducted and asks about the number of substitutes that have had a complaint.
209	Bennett	Responds the survey was conducted several years ago. Comments he has had communication with principals in regards to conferences with the substitute teachers. Comments he agrees with the Oregon Substitute Teachers Associations' testimony in regards to only having to converse with one substitute teacher a year.
233	Rep. Farr	Inquires if he would support the bill with amendments to the timeliness of the bill.
240	Bennett	

Responds the bill suggests there is a problem that does not exist. Comments on the issue of changing status of employment through statute.

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| 269 | Rep. Roblan  | Inquires about the ambiguity and the need for administrative rule to clarify.                         |
| 278 | Green        | Responds some of the language would need to be defined. Comments about the ambiguity of the language. |
| 308 | Chair Flores | Closes the public hearing on HB 2953 and adjourns the meeting at 1:56 p.m.                            |

## **EXHIBIT SUMMARY**

### **A. HB 2953, written testimony, Phyllis Kirkwood, 2 pp**