

**HOUSE COMMITTEE ON EDUCATION**

**April 27, 2005 Hearing Room E**

**1:00 P.M. Tapes 93 - 94**

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

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

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

**Rep. Debi Farr**

**Rep. John Lim**

**Rep. Arnie Roblan**

**Rep. Chip Shields**

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

**Kellie Whiting, Committee Assistant**

**MEASURES/ISSUES HEARD:**

**HB 3184 – Public Hearing and Work Session**

**HB 3178 – Public Hearing**

**HB 3162 – Public Hearing and Work Session**

**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.**

<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 93, A</b>		
002	Chair Flores	Calls the meeting to order at 1:02 p.m. and opens the public hearing on HB 3184.

**HB 3184 – PUBLIC HEARING**

014	Jim Keller	Committee Administrator. Explains HB 3184 and the -1 amendments ( <b>EXHIBIT A</b> ). Refers to the letter to the Speaker’s Office to rescind the subsequent referral to Revenue ( <b>EXHIBIT B</b> ). Submits the Report on Program Efficiencies ( <b>EXHIBIT C</b> ).
034	Chair Flores	Closes the public hearing on HB 3184 and opens a work session on HB 3184.

**HB 3184 – WORK SESSION**

042	<b>Rep. Dallum</b>	<b>MOTION: Moves to ADOPT HB 3184 -1 amendments dated 4/11/05.</b>
043	Chair Flores	Asks for any discussion.
044	Rep. March	Inquires what services are included in the entrepreneurial category.
050	Keller	Explains.
054	Rep. Dallum	Explains about the Education Service District (ESD) packages for valuable services.
067	Rep. March	Inquires for the purpose of the -1 amendments.
070	Rep. Dallum	Responds about the alternative education services.
078	Chair Flores	Comments on the resolution process in regards to ESDs and the entrepreneurial endeavors.
086	Rep. Roblan	Reiterates about the entrepreneurial services.

096	Rep. Dallum	Raises the issue around who the ESD is accountable to.
104	Rep. Roblan	Inquires about the structure and the resolution mechanism.
117	Rep. Farr	Requests an example of the component school districts.
116	Rep. Dallum	Responds about district's customs in regards to resolutions.
125	Rep. Shields	Inquires if the intent of the bill is to expand or restrict.
137	Chair Flores	Suggests that the bill puts the ESDs accounting process and overview process inline with other contract processes.
139	Rep. Shields	Inquires if there would need to be an elected body for approval.
142	Rep. Dallum	Clarifies there is already a body in place and explains the accountability effects, resolution process and oversight.
154	Rep. March	Refers to bill and notes about objections in which could be made in regards to services.
172	Rep. Dallum	Responds on the protections for smaller schools.
180	Rep. Roblan	Responds about the current resolution services.
200	Pat Healy	Multnomah Education Service District. Explains the contracts and the resolutions services for ESDs.
216	Rep. Roblan	Inquires about the current selection and purchasing process.
225	Healy	Explains the process.
239	Rep. Roblan	Clarifies the intent of the bill.
240	Healy	Responds about the opportunity to contract for services.
247	Rep. Roblan	Comments on the services provided by the ESDs.

253	Rep. Dallum	Clarifies that before the ESD could offer certain enterprise services, the ESD would have to take it to the member board and then purchase could be made available.
260	Healy	Comments on the contracts available.
276	Rep. Dallum	Inquires if the ESDs all run the same.
278	Healy	Explains that ESDs respond to different needs of the community.
<b>290</b>		<b>VOTE: 7-0-0</b>
	<b>Chair Flores</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
<b>302</b>	<b>Rep. Dallum</b>	<b>MOTION: Moves HB 3184 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Revenue BE RESCINDED.</b>
318	Rep. March	Expresses his concern of over HB 3184.
324	Rep. Shields	Requests more feedback.
330	Rep. Roblan	Expresses concern about his districts.
<b>348</b>	<b>Rep. Dallum</b>	<b>WITHDRAWS MOTION</b>
359	Chair Flores	Closes the work session on HB 3184 and opens a public hearing on HB 3178.

**HB 3178 – PUBLIC HEAIRNG**

370	Jim Keller	Committee Administrator. Explains HB 3178 and introduces the -1 amendments ( <b>EXHIBIT D</b> ). Submits the public school transportation questions and responses ( <b>EXHIBIT E</b> ).
375	Michael Shields	Salem Keizer School District Transportation Director. Testifies in opposition of HB 3178. Explains the areas that the bill does not address. Touches on the cost restraints and restrictions.

- 416 Rep. March Inquires about the process for finding the efficiencies.
- 431 Shields Responds about the business concepts for identifying efficiencies and touches on the areas the bill does not address in regards to growing districts.

**TAPE 94, A**

- 019 Rep. Roblan Comments about the districts with declining enrollment.
- 027 Trisha Smith Oregon School Employees Association. Testifies in opposition of HB 3178.
- 054 Brain Reeder Oregon Department on Education. Testifies in opposition of HB 3178. States the department supports the intent of the bill. Expresses concerns over the rapidly growing districts, the fixed growth rate and states the problems with the bill can be fixed.
- 085 Rep. Farr Inquires how many school districts have their own transportation.
- 094 Deborah Lincoln Transportation Director, Oregon Department of Education. Responds about the districts in which use their own transportation and ones in which contract out.
- 099 Rep. Farr Inquires about the reason districts contract out for transportation.
- 104 Lincoln Responds about the reasons that districts do not want to be in the business of transportation.
- 125 Rep. Roblan Comments that the clause to require transportation is fairly new.
- 130 Lincoln Concurr. Explains the legislature's role in determining the responsibility, funding and implementation for transportation.
- 154 Rep. Roblan Inquires about the funding and the efficiency.
- 163 Lincoln Speaks to the funding issue.
- 168 Rep. March

		Inquires about the additional funding to provide the required transportation to another district under No Child Left Behind (NCLB).
177	Reeder	Responds the law states a requirement for transporting, not cost.
183	Rep. March	Suggests language for the bill, including provisions to address distance.
193	Reeder	Responds about the factors determining the resources and funding for schools. Comments on the challenges in regards to the bill.
213	Chair Flores	Inquires about the possibility of loosing control as stated in Ms. Lincoln's testimony.
220	Lincoln	Responds about the complaints from parents and reiterates the reasons districts do not want to get involved.
239	Chair Flores	Inquires about increasing costs.
243	Lincoln	Responds every time the contract is not renegotiated, the rates increase.
245	Rep. Roblan	Inquires about the difference between contracts.
250	Reeder	Responds he has not looked at the transportation expenditure data in comparison. Comments they review the expenditures. Comments on the incentives they face in terms of equipment and savings.
297	Rep. March	Comments on the balance and the consequences over having incentives to save on cost.
312	Lincoln	Expresses the concerns over safety and admissions when trying to cut on costs.
324	Rep. Dallum	Clarifies the funds used for buses encourages the purchase of safe, new buses.
334	Lincoln	Concurs and responds about the maintenance issues.

- 346 Rep. Dallum Clarifies the bill does not effect the school bus purchasing.
- 366 Rep. Roblan Inquires if the amount of money received each year, has a bearing on the amount for replacement bus costs.
- 373 Reeder Responds that districts are reimbursed 70 – 90% of the operating expenditures and if they make capitol purchases, they can claim 10% each year for ten years. States the money comes from the state school fund, but the 10% goes into a separate fund and can be used for capitol school funds.
- 392 Chair Flores Comments on addressing some concerns in regards to the -1 amendments (**EXHIBIT D**).
- 410 Rep. March Comments on the reimbursements for specific services and needs.

**TAPE 93, B**

- 006 Chair Flores Closes the public hearing on HB 3178 and opens a public hearing on HB 3162.

**HB 3162 – PUBLIC HEARING**

- 015 Jim Keller Committee Administrator. Explains HB 3162 and introduces the -3 amendments (**EXHIBIT F**).
- 032 Doug Kosty Oregon Department of Education. Submits the informational packet which includes a chart explaining the State Assessment and the Certificate of Initial Mastery and the Certificate of Advanced Mastery (CIM/CAM) and the request for information regarding the statewide assessment system (**EXHIBIT G**). Explains the chart on page one.
- 068 Rep. Roblan Speaks about the continuous improvement issues.
- 076 Kosty Responds he does not see a long-term strategic vision relative to the No Child Left Behind Act.
- 078 Chair Flores Closes the public hearing on HB 3162 and opens a work session on HB 3162.

## **HB 3162 – WORK SESSION**

- 089 Jim Keller Explains the intent of the -3 amendments (**EXHIBIT F**).
- 091 Rep. Dallum MOTION: Moves to ADOPT HB 3162 -3 amendments dated 4/21/05.**
- 096 Rep. March Expresses he does not agree with the bill, he will be voting in opposition of the bill and will be offering amendments as a minority report if in fact HB 3162 is passed out.
- 105 Rep. Roblan Inquires about the option of alternatives tests and the option to keep the current form of testing if in fact there is not a less expensive test.
- 112 Chair Flores Responds it does not provide the option of using the current assessments and testing system. Speaks to the intent of the bill and the effects, including additional follow up work.
- 142 Rep. Farr Inquires if Pat Burk would come forward.
- 152 Pat Burk Chief Policy Officer, Oregon Department of Education.
- 159 Rep. Farr Inquires about the changes made in regards to the emergency clause and the reporting requirements.
- 169 Burk Responds the department would support both changes.
- 181 Rep. March States the -3 amendments abolishes the CIM/CAM and asks if there is time to implement changes by 2007-08.
- 196 Burk Responds all the issues should be discussed with the interim committee. States the stakeholders should be involved in the process.
- 222 Rep. March MOTION: Moves to AMEND the motion (Moves to ADOPT HB 3162 -3 amendments dated 4/21/05.) by substituting "-1 amendments " for "-3 amendments".**
- 229 Rep. Farr Inquires if the stakeholders would be involved if the CIM/CAM was abolished.



- 232 Burk Concurs. Urges the involvement of the stakeholders.
- 258 Rep. Farr Reiterates the testimony in support of abolishing the CIM/CAM. States the concern over having the conversation repeatedly.
- 271 Burk States the Oregon Department of Education will work with the legislature with any decision. Expresses concerns over the misunderstanding about the definition about the CIM. Comments parents and teachers need clarification about the CIM/CAM, accountability and assessments.
- 305 Rep. Lim Inquires if 2007 is enough time to satisfy an alternative.
- 322 Burk Concurs. States some of the work is underway. Comments there is a readiness and awareness to address the concerns.
- 349 Rep. Lim Inquires for the opinion of Superintendent Susan Castillo in regards the CIM/CAM.
- 360 Burk Responds that there is recognition of concerns and is Ms. Castillo is clear about wanting conversations addressing the concerns.
- 387 Rep. March Inquires if the superintendent aware of the -1 or the -3 amendments.
- 398 Burk Responds he cannot answer.
- 409 Rep. Dallum Inquires if he has a chance to convey the date noted at the bottom of the -3 amendments.
- 411 Burk Responds Susan Castillo is aware of the date and is in agreement.
- 431 Chair Flores Clarifies the CIM/CAM does not go away until 2007 and during that the process there is a solution for betterment being sought. States there is a sub-motion to replace the -3 amendments and insert the -1 amendments. Asks the clerk to call roll.

**TAPE 94, B**

**007**

**VOTE: 3-4-0**

**AYE: 3 - March, Roblan, Shields**

**NAY: 4 - Dallum, Farr, Lim, Flores**

**Chair Flores The motion FAILS.**

028 Chair Flores Reads Oregon Revised Statute 329. Reiterates the concerns in regards to the CIM/CAM. Acknowledges the motion made by Rep. Dallum to adopt the -3 amendments to HB 3162. Asks the clerk to call role.

**050 VOTE: 7-0-0**

**AYE: In a roll call vote, all members present vote Aye.**

**Chair Flores The motion CARRIES.**

066 Rep. Dallum **MOTION: Moves HB 3162 to the floor with a DO PASS AS AMENDED recommendation.**

**069 VOTE: 4-3-0**

**AYE: 4 - Dallum, Farr, Lim, Flores**

**NAY: 3 - March, Roblan, Shields**

**Chair Flores The motion CARRIES.**

**REP. FLORES will lead discussion on the floor.**

070 Rep. March States a possibility for a minority report as he votes nay.

071 Chair Flores Closes the work session on HB 3162 and adjourns the meeting at 2:39 p.m.

## **EXHIBIT SUMMARY**

- A. HB 3184, -1 amendments, staff, 2 pp
- B. HB 3184, letter, staff, 1 p
- C. HB 3184, Report, staff, 2 pp
- D. HB 3178, -1 amendments, 1 p

- E. **HB 3178, questions and responses, staff, 2 pp**
- F. **HB 3162, -3 amendments, staff, 1 p**
- G. **HB 3162, informational packet, Doug Kosty, 4 pp**