

HOUSE COMMITTEE ON EDUCATION

April 29, 2005 Convention Center Seaside, OR

6:30 P.M. Tapes 95 – 98

MEMBERS PRESENT: Rep. Linda Flores, Chair

Rep. John Dallum, Vice-Chair

Rep. John Lim

Rep. Arnie Roblan

Rep. Chip Shields

MEMBER EXCUSED: Rep. Debi Farr

Rep. John Lim

Rep. Steve March, Vice-Chair

STAFF PRESENT: Jim Keller, Committee Administrator

Kellie Whiting, Committee Assistant

MEASURES/ISSUES HEARD:

HB 3163 – Public Hearing

HB 3190 – Public Hearing

HB 3191 – Public Hearing

HB 3192 – 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 95, A		
002	Chair Flores	Calls the meeting to order at 6:30 p.m. Introduces the committee members and staff. Opens the public hearing on HB 3163, HB 3190, HB 3191 and HB 3192.
<u>HB 3163, 3190, 3191 and 3192 – PUBLIC HEARING</u>		
040	Jim Keller	Committee Administrator. Explains HB 3163, HB 3190, HB 3191 and HB 3192.
056	John Marshall	Oregon School Board Association (OSBA). Explains that the Association is in support of 3190, 3191 and 3192 and is in opposition of HB 3163. Submits and refers to the prepared testimony of Bill Ferry in support of HB 3190, HB 3191, HB 3192 and in opposition of HB 3163 (EXHIBIT A). Submits and refers to the prepared testimony of Nancy Hungerford in support of HB 3190 (EXHIBIT B). Submits and refers to the prepared testimony of Albert Butler in support of HB 3191(EXHIBIT C).
080	Ron Wilson	Associate Executive Director, Oregon School Board Association (OSBA). Submits and reads from prepared testimony in opposition of 3163 (EXHIBIT D). States that there is not a statewide collective bargaining system within the United States that is envisioned in HB 3163. Explains the systems used in different states. Notes the bill does not allow for the public to have an effective voice.
228	Wilson	Refers to (EXHIBIT D, page 5) and explains the collective bargaining agreements in Oregon. Submits and reads from prepared testimony in support of HB 3190 (EXHIBIT E). Explains the probationary period for teachers and the perplexities of the bill.
340	Wilson	Explains the judicial interpretation with respect to the language surrounding probationary periods for teacher. States that the OSBA supports HB 3190 because districts need the length of time to adequately evaluate, monitor, mediate and assist new teachers.

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005	Rep. Roblan	Inquires about sick leave breaking the consecutive time.
016	Wilson	Responds the seniority definition resides in ORS 342.937.
020	Rep. Roblan	Inquires if a district can make an agreement with a teacher, to continue the probation status longer than the three years.
030	Wilson	Concurs.
046	Wilson	Submits and reads from prepared testimony in support of HB 3191 (EXHIBIT F) . Notes the bill relieves school districts, education service districts and public charter schools of the obligation to provide insurance increases, merit step and longevity step salary increases after a collective bargaining agreements expires, but before an agreement on a successor contract.
089	Rep. Roblan	Inquires the role of the funding formula.
094	Wilson	Responds about the increase of funding based on teacher experience.
104	Rep. Dallum	Comments that the function of the formula is to allocate money to schools. Inquires if the negotiated teachers' salary schedule and the funding formula are remote.
109	Wilson	Responds about the funding formula and the non-existent mechanism to set funding at a particular level. Comments that that the funding formula is disconnected to the salary schedule.
120	Rep. Dallum	Comments that a formula is a good way to equitably distribute schools funds and a poor way to spend school funds.
122	Wilson	Concurs.
125	Wilson	Submits and reads from prepared testimony in support of HB 3192 (EXHIBIT G) . States the provision of the bill reduces the potential amount of time spent in the collective bargaining.
201	Trisha Smith	

Oregon School Employees Association. Testifies in opposition of HB 3163, 3190, 3191 and 3192. Asserts the bills does nothing to further the educational process in the schools and will increase strife between employers and employees. Comments on the negotiation process. Speaks to SB 50 (1995).

- 285 Smith Comments on step and merit increases for employees. Comments on the need for collaboration.
- 340 Rep. Shields Inquires how much Ms. Smiths' members make.
- 348 Smith Responds the employees are part-time and make \$7.25 to \$15.00 an hour.
- 368 Dave Courtney Superintendent, Burns Hines School District. Submits and presents the Burns Hines School District Certified Teacher Salary Schedule **(EXHIBIT H)**.

TAPE 95, B

- 005 Courtney Testifies in support of HB 3191. Explains the incentives for improvements and the incentives for quality. Comments HB 3191 would be a tool to motivate moderate teachers. Comments teachers should be compensated for performance, not time. Comments that status quo is counter-productive.
- 091 Rep. Dallum Comments on the merit being the value to an extra year and asks if it takes 21 years to become a proficient teacher.
- 104 Courtney Responds the state says that after three years through the probationary period they are able to handle a classroom, but states he does not feel that they are always proficient. Explains experience counts. Comments that merit pay based on performance would show accountability.
- 120 Rep. Dallum Inquires if it has ever taken a teacher 20 years to become outstanding teacher.
- 129 Courtney Responds teachers could meet that qualification sooner.
- 134 Chair Flores

Clarifies Mr. Courtney's testimony is to eliminate the step increases and provide incentives to teachers with funds for increased performance.

- 137 Courtney Responds.
- 145 Beth Anne Darby Government Relations Consultant, Oregon Education Association. (OEA). Submits prepared testimony in opposition of HB 3163 **(EXHIBIT I)**, HB 3190 **(EXHIBIT J)** and HB 3192 **(EXHIBIT K)**.
- 168 Diane Traingue Statewide Bargaining Coordinator, Oregon Education Association (OEA). Testifies in opposition of HB 3163. Refers to **(EXHIBIT I)**. Speaks to statewide bargaining and diverse geographic and economic interests.
- 246 Chair Flores Requests information in regards to her position as a Statewide Bargaining Coordinator.
- 250 Traingue Responds her job is to provide assistance to the locals around the state, collects statewide data on salary and presents the data in the form of ranking, and collects district contracts. Explains she also creates reports in regards to trends in bargaining within the state.
- 272 Rep. Dallum Inquires about the time spent on teacher preparation and asks if it lends to the bargaining issue.
- 281 Triangue Responds the information is provided, but not ranked.
- 294 Rep. Dallum Inquires if the statewide salary schedule creates a median to bargain to.
- 314 Traingue Responds any monetary issue can be ranked, can have effects and repercussions.
- 333 Chair Flores Inquires if the information is available to the public or committee.
- 342 Traingue Responds the rankings can be provided to the committee. Continues testimony in opposition to HB 3163.

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008	Traingue	Comments on the problems and complicated issues in regards to the collective bargaining process.
055	Traingue	Testifies in opposition of HB 3191. Comments on the ways her members receive salary increases. Comments on the earned advancement and states the teachers have a right to the step increase by contract. States if the district signed a contract, they should honor the current contract.
091	Traingue	Testifies in opposition of HB 3190. Refers to (EXHIBIT J) . Explains the debate over when a probationary teacher or administrator attains contract status.
171	Jim Gannaway	Warrenton - Hammond School Board. Submits and reads from prepared testimony in opposition of HB 3163, and in support of HB 3190, 3191 and 3192 (EXHIBIT L) .
269	Gannaway	Reads prepared testimony in opposition of HB 3163 (EXHIBIT L, page one) .
306	Gannaway	Reads prepared testimony in support of HB 3192 (EXHIBIT L, page two) . Explains the costs and time to prepare for bargaining proposals.
391	Rep. Shields	Inquires if shorter time-periods benefit management.
406	Gannaway	Responds.

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002	Gannaway	Reads prepared testimony in support of HB 3191 (EXHIBIT L, page two) . Reads prepared testimony in support of HB 3190 (EXHIBIT L, page two) .
094	Richard Swartz	American Association of Teachers. Testifies in opposition of HB 3191, 3192 and 3163. Speaks to HB 3163. Explains the misconceptions in regards to the collective bargaining process.
154	Swartz	Comments on the effects of a statewide collective bargaining process, participation, and the local concerns. Touches on the issue of statewide strikes.

269 Warren Danielson Second Grade Teacher, Seaside OR. Testifies in opposition of HB 3163, HB 3191 and HB 3192. Speaks from his own experience as a teacher.

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003 Danielson Continues testimony in opposition of HB 3163, HB 3191 and HB 3192.

032 Chair Flores Expresses appreciation to the audience and witnesses and closes the public hearing on HB 3163, HB 3190, HB 3191 and HB 3192. Adjourns the meeting at 8:56 p.m.

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EXHIBIT SUMMARY

- A. HB 3163, prepared testimony of Bill Ferry, John Marshall, 2 pp
- B. HB 3190, prepared testimony of Nancy Hungerford, John Marshall, 2 pp
- C. HB 3191, prepared testimony of Albert Butler, John Marshall, 1 p
- D. HB 3163, prepared testimony, Ron Wilson, 9 pp
- E. HB 3190, prepared testimony, Ron Wilson, 2 pp
- F. HB 3191, prepared testimony, Ron Wilson, 2 pp
- G. HB 3192, prepared testimony, Ron Wilson, 3 pp
- H. HB 3191, salary schedule, Dave Courtney, 1 p
- I. HB 3163, prepared testimony, Beth Anne Darby, 1 pp
- J. HB 3190, prepared testimony, Beth Anne Darby, 8 pp
- K. HB 3192, prepared testimony, Beth Anne Darby, 2 pp
- L. HB 3163, prepared testimony, Jim Gannaway, 2 pp