

HOUSE COMMITTEE ON EDUCATION

May 04, 2005 Hearing Room E

1:00 P.M. Tapes 101 - 103

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 3178 - Public Hearing and Work Session

HB 2727 - Public Hearing and Work Session

HB 2622 - Public Hearing

HB 2733 - Public Hearing

HB 2653 – 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 101, A

002 Chair Flores Calls the meeting to order at 1:02 p.m. and opens the public hearing on HB 3178.

HB 3178 – PUBLIC HEARING

015 Jim Keller Committee Administrator. Explains HB 3178 and refers to the -2 amendments (**EXHIBIT A**) and the -3 amendments (**EXHIBIT B**).

020 Cindy Hunt Senior Deputy, Legislative Council. Explains how the -3 amendments change the basis for transportation grants for school districts.

046 Rep. March Inquires if there is a change, if the district has students who live farther away or require special accommodations.

052 Hunt Explains how the formula carries over.

060 Rep. Roblan Inquires how the formula figures in.

064 Hunt Provides clarification about transportation costs, percentages of transportation costs and the basis for calculations.

079 Rep. Roblan Inquires about the 90 percentile.

078 Hunt Clarifies about the decreased and increased enrollment.

090 Rep. Roblan Inquires about decreased enrollment, routes staying the same and the resources for services decreasing.

098 Hunt Clarifies it is not based on actual cost.

100	Rep. March	Inquires if the state recognizes the savings, if they have a decline in the high costs students and the actual costs go down.
107	Hunt	Explains that the amount per student cost stays the same and comments on the state school fund.
112	Rep. March	Inquires about the declining enrollment and the costs staying the same.
120	Hunt	Responds any savings is retained by the districts.
121	Rep. Lim	Inquires what the transportation savings would be.
126	Hunt	Responds she does not know.
130	Rep. Dallum	Inquires about the fuel costs.
139	Hunt	Responds about the field-testing and the criteria.
143	Rep. Roblan	Inquires if the state receives a savings, is there an indication that it is costing less for districts to provide the services.
150	Hunt	Responds that if in fact a lesser total amount of money is going out for transportation grants, the extra costs are shifted to the districts.
157	Brian Reeder	Oregon Department of Education. Comments on the amendments not being satisfactory to the department. Comments on the incentive for districts to keep transportation operations costs down and to provide more money to the classroom.
192	Rep. Farr	Inquires how many students a school bus holds.
199	Deborah Lincoln	Transportation Director, Oregon Department of Education. Responds a larger sized school bus typically holds 66 to 84 students.
211	Rep. Farr	States there are costs incurred even if the bus is not full.
219	Lincoln	Concurs. Explains the maintenance, stops and employee issues in regards to transporting students.

223	Rep. Lim	Inquires if Mr. Reeder has a proposal for amendments.
230	Reeder	Responds that (EXHIBIT B, section 8A) is adequate, but the adjustments described in sub-section B and C could be done more efficiency.
260	Rep. Dallum	Inquires about the inflation rate in terms of transportation in the last ten years.
268	Lincoln	Responds that transportation is increasing about four percent and is consistent with the rest of the education field.
270	Rep. Dallum	Inquires how many years back has the four percent been consistent.
272	Lincoln	Responds four or five years back.
278	Rep. Roblan	Inquires about the reimbursable money in regards to transportation costs.
283	Reeder	Clarifies what current law states in terms of transportation costs and what the bill proposes.
292	Rep. Roblan	Inquires about the special educational trips.
299	Reeder	Responds about the financing of the trips.
309	Rep. Roblan	Comments about the four percent of transportation operation growth.
315	Reeder	Concurs and explains the incentive to be efficient.
324	Rep. Roblan	Comments about the concern over savings by not transporting.
335	Reeder	Concurs.
345	Rep. Dallum	Inquires about the number of districts in which has a portal-to-portal system, as opposed to a collection type service.
355	Lincoln	Responds most transportation is done from the home to the building and explains the holding location.

371	Rep. Farr	Inquires about the holding location.
382	Lincoln	Responds about the different loading situations and the consequences that follow in regards to transporting students.
401	Rep. Dallum	Inquires what economic savings can the districts see, if they are using the collection services rather than the portal-to-portal system.
416	Lincoln	Responds to the scenario, safety conditions and concerns of parents.

TAPE 102, A

004	Chair Flores	Closes the public hearing on HB 3178. Opens the public hearing on HB 2727.
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HB 2727 – PUBLIC HEARING

008	Jim Keller	Explains HB 2727 and the -1 amendment (EXHIBIT C).
025	Chair Flores	Closes the public hearing HB 2727 and opens a work session on HB 2727.

HB 2727 – WORK SESSION

027	Rep. Dallum	MOTION: Moves to ADOPT HB 2727-1 amendments dated 4/21/05.
030	Rep. March	Comments that the schools can reach the intent of the bill without legislation and comments on the funding for education.
042	Chair Flores	Clarifies the scope and prevue of the bill and explains the interim discussion to approach the districts that are operating in the red in terms of school lunch programs.
052	Heidi Dupuis	Oregon Department of Education. Explains the current school lunch service programs.
084	Rep. Roblan	Expresses concern of micro managing the departments.

091	Rep. Farr	Clarifies the implementation of the lunch program.
097	Dupuis	Concurs and explains her role.
101	Rep. Farr	Inquires if the department is in support of the bill. Asks if the board is adequately providing resources for the school lunch program.
109	Dupuis	States the department is in neutral support of the bill and states that staff is capable and skilled to assist in the support and monitoring issues.
123	Rep. Farr	Inquires if the bill could be an active tool to assist in communication and encouragement for schools to be an active player.
127	Dupuis	Concurs.
133	Rep. Dallum	Inquires about the success rate.
138	Dupuis	Responds that out of 60 school districts they have moved eight from the red into the black. Comments on the excess labor costs. Comments on the success of the schools.
163	Rep. Dallum	Inquires if the bill would be helpful to channel more money into the classroom.
170	Dupuis	Concurs.
171	Rep. March	Inquires if schools are funding school lunch programs with money intended for the classroom.
188	Dupuis	Clarifies where the money comes from and provides the deficits.
202	Chair Flores	Comments on the USDA requirements and the federal fund dollars.
204	Dupuis	Clarifies that the USDA match requires the state to match, to be able to have the program. States in Oregon schools have to take state school funds dollars and put them into school food services fund. Notes it is based on lunch meals and works out to less than \$.05 per meal.

213	Chair Flores	Clarifies the \$.05 is a contribution, not a match.
218	Dupuis	Comment the federal amount is a \$2.25 contribution.
219	Rep. Roblan	Inquires how many districts are operating in the red.
220	Dupuis	Responds 69 school districts are in the red.
225	Chair Flores	State that the figures presented in the interim reflected 166 districts were in the red.
230	Dupuis	Responds about the 2000-01 school year reports and the accounting.
243	Chair Flores	Concurs about the imposition of requirements, but states it is a tool to get money to the classroom. Acknowledges the motion made by Rep. Dallum to adopt the -1 amendments to HB 2727 and asks the clerk to call role.
263		VOTE: 7-0-0
		AYE: 7 - Dallum, Farr, Lim, March, Roblan, Shields, Flores
	Chair Flores	The motion CARRIES.
279	Rep. Dallum	MOTION: Moves HB 2727 to the floor with a DO PASS AS AMENDED recommendation.
281		VOTE: 5-2-0
		AYE: 5 - Dallum, Farr, Lim, Roblan, Flores
		NAY: 2 - March, Shields
	Chair Flores	The motion CARRIES.
		REP. FARR, REP. DALLUM will lead discussion on the floor.
295 on HB	Chair Flores	Closes the work session on HB 2727 and opens a public hearing 2622.

HB 2622 – PUBLIC HEARING

- 300 Jim Keller Committee Administrator. Explains HB 2622.
- 304 Kevin Starrett Testifies in support of HB 2622.
- 329 Rep. Roblan Inquires about the situation in which people do not home school for the right reasons.
- 347 Starrett Responds there are always going to be parents who do things for the wrong reasons. Comments on the parents who do it right and notes it is not up to the state to decide that every child is the same and should learn the same. Comments the parents are the best suitors to decide best needs for the children.

TAPE 101, B

- 002 Rep. Roblan Comments on the exceptions for home-schoolers.
- 014 Starrett Responds about the responsibilities of the parents.
- 025 Chair Flores Closes the public hearing on HB 2622 and opens a public hearing on HB 2733.

HB 2733 – PUBLIC HEARING

- 033 Jim Keller Committee Administrator. Explains HB 2733.
- 040 Laurie Wimmer-Whelan Oregon Education Association. Testifies in opposition of HB 2733. Testifies the examination is a minimal requirement to ensure educational safety in all children.
- 106 Chair Flores Opens a public hearing on HB 2653 to be open concurrently with HB 2733.

HB 2733, HB 2653 – PUBLIC HEARING

- 110 Wimmer-Whelan Testifies in opposition of HB 2653.

124	Rep. Lim	Inquires about the number of tests do they have.
137	Wimmer-Whelan	Responds about the number of tests.
138	Rep. Lim	Inquires if she supports they idea of having less tests for home schoolers.
141	Wimmer-Whelan	Responds the requirements are already minimal and states the goal is to make sure it is possible for the state to ensure educational safely.
149	Rep. March	Inquires about the possibility of the testing to be the only contact with the student, in regards to any abuse.
165	Wimmer-Whelan	Concurs.
174	Rep. Dallum	Inquires about the outcome for a home schooler who does not pass the test.
178	Wimmer-Whelan	Responds about the level of requirements.
188	Rep. Dallum	Inquires about the number of home schoolers have fallen below the minimal requirements.
197	Rep. John Lim	House District 50. Testifies in support of HB 2653. Comments on the reasons parents want to home school their children and notes the bill sends a message of appreciation. Comments the parents who choose to home school, do not receive money for transportation, books, breakfast or lunch.
272	Rep. Roblan	Inquires about the parents being required to pay for the test. Comments we should be paying for the tests.
291	Chair Flores	Closes the public hearing on HB 2653.
300	Stan Pulliam	Legislative Assistant, Senator Bruce Starr's office. Submits and reads prepared testimony on behalf of Senator Bruce Starr in support of HB 2733 (EXHIBIT D).
351	Rep. Lim	Inquires where the governor stands on the issue.

- 358 Pulliam Responds.
- 391 Dorothy Karman Board of Oregon Christian Home Education Network. Submits and reads from written testimony in support of HB 2733 **(EXHIBIT E)**. Comments on assessments, savings for the state and the burdensomeness of testing. Comments the tests are used to assess the classroom and are not designed to assess an individual student.

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- 016 Karman Comments that the results from 1999 are the most current comparison of home-schoolers to public school students. Reads quotes from judicial opinions and notes the No Child Left Behind Act states home-schoolers and students in private schools are exempt from the requirements of the Act.
- 094 Amy Grant Oregon Home Education Network. Submits and reads from written testimony in support of HB 2733 **(EXHIBIT F)**. Comments on the children at risk and explains the miss-conceptions of home schoolers.
- 170 Grant Comments that 83% of child abuse reports come from persons outside the educational setting. Comments on the mechanisms available for child abuse prevention and reporting. Comments on the standardized tests. Suggests the standardized tests are not applicable and are detrimental to some students. States the reason persons choose to home school is so they can tailor to the needs of the students.
- 280 Grant Comments that testing does not create an education.
- 302 Rep. Farr Inquires about the participation in inter-scholastic activities.
- 310 Grant Responds about current laws in regards to participation of inter-scholastic activities.
- 312 Rep. Farr Clarifies the home schoolers have to comply with testing requirements in order to participate in inter-scholastic activities at the public education level.
- 319 Grant Responds they do not participate in the state assessments, they participate in a nationally norm, standardized test.
- 345 Rep. Dallum Clarifies the incentive was to offer programs to home schoolers.

364	Rep. Farr	Inquires if home schoolers were required to take the state assessments.
375	Rep. Dallum	Responds about the extra curricular activities in the schools and the outreach incentives.
388	Rep. Roblan	Clarifies students do not have to participate in the testing after 8th grade.
402	Karman	Responds compulsorily attendance is from the age of seven to the age of eighteen.
408	Grant	Responds about the 26 states that do not require the state to examine a student taught at home.
421	Rep. Roblan	Inquires if the bill would abolish compulsorily attendance.

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003	Grant	Responds the bill states that children who are education at home are exempt from attending public schools and have to be educated at home.
013	Rep. Roblan	Comments if there is not a requirement to test, is there a definition of education.
023	Grant	Responds it is not addressed in HB 2733.
035	Roger Williams	Legislative Coordinator, Home Education Network. Submits and presents the home education scholastic outcomes in support of HB 2733 (EXHIBIT G). Comments on the parental dedication and the benefits for the students. Presents the chart on page three.
143	Williams	Continues testimony.
163	Brain Ray	National Home Education Network. Provides testimony in support of HB 2733. Testifies that home schoolers consistently score 15-30% better than other students do. Comments there is not a correlational relationship between state control of home education and children's learning. Speaks to the intent of the bill.

275	Jeanne Biggerstaff	Oregon Home Education Network. Testifies in support of HB 2733. Comments on the commitment of parents to educate their children.
307	Rep. Roblan	Inquires if there is data on parent involvement in the public education setting.
317	Williams	Comments that home schooling is the best example of parental involvement and is the number one factor in success.
336	Rep. Roblan	Inquires if they would entertain the development of an educational plan for the home schoolers.
347	Ray	Responds about state involvement and oversight.
374	Williams	Comments about the educational plan and state's oversight.
389	Chair Flores	Comments there will be another public hearing on HB 2733 and closes the public hearing on HB 2733. Adjourns the meeting at 3:28 p.m.

EXHIBIT SUMMARY

- A. **HB 3178, -2 amendments, staff, 6 pp**
- B. **HB 3178, -3 amendments, staff, 6 pp**
- C. **HB 2727, -1 amendments, staff, 1 p**
- D. **HB 2733, written testimony of Sen. Bruce Starr, Stan Pulliam, 2 pp**
- E. **HB 2733, written testimony, Dorothy Karman, 10 pp**
- F. **HB 2733, written testimony, Amy Grant, 7 pp**
- G. **HB 2733, home education scholastic outcomes, Roger Williams, 4 pp**