

**HOUSE COMMITTEE ON EDUCATION**

**May 06, 2005 Hearing Room E**

**1:00 P.M. Tapes 104 – 106**

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

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

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

**Rep. John Lim**

**Rep. Arnie Roblan**

**Rep. Chip Shields**

**MEMBER EXCUSED:       Rep. Debi Farr**

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

**Kellie Whiting, Committee Assistant**

**MEASURES/ISSUES HEARD:**

**HB 2339 – Public Hearing and Work Session**

**HB 2435 – Public Hearing**

**HB 2560 – Public Hearing and Work Session**

**HB 3075 – 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 104, A**

002            Chair Flores                      Calls the meeting to order at 1:02 p.m. and opens the public hearing on HB 2339.

**HB 2339 – PUBLIC HEARING**

005            Jim Keller                        Committee Administrator. Explains HB 2339. Refers to the -4 amendments (**EXHIBIT A**).

010            Rep. Jerry Krummel            House District 26. Submits and refers to a letter from George Heuston (**EXHIBIT B**). Testifies in support of HB 2339.

050            Chair Flores                      Comments about the subsequent referral to Ways and Means.

055            Chair Krummel                    Suggests a motion to rescind the subsequent referral.

070            Rep. March                        Comments on the fiscal impact.

078            Chair Krummel                    Concurs. Clarifies the role of the state.

083            Chair Flores                      Closes the public hearing on HB 2339. Opens a public hearing on HB 2435.

**HB 2435 – PUBLIC HEARING**

091            Rep. Donna Nelson            House District 24. Submits and reads prepared testimony in support of HB 2435 (**EXHIBIT C**). Refers to the suggested amendments (**EXHIBIT D**). Comments on the importance of providing funds for the Head Start Program and to work towards positive development for children.

200            Michael Eichman                Head Start Program. Testifies in support of HB 2435. Explains the program, the number of applicants and participants. Explains the public investments for the program.

237	Rep. March	Comments on the value of Head Start, the need for adequate funding and the need for support. Reiterates the need for a proactive role in crime prevention and early childhood development.
236	Rep. Nelson	Comments on personal experiences of family members she has talked with in terms of Head Start success. Concurs with Rep. March's comments on the need for a proactive role and support from legislators.
318	Rep. Dallum	Inquires how long the program has been in place.
323	Eichman	Responds Oregon adopted the program 20 years ago.
327	Rep. Dallum	Inquires if they could identify the number of children who were eligible thirty years ago, but did not receive the service and where they are now.
335	Eichman	Concurs.
349	Rep. Dallum	Inquires if they are going forward or backwards in funding Head Start.
353	Rep. Nelson	Responds that Head Start is at 47% funding.
359	Rep. Dallum	States he supports the funding and the notion of support. Comments on the importance of reaching the children.
378	Rep. Nelson	Comments on the sponsorships and funding avenues.
403	Eichman	Reiterates the program is not only an educational program, but also a life program.
420	Rep. Nelson	Reiterates the three goals of the chalkboard project.

**TAPE 105, A**

008	Chair Flores	Expresses the intent of the committee in regards to a work session on HB 2435 and the -1 amendment.
023	Trisha Smith	

Oregon School Employees Association. Testifies in support of HB 2435. Concurs with Rep. Nelson's testimony. Comments on the statutory responsibility to fund Head Start. Comments on the restoration of funding, rather than funding a taskforce.

- 052 Rep. Shields Expresses support of the bill.
- 062 Rep. Lim Comments on the subsequent referral to Ways and Means.
- 073 Chair Flores Closes the public hearing on HB 2435 and opens a work session on HB 2339.

**HB 2339 – WORK SESSION**

- 081 Rep. Dallum MOTION: Moves to ADOPT HB 2339-4 amendments dated 5/6/05.**

- 090 Jim Keller Committee Administrator. Explains the -4 amendments.

- 092 VOTE: 6-0-1**

**EXCUSED: 1 - Farr**

- Chair Flores Hearing no objection, declares the motion CARRIED.**

- 096 Rep. Dallum MOTION: Moves HB 2339 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.**

- 098 VOTE: 6-0-1**

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

**EXCUSED: 1 - Farr**

- Chair Flores The motion CARRIES.**

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

- 110 Chair Flores Closes the work session on HB 2339 and opens a public hearing on HB 2560.

## **HB 2560 – PUBLIC HEARING**

- 115        Jim Keller                Committee Administrator. Explains HB 2560 and introduces the -3 amendments (**EXHIBIT E**).
- 121        Rep. Mitch Greenlick House District 33. Explains the -3 amendments and testifies in support of HB 2560 as amended. Provides clarification in regards to the funding arrangement for the Oregon University System. Provides clarification about the meaning of a public cooperation.
- 195        Rep. Roblan                Inquires about the name change for Oregon University and Portland State and the expectations for the new college.
- 212        Rep. Greenlick            Responds about the body changing over time.
- 222        Rep. Roblan                Inquires about the intertwining programs and the difficulties of the funding mechanism.
- 230        Rep. Greenlick            Clarifies the two components of the University System. Comments on the strengthening of the educational coordination component. Comments the state of Oregon needs to invest more in higher education and economic development.
- 270        Rep. Dallum                Inquires about the previous testimony given on the bill.
- 282        Rep. Greenlick            Responds about conversations with the University Leadership, Business Advisory Boards and other citizen groups.
- 309        Rep. March                Provides his appreciation for the amendments and the bill, but states he withdraws his sponsorship for the bill.
- 340        Rep. Greenlick            States the bill furthers the probability for discussion on funding. Comments on the parallel effort for funding and structure of higher education.
- 415        Chair Flores                Closes the public hearing on HB 3560 and opens a work session 2560.

## **HB 2560 – WORK SESSION**

- 422        **Rep. Dallum**

**MOTION: Moves to ADOPT HB 2560-3 amendments dated 4/26/05.**

425 Rep. Lim Inquires about the date for merging the universities.

**TAPE 104, B**

**VOTE: 7-0-1**

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

**EXCUSED: 1 - Farr**

**Chair Flores The motion CARRIES.**

011 Rep. Dallum **MOTION: Moves HB 2560 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.**

015 Rep. Shields States that he will provide a courtesy vote.

025 Rep. Roblan Agrees.

028 **VOTE: 5-1-1**

**AYE: 5 - Dallum, Lim, Roblan, Shields, Flores**

**NAY: 1 - March**

**EXCUSED: 1 - Farr**

**Chair Flores The motion CARRIES.**

036 Chair Flores Closes the work session on HB 2560 and opens a public hearing on HB 3075.

**HB 3075 – PUBLIC HEARING**

045 Jim Keller Explains HB 3075 and the -1 amendment (**EXHIBIT F**).

047 Randy Harnish

Oregon Department of Education (ODE). Explains the -1 amendment.

- 060 Janet Arnez Executive Director, Oregon Alliance for Child Advocacy. Submits and reads from prepared testimony in opposition of HB 3075 **(EXHIBIT G)**.
- 089 Meg Eiberle Testifies in opposition of HB 3075. Explains the affects of the bill on foster families. Explains that transporting foster children to schools outside of the foster parent's district may hinder persons from becoming foster parents. Explains the recruitment of foster parents.
- 151 Rep. March Clarifies the bill is not requiring that the foster parents provide the transportation.
- 158 Janet Arnez Responds that the responsibility would lie with the placement agency, who would then delegate it to the foster parent.
- 172 Eiberle Comments on the resources and the staff time spent transporting children to schools outside of the foster parent's districts.
- 180 Tegan Schlatter Foster Care Case Manager. Testifies in opposition of HB 3075. Comments on the hardships the foster parents would endure if the students were mandated to stay within their previous school district. Provides examples of foster parents who have to transport multiple foster children to different schools.
- 221 Janet Arnez Reiterates the concern over recruiting foster parents for needy children.
- 258 Rep. March Explains that the intent of the bill is to provide stability for foster children. Comments that schools may be the only stability in the child's life. Comments on the possibility of the advocacy group working with sponsoring persons of the bill.
- 280 Janet Arnez Responds about the instability issues.
- 306 Rep. March Suggests that the advocacy group produce agreeable language.
- 322 Rep. Dallum Inquires if the caseworker would rather place the child in a stable school or the stable home.

328	Schlatter	Responds the stable home. Explains the different scenarios for foster children.
343	Rep. Dallum	States that the best interests are sought.
346	Rep. Shields	Inquires about the number of times a typical foster child is moved in a year.
353	Schlatter	Responds three or four times on average.
360	Rep. Shields	Inquires if the staying in the same school would have a positive impact on the child's willingness to stick with a foster parent and the child's performance.
372	Schlatter	Concurs.
376	Rep. Roblan	Clarifies that the school district accepts the child by statute and clarifies the bill provides an option of staying in the previous school or moving.
399	Arnez	Responds the decision would be made by a juvenile court, based on best interests of the child.
406	Rep. Roblan	Clarifies that the bill provides an option.
417	Chair Flores	Concurs to the clarification.
421	Rep. Lim	Comments on the issue of having to transport children to other districts and comments he may not be able to support the bill.

**TAPE 105, B**

002	Chair Flores	Clarifies the collected testimony concludes that transporting the children to other schools outside the foster parents district, may possibly deter persons from becoming foster parents.
005	Arnez	Concurs.
021	Chair Flores	Expresses she shares her concern with Rep. Lim if in fact it means diminishing the number of foster parents.

024	Brian Baker	Juvenile Rights Projects. Testifies in support of HB 3075. Comments on the opportunity for all parties to come together to consider the best interests of the child. Explains the intent of the bill and the impacts on the child, the agency and the parents. States he does not want to jeopardize foster care recruitment and wants to support the stability of the children.
116	Rep. Dallum	Inquires if a school has ever denied a foster child's enrollment when it is in the best interests of the child.
122	Baker	Responds it has happened. Explains the circumstances where it has happened and the lack of incentive to keep the child. Comments on the children who are successful and the reasons why some children should stay in the former schools.
151	Rep. Dallum	Comments on the school's role for determining the best interests of the student.
161	Baker	Responds the schools are an essential piece in determining the best needs for the student.
192	Rep. Dallum	Asks Ms. Schlatter what components are considered when placing a child in a foster home or determining the best interests of the child. Asks if the teachers or the school is a component.
204	Schlatter	Responds they have to register the child in the foster parent's home district.
207	Rep. Dallum	Reiterates the children are moved quickly due to different circumstances and the schools are catching up second.
216	Schlatter	Responds it the general case.
217	Rep. Roblan	Comments on the district agreements excluding special needs children due to liability issues. Comments on the legality issues for the former school.
235	Baker	Concurs. Responds by maintaining the residency of the previous schools, they maintain the services and needs for the special needs for the students. Comments on the provision for reporting back.

297 Kevin George Foster Care Program Manager, Department of Human Services. Submits and reads from prepared testimony in neutral support of HB 3075 (**EXHIBIT H**). Explains the research in terms of stability issues and the difficulties for children. Comments that the children who move the most have the most problems. Refers to page two and explains the priority of placing children with relatives.

409 Rep. March Inquires about the added language of educational placement.

**TAPE 106, A**

008 Baker Explains the difficulty to reach a provision in terms of placement priority. Stresses the importance of school stability.

025 Rep. Dallum Comments on the trust of one another in terms of the best interests and placement of a child and comments on the teams in which work together.

040 Chair Flores Inquires about the cost per school year.

042 George Responds about the costs and the basis for the assumptions.

056 Chair Flores Comments on the alternatives in terms of transportation.

060 Baker Responds about addressing the best interests as a group and going to the court together to provide the collaborative feedback so the courts can determine the best interests.

099 Chair Flores Inquires if the items considered, include placing the child with a foster parent within the same school district.

109 Baker Responds it is the ideal, but not always likely. Explains the efforts and difficulties to provide ideal stability.

132 George Responds they absolutely look for neighborhood stability, relatives and foster parents in the child's school districts.

145 Chair Flores Closes the public hearing on HB 3075 and adjourns the meeting at 3:09 p.m.

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**EXHIBIT SUMMARY**

- A. **HB 2339, -4 amendments, staff, 2 pp**
- B. **HB 2339, letter, Rep. Jerry Krummel, 1 p**
- C. **HB 2435, prepared testimony, Rep. Donna Nelson, 5 pp**
- D. **HB 2435, amendment, Rep. Donna Nelson, 1 p**
- E. **HB 2560, -3 amendments, staff, 2 pp**
- F. **HB 3075, -1 amendments, staff, 1 p**
- G. **HB 3075, prepared testimony, Janet Arnez, 2 p**
- H. **HB 3075, prepared testimony, Kevin George, 2 pp**