

# HOUSE COMMITTEE ON EDUCATION

April 21, 2003 Hearing Room E  
1:00 PM Tapes 73 - 74

**MEMBERS PRESENT:**  
Rep. Vic Backlund, Chair  
Rep. Pat Farr, Vice-Chair  
Rep. Elaine Hopson, Vice-Chair  
Rep. Brad Avakian  
Rep. Billy Dalto  
Rep. Mary Nolan  
Rep. Wayne Scott

**STAFF PRESENT:**  
Jim Keller, Committee Administrator  
Jeana Harrington, Committee Assistant

**MEASURE/ISSUES HEARD:**  
Informational Meeting  
-Oregon University System Report on Performance Indicators  
SB 525-A – Work Session  
SB 761 – 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.

---

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<u>TAPE 73, A</u>		
004	Chair Backlund	Calls meeting to order at 1:35 PM. Welcomes colleagues and audience. Opens informational meeting.
<u>INFORMATIONAL MEETING</u>		
009	Dr. Richard Jarvis	Chancellor, Oregon University System (OUS). Presents OUS Performance and Accountability as required by SB 919 ( <b>EXHIBIT A</b> ). Refers the committee to the annual report card adopted by OUS ( <b>EXHIBIT B</b> ). Lists the performance indicators, focusing on quality. Notes all quality measures have improved steadily since 1997 when SB 919 was passed. Overviews quality related measures: <ul style="list-style-type: none"><li>• Diversity</li><li>• Freshman persistence to second year</li><li>• Bachelor's completion</li><li>• Sponsored research and other support</li><li>• Philanthropic support</li></ul>
112	Rep. Farr	Asks if philanthropic support listed includes athletic donations.
115	Dr. Jarvis	Responds he is unsure. Begins results overview of the five year change. Notes early warning signs by the study and elaborates: <ul style="list-style-type: none"><li>• Increasing student-faculty ratios</li><li>• Non-competitive faculty compensation</li><li>• More part-time faculty</li><li>• Reduced course sections</li></ul>

		<ul style="list-style-type: none"> <li>• Deferring life-cycle capital repairs</li> </ul>
170	Dr. Jarvis	Speaks on access driven by funding in two and four year colleges in terms of annual FTE (Full Time Equivalent) enrollment.
201	Chair Backlund	Remarks on the current system.
207	Dr. Jarvis	Believes that is a fair statement.
213	Rep. Hopson	Speaks on the lack of intention to cap enrollment. Wonders how this will be balanced with increased funding and class sizes
221	Dr. Jarvis	Responds with regard to ‘capping’ and notes they will take all students they have a schedule for, although it may not be what students need.
234	Chair Backlund	Closes informational meeting. Opens work session on SB 525-A.
<b><u>SB 525-A – WORK SESSION</u></b>		
237	Jim Keller	Committee Administrator. Reads Staff Measure Summary (SMS) on SB 525-A. Notes a -2 amendment ( <b>EXHIBIT C</b> ).
250	Rep. Alan Brown	House District 10. Shares account of a student seeking admission within OUS. Testifies in favor of SB 525-A.
299	Mark Bigger	Office of Rep. Brown. Speaks to the -2 amendments as they specifically help the student’s case.
320	Grattan Kerans	OUS. States OUS will work to ensure those who serve in the armed forces will receive every possible benefit. Notes there is a type of reverse discrimination represented in the measure as OUS believes that residency by mail could be obtained. States that the residency requirements are present in the state for one year prior to enrollment.
370	Chair Backlund	Appears that the current requirement would be superceded if the person was paying Oregon taxes.
377	Kerans	Affirms.
382	Chair Backlund	Any ideas as to how many in OUS the bill would affect.
387	Kerans	Responds there is no certain way of knowing.
400	Chair Backlund	Adds that a public hearing was overlooked in considering the bill. Asks if there is anyone in the audience to testify.
<b>TAPE 74, A</b>		
<b>007</b>	<b>Rep. Dalto</b>	<b>MOTION: Moves to ADOPT SB 525A-2 amendments dated 4/16/03.</b>
012	Rep. Hopson	Informs the committee she will vote ‘yes’. Voices concern in the potential to limit others from participating in OUS. Believes at some point, long-term residents may be precluded by those allowed for by measures like these.
020	Rep. Nolan	Does not believe the bill presents a genuine emergency.
<b>031</b>	<b>Rep. Dalto</b>	<b>MOTION: Moves SB 525A to the floor with a DO PASS AS AMENDED recommendation.</b>
<b>039</b>		<b>VOTE: 7-0</b>
	<b>Chair Backlund</b>	<b>AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.</b>
		<b>REP. BROWN will lead discussion on the floor.</b>
039	Chair Backlund	Closes work session on SB 525-A. Opens work session on SB 761.
<b><u>SB 761 – WORK SESSION</u></b>		
043	Jim Keller	Reads SMS on SB 761.
047	Chair Backlund	Explains the committee will take some public testimony on the measure.
055	Sen. Bruce Starr	District 13. Testifies in favor of SB 761. Notes the cost savings to be achieved by the bill. Recognizes that in order to have a

		successfully educated child, their parents must be actively involved in their education. Informs he is working with the Governor on the issue on concerns with the issue. Speaks on issues of the opposition.
166	Rep. Hopson	Poses question regarding the Education Service District (ESD) testing mechanism and for the parents.
171	Sen. Starr	Believes it is an extrapolation of the costs for the tests.
183	Dorothy Karman	Oregon Christian Home Education Association. Testifies in favor of SB 761 ( <b>EXHIBIT D</b> ). Believes the bill will align Oregon law with the United States Constitution. Presents Supreme Court cases to illustrate that 'parents' rights are fundamental'. Requests equity in issues of private schools and home education. Speaks on the No Child Left Behind (NCLB) Act HR 1 SEC. 9506 by Congress addressing home school education. Addresses opposing viewpoints. Believes that there is no procedure that guarantees children will learn in public schools. Does not feel there is a compelling reason to require testing of home schooled students. Notes that conversations are being held with the Governor and request that voting on the measure be held.
330	Jean Biggerstaff	Oregon Home Education Network (OHEN). Testifies in favor of SB 761. Speaks on reports that correlate data. Notes there are many ways for home schoolers to obtain resources. States that home schooling is the epitome of parental involvement.
375	Amy Grant	President, OHEN. Highlights statistics on home schooled versus public schooled students with regard to progress. Speaks on state mandates with regard to public, private, and home school education. Addresses concern that arose on the Senate side. Poses hypothetical situation to illustrate those who break the law will not educate their child with or without state laws on home education.
<b>TAPE 73, B</b>		
004	Grant	Suggests that the current home school law is ineffective, inappropriate, and places the burden of solving a 'significant social issue' on a minute group of home schooled students. Mentions a discussion with the Governor's aide. Responds to an earlier questions regarding the \$500,000 estimate in savings for services and the \$250,000 savings in cost to the government for testing.
058	Rep. Hopson	Appreciates the data. Asks how the comparative data with public schools was solicited and ascertained. Notices a common thread of an imposing burden on home schoolers and requests what entails the verbiage.
077	Grant	Believes the state is imposing a mandate on testing. Relates personal experiences. Believes it is very important for families to tailor information and learning to the individual student. Discusses critical thought.
113	Rep. Hopson	Agrees with her thinking, but questions the imposition as the tests are basic reading and mathematics.
123	Grant	Responds her daughter has always tested well but does not agree with the tests. Notes her son has a learning disability and she will not subject him to the tests.
133	Biggerstaff	Responds to assessments and believes they work well to compare large groups of students and does not feel they are a valid individual assessment tool.

143	Karman	Adds to the statements regarding individualized testing.
162	Rodger Williams	Comments on percentiles versus percents represented in material. Board Member, Oregon Christian Home Education Association. Responds to Rep. Hopson's earlier questions. Offers personal account of his daughter and son relating to the standardized tests. States that the testing was an unnecessary burden to his family as his son developed at a much slower rate than his daughter.
215	Scott Perry	Students Services Director, Linn-Benton ESD. Testifies on SB 761. Explains his involvement with home school families. Sees two types of homes schooling families. Offers patterns in requests for home schooling for youth in question, and truant youth. Informs the committee of his request for Ann Lundin to track attendance patterns with regard to home schooling. Voices concern for the 5-10% of home schooled youth who are not receiving a valid education. Believes home school law should be strengthened, not eliminated. Restates his hope for responsible home schooling families to have little restriction placed on them.
315	Ann Lundin	Attendance Officer, Linn-Benton ESD. Voices concerns for the accountability aspect of parental registration with the ESD. Notes she does offer citations for truant families and in doing so, often incurs another home school registry. Offers negative effects the measure would allow for. Voices concern for educated youth and the need for job skills later in life. Discusses her personal experiences with truant families.
<b>TAPE 74, B</b>		
001	Jonathan Hill	Superintendent, Lake County ESD. Comments on the seldom occurrence of truant families in Lake County as it is a small ESD. Does not feel the registration process should be a burden to families. Lists the benefits of registration. Discusses testing for home schools students. Voices concern for testing results being very low or very high. Notes there is not a great alternative for truant youth to be educated.
058	Lundin	Comments on parents of a truant student.
065	Rep. Dalto	Asks Ms. Lundin if her comments are an indictment to home schooling in general or representative of worst case scenarios.
075	Lundin	Responds that as a social worker, she does see many worst case scenarios. Reiterates concern for home schooling used as a 'way out'.
084	Rep. Dalto	Requests who she is addressing.
088	Lundin	Notes her comments are of those who use homes schooling as a 'way out'.
091	Perry	Adds that is 5-10% of the home school population. Explains his data.
105	Rep. Farr	Requests the percentage of truant students who become home schooled students.
110	Lundin	Responds.
114	Rep. Farr	Clarifies there is a means for identifying students.
118	Hill	Answers concerning the registration system. Argues that there is no other comparable system for obtaining the information without the system.
125	Lundin	Informs further of the system.
136	Steve Novick	Assistant to Superintendent of Public Instruction, Oregon Department of Education (ODE). Informs the committee that Superintendent Susan Castillo is opposed to the bill ( <b>EXHIBIT</b>

		<b>E).</b> Presents provisions for school attendance ( <b>EXHIBIT F</b> ). Notes there is regulation of private schools. Explains the reasons behind opposition.
180	Laurie Wimmer-Whalen	Oregon Education Association (OEA). Testifies in opposition to SB 761. Discusses the need for educational access. Believes most parents who choose to home school have great results. Believes a minimum state requirement should exist. Notes 41 states have minimum home schooling requirements. Adds that Oregon requirements are already minimal in comparison. Points out that the bill received 20 votes on the Senate side but notes that the lobby against the bill was not as present.
267	Randy Harnisch	ODE. Believes the bill could impact attendance officers in dealing with truancy.
289	Rep. Nolan	Speaks on the rights of children to an education, believes it is in the interest of citizens to have a commonly educated student. Requests Mr. Novick to respond.
309	Novick	Believes that if a 'common heritage' was heavily sought, home school would be abandoned. Concurs society does have an interest in a commonly educated child.
326	Rep. Avakian	Requests the number of truant families is acceptable to the witnesses.
334	Harnisch	Believes it is a fair approximation, although an approximation.
336	Rep. Avakian	Wonders if the truant statistics are failing anyway, the home school system students are not failing.
349	Whalen	Does not think the system is failing families, but that parents are failing the students.
360	Novick	Responds that passage of the bill relays a message that society accepts truancy by some families.
367	Rep. Avakian	Discusses that the students are already failing. Requests why removal of testing as a home school student assessments would affect the family dynamic.
390	Whalen	Believes that if there is a law, families will comply.
393	Rep. Dalto	Cautions Mr. Novick for his use of language.
397	Novick	Apologizes.
404	Chair Backlund	Closes the work session on SB 761. Adjourns the meeting at 3:25 PM.

## **EXHIBIT SUMMARY**

**A – Informational, Richard Jarvis, 9 pp**

**B – Informational, Richard Jarvis, 4 pp**

**C – SB 525-A2, Staff, 1 p**

**D – SB 761, Dorothy Karman, 2 pp**

**E – SB 761, Susan Castillo, 1 p**

**F – SB 761, Steve Novick, 3 pp**