

HOUSE COMMITTEE ON EDUCATION

May 2, 2003 Hearing Room E
1:00 PM Tapes 80 - 81

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

MEASURES HEARD: **HJR 56 – Public Hearing**
 SB 11A – Public Hearing and Work Session
 SB 129 – Public Hearing and Work Session
 SB 761 – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 80, A		
004	Chair Backlund	Calls meeting to order at 1:35 PM. Welcomes colleagues and audience. Opens public hearing on HJR 56.
<u>HJR 56 – PUBLIC HEARING</u>		
009	Jim Keller	Committee Administrator. Reads Staff Measure Summary (SMS) on HJR 56.
015	Rep. Mitch Greenlick	House District 33. Testifies in favor of HJR 56. Explains HJR 56 came from a bill proposed earlier in the session. Lists the concerns the Oregon University System (OUS) had with the earlier bill and informs the committee of the work the two parties have done.
068	Chair Backlund	Informs Rep. Greenlick HB 2817 has passed.
077	Rep. Greenlick	Responds he does not see a conflict between the two bills.
085	Rep. Hopson	Poses question regarding the task force.
090	Rep. Greenlick	Responds. Speaks on the inclusion of the post-secondary institutions in the Portland Metropolitan Area.
138	Rep. Hopson	Asks if OUS should be the entity to create such a task force.
143	Rep. Greenlick	Thinks the action should come from outside of the OUS and explains why.
153	Grattan Kerans	OUS. Concurs with the conversations between OUS and Rep. Greenlick. Explains HJR 56 is an improvement, but that OUS remains opposed to the resolution. Refers the committee to letters provided by educational heads. Speaks on the other task force created to deal with the issues already. States that OUS would be comfortable with the resolution without
211	Rep. Greenlick	Explains the item in subsection nine of HJR 56 does not need to be present.

225 Rem Nivens Oregon Community Colleges Association (OCCA). Echoes the concerns of OUS. Explains that without the removal of subsection nine, OCCA also opposes the bill.

240 Ed Johnston Lincoln County. Voices concern with the bill.

256 Chair Backlund Interjects.

260 Johnston Supposes he is testifying on the wrong bill.

264 Chair Backlund Closes public hearing on HJR 56. Opens public hearing on SB 11.

SB 11A – PUBLIC HEARING

275 Jim Keller Reads SMS on 11A.

280 Chair Backlund Closes public hearing and opens work session on SB 11A.

SB 11A – WORK SESSION

286 Rep. Hopson MOTION: Moves SB 11A to the floor with a DO PASS recommendation.

291 Rep. Hopson Reiterates it is an opportunity for smaller school districts to have a chance. Notes that she supports the ability of school districts to work together. Adds that in the case presented by SB 11A, larger districts may have an advantage.

308 VOTE: 6-1
AYE: 6 - Avakian, Dalto, Farr, Hopson, Scott, Backlund
NAY: 1 - Nolan
The motion CARRIES.
REP. HOPSON will lead discussion on the floor.

Chair Backlund

315 Chair Backlund Closes work session on SB 11A. Opens public hearing on SB 129.

SB 129 – PUBLIC HEARING

330 Ray Lindley ODE. Introduces Diane Baldwin. Testifies in favor of SB 129 **(EXHIBIT A)**. Summarizes the issues involved in the measure. Explains the purpose of the bill and its allowances regarding fees to private career school teachers and students.

TAPE 81, A

037 Chair Backlund Asks if there is any opposition to the bill.

040 Lindley States ODE is not aware of any opposition.

047 Chair Closes public hearing and opens work session on SB 129.

SB 129 – WORK SESSION

048 Rep. Hopson MOTION: Moves SB 129 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.

059 VOTE: 7-0
AYE: In a roll call vote, all members present vote Aye.
The motion CARRIES.

062 Chair Backlund Closes work session on SB 129. Opens public hearing on SB 761.

SB 761 – PUBLIC HEARING

066 Jim Keller Reads SMS on SB 761. Notes amendments -4, -5, -7, -8 **(EXHIBITS B-E)**. Notes there is no subsequent referral to Ways and Means.

076 Marcia Kelley American Association of University Women. Provides information on her agency. Testifies against SB 761. Voices concern for the bill due to the removal of testing. Thinks the repeal is not well founded.

106	Chair Backlund	Closes public hearing and opens work session on SB 761.
<u>SB 761 – WORK SESSION</u>		
110	Rep. Farr	MOTION: Moves to ADOPT SB 761-4 amendments dated 4/28/03.
112		VOTE: 6-1 AYE: 6 - Avakian, Dalto, Farr, Hopson, Scott, Backlund NAY: 1 - Nolan The motion CARRIES.
116	Chair Backlund Rep. Farr	MOTION: Moves to ADOPT SB 761-5 amendments dated 4/29/03.
119	Rep. Nolan	States she will be a ‘no’ vote
122	Chair Backlund	Comments on the -5 amendments.
125		VOTE: 6-0-1 EXCUSED: 1 - Nolan Hearing no objection, declares the motion CARRIED.
127	Chair Backlund Rep. Farr	MOTION: Moves to ADOPT SB 761-7 amendments dated 4/29/03.
132	Rep. Hopson	Asks Mr. Harnisch if the amendment would change special education requirements for home school requirements from what they currently are.
141	Randy Harnisch	ODE. Understands that districts will continue to need to have to comply with the Title IX requirement.
150	Chair Backlund	Clarifies the intent of the -7 amendments.
154	Harnisch	Responds.
157		VOTE: 5-2 AYE: 5 - Avakian, Dalto, Farr, Scott, Backlund NAY: 2 - Hopson, Nolan The motion CARRIES.
161	Chair Backlund Rep. Farr	MOTION: Moves to ADOPT SB 761-8 amendments dated 4/30/03.
163	Rep. Hopson	States she will object to the amendments as she feels asking parents to determine whether absences are excused or unexcused renders the purpose moot.
173	Rep. Dalto	Remarks on the -7 amendments regarding unexcused absences. States he has discomfort on the amendments.
179	Chair Backlund	Understands that the home school parents and education service district (ESD) heads worked together to acknowledge concerns with dropouts and truancy.
187		VOTE: 5-2 AYE: 5 - Avakian, Dalto, Farr, Scott, Backlund NAY: 2 - Hopson, Nolan The motion CARRIES.
196	Chair Backlund Rep. Farr	MOTION: Moves SB 761 to the floor with a DO PASS AS AMENDED recommendation.
200	Rep. Farr	Notes reservations for removing registration requirements for home school students. States it has been mainly overcome by the amendments.
213	Rep. Hopson	States she will vote against the bill. Appreciates the testimony regarding parental rights and state responsibility. Believes the ninety percent of home school parents are doing a fine job. Notes the other ten percent needs protection. Does not feel that the current requirements are burdensome in any way. Believes the

248	Rep. Dalto	current law is balanced. Notes a large percentage of parents of home school students do not do well on the tests. Believes some parents will be untruthful regarding truancy excuses. States that over time he has struggled with a decision on the bill. Does not think the five to ten percent of families abusing the system are properly restricted by the bill. Voices concern that the minority may be affected greatly. Will vote yes as a courtesy.
280	Rep. Avakian	Speaks on the five to ten percent of students, thinks focus should be on the public education system where children are not receiving the services they need and require. Thinks that five to ten percent failure rate is commendable.
300	Chair Backlund	Speaks on his experiences as a high school history teacher relating the home school students. Believes it is important to consider the five to ten percent.
323		VOTE: 5-2 AYE: 5 - Avakian, Dalto, Farr, Scott, Backlund NAY: 2 - Hopson, Nolan Chair Backlund The motion CARRIES. REP. FARR will lead discussion on the floor.
330	Chair Backlund	Closes work session on SB 761.
333	Rep. Farr	Notes the meeting is possibly the committee's last.
338	Chair Backlund	Concurs.
341	Rep. Farr	Thanks the committee members for their work.
343	Chair Backlund	Adjourns meeting at 2:26 PM.

EXHIBIT SUMMARY

- A – SB 129, Ray Lindley, 3 pp**
- B – SB 761-4, Staff, 1 p**
- C – SB 761-5, Staff, 1 p**
- D – SB 761-7, Staff, 1 p**
- E – SB 761-8, Staff, 2 pp**