

SENATE COMMITTEE ON EDUCATION

April 17, 2003
3:00 PM

Hearing Room C
Tapes 63-64

MEMBERS PRESENT: **Sen. Charles Starr, Chair**
 Sen. Ryan Deckert, Vice-Chair
 Sen. Ted Ferrioli
 Sen. Bill Morrisette

STAFF PRESENT: **Jan McComb, Committee Administrator**
 Romy Dye, Committee Assistant

MEASURE/ISSUES HEARD: **SB 372 – Work Session**
 SB 124 – Work Session
 SB 510 – Work Session
 SB 827 – Work Session
 SB 456 – 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> |
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| TAPE 63, A | | |
| 005 | Chair Starr | Calls the committee to order at 3:13 PM. |
| 007 | Jan McComb | Committee Administrator. Explains subsequent referrals to ways and means on the different bills. |
| 016 | Chair Starr | States desire is for bills to go directly to the floor and not ways and means and so going to ask the President to rescind referral to ways and means. Opens a work session on SB 372. |
| <u>SB 372 – WORK SESSION</u> | | |
| 020 | Chair Starr | Comments SB 372 has been up several times and a number of people working hard to reach an agreement which they have done with -9 amendments. Presents -9 amendments dated 4/10/03 (EXHIBIT B). |
| 025 | Sen. Ferriolli | MOTION: Moves to ADOPT SB 372-9 amendments dated 4/10/03. |
| 028 | | VOTE: 4-0 |
| | Chair Starr | Hearing no objection, declares the motion CARRIED. |
| 035 | Sen. Ferriolli | MOTION: Moves SB 373 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED. |
| 040 | | VOTE: 4-0 |
| | Chair Starr | AYE: In a roll call vote, all members present vote Aye. The motion CARRIES. |
| | | CHAIR STARR will lead discussion on the floor. |
| 047 | Chair Starr | Closes the work session on SB 372 and opens a work session on SB 124. |
| <u>SB 124 – WORK SESSION</u> | | |
| 051 | McComb | Explains the -1 amendments to SB 124. Presents -1 amendments dated 4/16/03 (EXHIBIT C). |

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| 053 | Sen. Ferriolli | MOTION: Moves to ADOPT SB 124-1 amendments dated 4/16/03. |
| 058 | | VOTE: 4-0 |
| | Chair Starr | Hearing no objection, declares the motion CARRIED. |
| 064 | Sen. Ferriolli | MOTION: Moves SB 124 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED. |
| 070 | | VOTE: 4-0 |
| | Chair Starr | AYE: In a roll call vote, all members present vote Aye. The motion CARRIES. |
| | | SEN. FERRIOLLI will lead discussion on the floor. |
| 074 | Chair Starr | Closes the work session on SB 124 and opens a work session on SB 510. |
| <u>SB 510 – WORK SESSION</u> | | |
| 078 | McComb | Explains -2 amendments to SB 510. Presents -2 amendments dated 4/17/03 (EXHIBIT D). |
| 101 | Sen. Morrisette | Clarifies if school district recommends retaining the child and the parent disagrees and the child moves forward then there is a form the parent will sign. |
| 106 | McComb | Clarifies if parent and school district disagree and student is promoted or retained against the school district's recommendation, then the parent would sign a form developed by the school district stating it was against the school districts recommendation. |
| 117 | Sen. Deckert | Expresses concern with section 2 , line 1 which says each school district shall adopt the policy. Concerned with requiring a school district to adopt the policy. |
| 131 | Chair Starr | Feels there should be a policy because what schools do is promote students or hold them back. |
| 139 | John Marshall | Oregon School Board Association (OSBA). Responds sample policies are prepared for school districts and there are a number of policies adopted by school boards in their office. Believes all schools have a form of a policy dealing with the retention issue. Feels the amendments reflect policies of what most school districts already have. |
| 160 | Sen. Deckert | Expresses concern with putting policy in statute because does not consider being the one that should do that. |
| 172 | Marshall | Discusses policy service and always updating policy books. |
| 188 | Chair Starr | Asks whether Federal IDEA regulations have similar requirements. |
| 191 | Marshall | Asks whether it is regarding retention of a student. |
| 193 | Chair Starr | Responds yes. |
| 196 | Marshall | Responds does not know. States IDEA requires an IEP team to sit down with parents and professional educators and specialists to look at a students particular needs and help develop a plan for that student. Adds not aware of regulations regarding retention of special need students. |
| 200 | Sen. Ferrioli | MOTION: Moves to ADOPT SB 510-2 amendments dated 4/17/03. |
| 213 | Sen. Morrisette | States supportive of the bill. Expresses concern with non-parental involvement. Expresses interest that the parent has final say but feels requires them to be more involved if child is to be held |

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| | | back. |
| 222 | | VOTE: 3-1 |
| | | AYE: 3 – Ferrioli, Morrisette, C. Starr |
| | | NAY: 1 – Deckert |
| | Chair Starr | The motion CARRIES. |
| 235 | Sen. Ferrioli | MOTION: Moves SB 510 to the floor with a DO PASS AS AMENDED recommendation. |
| 239 | | VOTE: 3-1 |
| | | AYE: 3 – Ferrioli, Morrisette, C. Starr |
| | | NAY: 1 – Deckert |
| | Chair Starr | The motion CARRIES. |
| 246 | Chair Starr | Closes the work session on SB 510 and opens a work session on SB 827. |
| <u>SB 827 – WORK SESSION</u> | | |
| 257 | Vicki Walker | Oregon State Senator. Provides introduction to SB 827. |
| 267 | Lisa Zavala | Oregon University System (OUS). Discusses what campuses are doing in regards to providing money management and debt educational programs for students on campuses. |
| 283 | Pam Leavitt | Credit Union Association. Testifies in favor of SB 827. Discusses credit unions involvement in financial education. Submits written testimony (EXHIBIT A). |
| 303 | Sen. Ferrioli | Asks if courses are offered in remote locations. |
| 307 | Leavitt | Responds absolutely. |
| 314 | Chair Starr | Closes the work session on SB 827 and opens a work session on SB 456. |
| <u>SB 456 – WORK SESSION</u> | | |
| 323 | McComb | Explains SB 456 with -2 amendments. Presents -2 amendments dated 4/16/03 (EXHIBIT E). |
| 356 | Sen. Morrisette | Explains concern with first part of bill because feels as though school should not suggest that the child has a psychological problem but instead suggest a behavior problem and check it out. |
| 382 | Sen. Morrisette | MOTION: Moves to ADOPT SB 456-2 amendments dated 4/16/03. |
| 390 | Sen. Deckert | Expresses same concern as Senator Morrisette in the -2 amendments. |
| 412 | Sen. Morrisette | Asks what the concern is. States this bill prevents a child’s behavior from being diagnosed. |
| 423 | Sen. Deckert | Asks if there is a problem with teachers or administrators diagnosing. |
| 426 | Sen. Morrisette | Responds yes there is with significant testimony to that effect. States medication is not always the answer for behavior problems. Adds this is not an unfunded mandate. |
| TAPE 64, A | | |
| 007 | Sen. Deckert | Agrees. |
| 010 | Sen. Morrisette | Clarifies the purpose of the bill is not telling the school district they have to do something but telling them there are things they should not be doing like diagnosing because they are not medical people. |
| 012 | | VOTE: 3-1 |
| | | AYE: 3 - Ferrioli, Morrisette, C. Starr |
| | | NAY: 1 – Deckert |
| | Chair Starr | The motion CARRIES. |

016 Sen. Morrisette **MOTION: Moves SB 456 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED.**

020 **VOTE: 3-1**
AYE: 3 - Ferrioli, Morrisette, C. Starr
NAY: 1 – Deckert
Chair Starr **The motion CARRIES.**
SEN. MORRISETTE will lead discussion on the floor.

032 Chair Starr Closes the work session on SB 456. Adjourns the committee meeting at 3:45 PM.

EXHIBIT SUMMARY

The following exhibits are listed out of order in the body of the tape log:

- A – SB 827, written testimony, Pam Leavitt, 2 pp**
- B – SB 372, -9 amendments dated 4/10/03, staff, 3 pp**
- C – SB 124, -1 amendments dated 4/16/03, staff, 1p**
- D – SB 510, -2 amendments dated 4/17/03, staff, 2 pp**
- E – SB 456, -2 amendments dated 4/16/03, staff, 1p**