

SENATE COMMITTEE ON EDUCATION

May 20, 2003
3:00 PM

Hearing Room C
Tapes 71-72

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

MEMBER EXCUSED: **Sen. Ted Ferriolli**

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

MEASURE/ISSUES HEARD: **SB 897 – Public Hearing and Work Session**
 HB 2894A – Public Hearing and Work Session
 HB 3557 – Public Hearing and Work Session
 SB 456A – Public Hearing and Work Session
 HB 2744A – 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 71, A		
005	Chair Starr	Calls the committee to order at 3:06 PM . Opens a public hearing on SB 897.
<u>SB 897 – PUBLIC HEARING</u>		
010	Jan McComb	Committee Administrator. Provides overview of SB 897.
017	Eduardo Angulo	Chairman, Salem/Keizer Coalition for Equality. Testifies in favor of SB 897. Submits written testimony (EXHIBIT A).
090	Sen. Morrisette	Asks if there is any anecdotal information on how money is not being spent.
093	Angulo	Responds yes. States they have been working with Salem Keizer School District. Provides example.
116	Annalivia Palazzo-Angulo	Teacher. Testifies in support of SB 897. Discusses programs. States bilingual programs and trained professionals are what needs to be funded. Lists problems experiencing that need to be addressed.
210	Samuel Davila	Former Director, Commission on Hispanic Affairs. Testifies in favor of SB 897. Discusses SB 897. Comments more people being sent to prisons than enrolling in a college. Comments understanding how these monies are used is not just good business policy but good public policy.
248	Steve Novick	Legislative Coordinator, Oregon Department of Education. Testifies in favor of SB 897. States the superintendent will comply with the bill. States the Department has some misleading information acquired on how much money has been spent on ELL programs. Comments know districts are doing something but look at numbers and it does not seem like it.
271	Sen. Morrisette	Asks if Mr. Novick's districts do a municipal audit.
275	Novick	Responds yes.

278	Sen. Morrisette	Comments that is required of charter school and hopes that a public school system could keep track of finances too.
280	Novick	Comments the Department in this study hopes to hire an ELL specialist to go out to a few schools in each category and come back with a report and recommendations on how department can rephrase question when goes to ask all districts.
293	Sen. Morrisette	Asks if language is adequate enough.
297	Novick	Responds the language in the bill is adequate.
303	Sen. Morrisette	Asks if you will write administrative rules on the language and require school districts to respond because this is a legislative direction.
310	Novick	Responds does not know if administrative rules will be written but based on the fact the legislature will have passed a bill the district will understand this is a subject the legislature and department are interested in and hope to get good cooperation.
313	Sen. Morrisette	Feels directing you to do a study is not adequate language.
317	Laurie Wimmering	Oregon Education Association. Testifies in favor of SB 897. Comments on problem that exists which is inadequate resources to do what like to do for students of Oregon.
338	Chair Starr	Closes the public hearing on SB 897 and opens a work session on SB 897.

SB 897 – WORK SESSION

365	Sen. Deckert	MOTION: Moves SB 897 with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.
370	Sen. Morrisette	Asks if there is a fiscal.
373	Chair Starr	Responds no fiscal but a referral.
376	Sen. Deckert	Comments on never having seen so many referrals.
379	Sen. Morrisette	Comments if no visible fiscal impact moves to rescind.
383	Sen. Deckert	Claims this does not need to go to Ways and Means.
385	Chair Starr	Comments just received testimony they would be hiring someone with experience to go out.
389	Sen. Morrisette	Feels inadequate direction and a copout needing stronger language. Urges better guidance and management. Hopes if dedicate money to particular program that there be some way of tracking it and if money not used it should be withdrawn. States should not allow the district for something else with pretext it will be used for this program. Adds good intent but hope to revisit next session.
397		VOTE: 3-0
	Chair Starr	EXCUSED: 1 - Sen. Ferriolli
		Hearing no objection, declares the motion CARRIED.
403	Chair Starr	Closes the work session on SB 897 and opens a public hearing on HB 2894A.

HB 2894A – PUBLIC HEARING

424	Phil Barnhart	Oregon State Representative, District 11. Testifies in favor of HB 2894A.
TAPE 72, A		
005	Barnhart	Continues discussion on purpose of the bill. Feels -A2 amendments are okay.
017	Steve Novick	Legislative Coordinator, Department of Education. Testifies in favor of HB 2894A. States the Superintendent supports the bill. Discusses -2 amendments. Presents -A2 amendments dated 5-9-

041 Randy Harnisch 03 (EXHIBIT G).
Department of Education. Discusses shorter school year for over
twenty-five school districts. Discusses the bill in compliance
within and not within statutory framework.
058 Chair Starr Closes the public hearing on HB 2894A and opens a work
session on HB 2894A.

HB 2894A –WORK SESSION

063 Sen. Morrisette **MOTION: Moves to ADOPT HB 2894A -A2 amendments
dated 5/9/03.**

065 **VOTE: 3-0**
EXCUSED: 1 - Sen. Ferriolli
Hearing no objection, declares the motion CARRIED.

068 Chair Starr
Sen. Morrisette **MOTION: Moves HB 2894A to the floor with a DO PASS
AS AMENDED recommendation.**

070 **VOTE: 3-0**
AYE: In a roll call vote, all members present vote Aye.

Chair Starr **EXCUSED: 1 - Sen. Ferriolli**
The motion CARRIES.
SEN. MORRISETTE will lead discussion on the floor.

071 Chair Starr Closes the work session on HB 2894A and opens a public
hearing on HB 3557.

HB 3557 – PUBLIC HEARING

080 Jan McComb Committee Administrator. Provides an overview of HB 3557.
088 Jim Green Oregon School Boards Association. Testifies in support of HB
3557. Discusses the bill. Explains cost problem. Comments on
charter schools. States the bill is a mechanism to allow school
districts looking to create charter schools a way to save money,
get rid of duplicative requirements for nonprofit and 501 C3 and
give them ability to go ahead and create charter school without
having additional costs.

138 Sen. Morrisette Comments on cost issue.

142 Green Responds there are school districts who form charter school
boards. States some places need to hire someone to make the
501 C3 application which is not difficult but is a timely process
with forms that need filling out properly.

155 Chair Starr Closes the public hearing on HB 3557 and opens a work session
on HB 3557.

HB 3557 – WORK SESSION

160 Sen. Deckert **MOTION: Moves HB 3557 to the floor with a DO PASS
recommendation.**

165 **VOTE: 3-0**
AYE: In a roll call vote, all members present vote Aye.

Chair Starr **EXCUSED: 1 - Sen. Ferriolli**
The motion CARRIES.
CHAIR STARR will lead discussion on the floor.

172 Chair Starr Closes the work session on HB 3557 and opens a public hearing
on SB 456A.

SB 456A – PUBLIC HEARING

175 Jan McComb Committee Administrator. Provides overview of SB 456A.
Discusses reason why bill pulled back to floor.

185 Sen. Morrisette Reads pages of material from an internet website. Expresses
interest in the bill.

230 Sen. Deckert Asks if it is known the federal government is going to pass.

233	Sen. Morrisette	Responds have no reason to believe it will not pass.
250	Sen. Deckert	Comments on why a no vote before. Adds hesitant to support the bill but he will.
272	Chair Starr	Closes the public hearing on SB 456A and opens a work session on SB 456A.

SB 456A – WORK SESSION

278	Sen. Morrisette	MOTION: Moves SB 456A to the floor with a DO PASS recommendation.
285		VOTE: 3-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - Sen. Ferriolli
	Chair Starr	The motion CARRIES.
		SEN. MORRISETTE will lead discussion on the floor.
293	Chair Starr	Closes the work session on SB 456A and opens a public hearing on HB 2744A.

HB 2744A – PUBLIC HEARING

300	Jan McComb	Committee Administrator. Provides overview of HB 2744A.
366	Pat Burk	Deputy Superintendent for Education Policy at Oregon Department of Education. Discusses main points of the bill. Submits written testimony (EXHIBIT B).

TAPE 71, B

005	Burk	Discusses off the shelf tests. Comments on being proud of test questions on the test. Summarizes cost of administering certain tests. Explains portfolios and work samples.
081	Vic Backlund	Oregon State Representative. Provides history leading to development of HB 2744A.
142	Elaine Hopson	Oregon State Representative. Adds a few key points in what has been done with the bill. States higher education is ready to step in and support the program.. Comments progress has been made and developed by state holders and modified a lot in twelve years. Submits written testimony (EXHIBIT C).
201	Sen. Morrisette	Reads email received on kids nutrition., obesity, etc. Asks if aware of data information that has come out about problems with school kids. Expresses concerns with taking out physical education program from schools.
223	Backlund	Comments this bill does not change graduation requirements and high school curriculum requirements. Feels physical education will not go away but won't be as ideal as would like.
249	Sen. Morrisette	Expresses concern that nutrition would possibly suffer and it needs to continue to be developed.
257	Backlund	Believes this bill does address that.
261	Hopson	Comments in addition to physical education and health areas concerned with, foreign language and social studies were also discussed to a great extent. Adds would have liked to keep everything but it was a compromised position to slow the forward progress down and not take things away.
274	Backlund	Comments on reasons for the bill. Discusses the value of the CIM. States this is a good bill.
323	Sen. Deckert	Comments on loss of three areas of study. Asks how the Governor when the bill is signed will deal with three areas which are math, physical education and social studies.
343	Hopson	Believes the area impacted will be second language. Comments foreign language is needed to be a success but unfortunately

362 Ozzie Rose some things will be cut.
Confederation of Oregon School Administrators. Speaks on behalf of John Marshall. Discusses creating subjects and getting endorsements in other areas. Describes as standards are moved higher they have to make sure kids meet standards.

TAPE 72, B

005 Rose Continues discussion. Discusses CIM.

018 BethAnne Darby Oregon Education Association.. Believes HB 2744A is a reasonable modification of CIM requirements to align them with No Child Left Behind Act (NCLB) given tough economic times we are in. Discusses purpose of HB 2744A. Discusses needs of programs with tough economy. Submits written testimony **(EXHIBIT D)**.

035 John Valley Oregon Advocacy Director for American Heart Association. Testifies in opposition of HB 2744A in current version. Submits written testimony **(EXHIBIT E)**.

119 Chair Starr Asks about whether Department of Health develops health standards for using national standards.

124 Burk Responds that is correct.

126 Chair Starr Asks if that would be accomplished within the department's budget.

129 Burk Responds that is correct.

133 Sen. Morrisette Concerned there will be no assessment on how children throughout the state meet standards.

140 Burk Responds it is true of a mandatory assessment of health or physical education knowledge. States high state standards form core foundation around which the state curriculum is billed. Adds assessments may not be mandatory but core content is contained in mandatory curriculum.

152 Sen. Morrisette Asks how long Mr. Burk has been with Department of Education.

154 Burk Responds since October.

156 Sen. Morrisette Expresses concern but supporting bill as written. States nutrition is a big problem.

173 Burk Believes strongly in health and physical education program. Comments it should not be ignored or taken lightly. Expresses need to maintain standards and assessments.

216 Chair Starr Closes the public hearing on HB 2744A and opens a work session on HB 2744A.

The following prepared testimony is submitted for the record without public testimony for HB 2744A:

Bob Willner Submits written testimony **(EXHIBIT F)**

HB 2744A – WORK SESSION

230 Sen. Deckert Echoes concerns John Valley had with the bill for Don Zaring, a teacher in his district who helped author HB 3307.

237 Sen. Deckert **MOTION: Moves HB 2744A to the floor with a DO PASS recommendation.**

243 **VOTE: 4-0**

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

Chair Starr The motion CARRIES.

SEN. DECKERT will lead discussion on the floor.

247 Chair Starr Closes the work session on HB 2744A. Adjourns the committee meeting at 4:50 PM.

EXHIBIT SUMMARY

- A – SB 897, written testimony, Eduardo Angulo, 2 pp**
- B – HB 2744A, written testimony, Pat Burk, 4 pp**
- C – HB 2744A, written testimony, Elaine Hopson, 1p**
- D – HB 2744A, written testimony, BethAnne Darby, 1p**
- E – HB 2744A, written testimony, John Valley, 2 pp**
- F – HB 2744A, written testimony, Bob Willner, 2 pp**

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

- G – HB 2894A, -A2 amendments dated 5/19/03, Steve Novick, 3 pp**