

**HOUSE COMMITTEE ON STUDENT ACHIEVEMENT AND SCHOOL
ACCOUNTABILITY**

March 20, 2001
8:30 A.M.

Hearing Room E
Tapes 57-59

MEMBERS PRESENT: **Rep. Vic Backlund, Chair**
 Rep. Elaine Hopson, Vice Chair
Rep. Tootie Smith, Vice Chair
 Rep. Phil Barnhart
 Rep. Bill Morrisette
 Rep. Donna Nelson
 Rep. Mary Nolan
 Rep. Bruce Starr
 Rep. Cliff Zauner

MEMBER EXCUSED:

STAFF PRESENT: **Janet Adkins, Committee Administrator**
 Paula Merritt, Committee Assistant

MEASURE/ISSUES HEARD: **HJM 9 Public Hearing and Work Session**
 HB 2953 Public Hearing and Work Session
 HB 3243 Public Hearing and Work Session
 HB 2822 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 57, A		
002	Chair Backlund	Calls committee to order at 8:30 a.m. and opens public hearing on HJM 9.
<u>HJM 9-PUBLIC HEARING</u>		
006	Janet Adkins	Committee Administrator. Explains and submits -2 amendments (EXHIBIT A) .
008	Rep. Janet Carlson	District 32. Explains HJM 9. Submits and reads from written testimony (EXHIBIT B) .
072	Rep. Jerry Krummel	District 27. Supports HJM 9. Submits written testimony (EXHIBIT C) . Explains the -2 amendments, which removes "single largest contributor" and inserts "major contributor".
100	Rep. Barnhart	States his appreciation of this memorial.
113	Rep. Nelson	Comments on funding for special education.
142	Susana Ramirez	Oregon Development Disabilities Council. Submits (EXHIBIT D) . Supports HJM 9.
200	Kelly Evans	Special Education Coordinator. Submits (EXHIBIT E) . Supports HJM 9.
213	Rep. Zauner	Comments on autism disorder.
218	Evans	Explains that there has been a nationwide increase but new in terms of recognition.
248	Rep. Nelson	Responds to Rep. Zauner's autism question. Explains the application of insurance for these children and the restrictions.

280	Evans	Comments on insurance billing and states that they can bill if there is an eligibility.
290	Rep. Nelson	Asks what percent of cost
295	Evans	Responds that he does not know the percentage that is eligible and will research and let the committee know.
300	Ramirez	Expresses the fact that they no longer place children into institutions.
329	Travis Brouwer	Legislative Aid to Rep. Darlene Hooley. Submits written testimony (EXHIBIT F) .
394	Danica Fravel	Student, Sprague High School. Submits written testimony (EXHIBIT G) .
TAPE 58, A		
003	Fravel	Continues with testimony.
029	Diane Insaep	Parent. Supports HJM 9. Presents testimony. Explains her experiences with special education child and the services she has received. Believes that insurance should cover more than it does and would like money allocated differently.
091	Rep. Hopson	Asks about reports from OHSU not being accepted.
097	Insaep	Responds that the reports are sometimes read but they are not required to be followed and believes that testing is the only thing that is done.
111	Rep. Hopson	Asks if she is on the special education advisory committee of school district.
	Insaep	Responds no, she did not know there was one
116	Rep. Hopson	Suggests starting one or asking the district for one.
155	Steve Johnson	Oregon Department of Education (ODE). Submits written testimony (EXHIBIT H) . Explains the Individuals with Disabilities Education Act promise and the difficulties for teachers and parents and this act is an entitlement act. Explains increased needs over the last 25 years and technology. States that it costs \$6,203.
200	Rep. Nelson	Asks if his staff could prepare bill for the federal government.
202	Johnson	Responds yes.
230	Rep. Morrisette	Asks about the entitlement.
235	Johnson	Responds this is a civil rights law.
238	Morrisette	Asks Johnson why there can't be a lawsuit.
240	Johnson	Explains this as a "catch 22" and explains that if not applied for, it is not given and if applied for, promises to comply must be made and to sue would be admitting that compliance was not kept.
259	Rep. Nelson	Asks the amount contributed by the state to special education.
260	Johnson	Responds, of 67 districts the state general fund was \$250,619,046.
262	Rep. Nelson	Asks how much per student
265	Johnson	Responds approximately \$4,500 per student.
267	Rep. Nelson	Comments on state payments for foster children recognizing additional medical support.
270	Johnson	Responds that he is unsure and would need to contact social services.
291	Chair Backlund	Closes public hearing and opens work session.
<u>HJM 9-WORK SESSION</u>		
294	Rep. Hopson	States that she will support but expresses concerns with the federal government passing IDEA

344	Rep. Starr	MOTION: Moves to ADOPT HJM 9-2 amendments dated 03/14/01.
346	Chair Backlund Rep. Starr	Hearing no objection the motion CARRIES. MOTION: Moves HJM 9 to the House with a BE ADOPTED recommendation.
348		VOTE: 9-0
349	Chair Backlund	Declares the motion CARRIED.
349	Rep. Barnhart	REP. CARLSON will lead discussion on the floor. Concurs with Rep. Hopson about the morality of caring for children.
TAPE 57, B		
004	Rep. Nelson	Comments on unfunded mandates and a bill that she is introducing on this issue.
	Chair Backlund	Closes work session on HJM 9 and opens public hearing on HB 2953.
<u>HB 2953-PUBLIC HEARING</u>		
050	Adkins	Explains HB 2953 and submits the -1 amendments (EXHIBIT D).
057	Rep. Barnhart	Explains HB 2953 and the -1 amendments. Comments on a policy of the Bethel School Board.
060	Rep. Barnhart	States that the Oregon Department of Education indicated that they do everything to make sure the charters are local.
110	Rep. Barnhart	States that he is not aware of any cases at this time.
147	Jim Green	Oregon School Boards Association (OSBA). Submits written testimony and packet (EXHIBIT J).
179	Chris Pryor	Eugene School District. Submits written testimony (EXHIBIT K)
223	Chair Backlund	Closes public hearing and opens work session.
<u>HB 2953 – WORK SESSION</u>		
240	Rep. Starr	MOTION: Moves to ADOPT HB 2953-1 amendments dated 03/12/01.
242	Chair Backlund	Hearing no objection, declares the motion CARRIED.
243	Rep. Starr	MOTION: Moves HB 2953 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 9-0
244	Chair Backlund	Declares the motion CARRIED.
		REP. BARNHART will lead discussion on the floor.
250	Chair Backlund	Closes work session on HB 2953 and opens public hearing on HB 3243.
<u>HB 3243-PUBLIC HEARING</u>		
260	Adkins	Explains HB 3243 and submits -1 amendments (EXHIBIT L).
281	Rep. Barnhart	Submits written testimony (EXHIBIT M).
354	Jim Green	Oregon School Boards Association. Submits charts regarding Eugene and Portland districts (EXHIBIT N). Explains the -1 amendments and chart in exhibit.
TAPE 58, B		
003	Green	Continues with testimony in support of HB 3243.
020	Chris Pryor	Eugene School Board. Submits written testimony (EXHIBIT O).
048	Rep. Starr	Asks who is liable for the debts.
050	Rep. Barnhart	Responds the corporation of the charter school and some debts may become the responsibility of the treasurer or other members of the board of directors.

061	Rep. Nelson	Asks how many charter schools there are.
067	Green	Responds 12 currently and 14 pending.
068	Rep. Nelson	Asks if those are all in declining population school districts.
070	Green	Responds that he does not know but will find out.
087	Chair Backlund	Asks committee if they want a work session
090	Chair Backlund	Closes public hearing and opens a work session.
<u>HB 3243 -WORK SESSION</u>		
091	Rep. Nolan	MOTION: Moves to ADOPT HB 3243-1 amendments dated 03/20/01.
092	Chair Backlund	Hearing no objection, declares the motion CARRIED.
093	Rep. Nolan	MOTION: Moves HB 3243 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 9-0
094	Chair Backlund	Hearing no objection, declares the motion CARRIED. BARNHART will lead discussion on the floor.
098	Chair Backlund	Closes work session on HB 3243 and opens public hearing on HB 2822.
<u>HB 2822-PUBLIC HEARING</u>		
100	Adkins	Explains HB 2822 and the –1 amendments (EXHIBIT P).
140	Rep. Smith	Submits written testimony (EXHIBIT Q). Explains that the verbiage in the –1 amendments may need to be changed.
168	Rep. Nelson	Comments on illnesses and absences and allowances for this.
195	Kathy Nickoloff	Molalla River School District. Submits written testimony (EXHIBIT R). Explains the testing and preparation deadlines and states her belief that if the testing was delayed there would be more time for teacher and student preparation.
246	Lynn Radcliffe	Teacher, Molalla. Concurs with Nickoloff's testimony and the time needed for preparation.
271	Sandra Pelleus	Teacher, Molalla. Mentions that the purpose and the time factor is unimportant and feels that with more preparation, the better the outcome.
280	Adkins	Comments on Mexican families returning to and from Mexico.
289	Radcliffe	Responds that they miss the window of testing and return after spring break for the tests but will miss the assessments.
300	Pelleus	Comments on the September evaluation.
320	Radcliffe.	Responds that she believes this is a good idea.
356	Radcliffe	Explains possible blame and judgement of a teacher whose students tested poorly in September.
358	Rep. Hopson	Comments on the possibility of this occurring at any time of year.
360	Radcliffe	Explains that the teacher should be held responsible only if she has adequately prepared her students.
362	Nickoloff	Believes testing should be given when teachers feel the student is ready.
366	Rep. Barnhart	Comments that this will have effects on testing in gross and he assumes scores lower if tested in the fall.
TAPE 59, A		
020	Nickoloff	Comments that this will depend on how assessments are given.
027	Rep. Morrisette	Believes it should be done later.
046	Rep. Nelson	Comments on transfer students and asks about an amendment for absent students.
075	Nickoloff	Concurs with Rep. Nelson.
087	Rep. Nelson	Suggests that former teachers on the committee give input.

100	Pelleus	Agrees in making scores public before the CIM. Believes in local control.
150	Wayne Neuburger	Oregon Department of Education (ODE). States that he does not support or oppose this bill. Submits written testimony (EXHIBIT S) . Explains the assessment testing procedures and the reasons for the scheduled times. Believes if the testing is moved past March 1 st – they could not be scored during Spring break because they need a three-week window.
238	Rep. Barnhart	Comments on the individuals used for grading.
240	Neuburger	Explains that they complete a 2-day training and are checked against standards.
250	Rep. Barnhart	Comments on outside scoring.
255	Neuburger	Replies this was done initially, but teachers benefit from this.
256	Rep. Hopson	Comments on spring break scoring and the possibility of tests in January and scored in Spring.
267	Neuburger	Replies that the tests are given in February and finished by the end of spring break.
270	Rep. Hopson	Comments on the advisory committee.
277	Neuburger	Explains that if there is illness the testing window can be extended.
311	Chair Backlund	Comments on the 4x4-block schedule and the good comments he has heard.
334	Rep. Nelson	Asks about delays in sending materials to schools.
335	Neuburger	Replies they are working on improving this.
361	Chair Backlund	Closes public hearing on HB 2822 and adjourns committee at 10:55 a.m.

Submitted By,

Reviewed By,

Paula Merritt,
Committee Assistant

Janet Adkins,
Committee Administrator

EXHIBIT SUMMARY

- A - HJM 9, -1 amendments, staff, 1 page**
- B - HJM 9, written testimony, Rep. Janet Carlson, 7 pp.**
- C - HJM 9, written testimony, Rep. Jerry Krummel, 2 pp.**
- D - HJM 9, written testimony, Susana Ramirez, 1 page**
- E - HJM 9, written testimony, Kelly Evans, 1 page**
- F - HJM 9, written testimony, Travis Brouwer for Rep. Darlene Holley, 2 pp.**
- G - HJM 9, written testimony, Danica Fravel, 1 page**
- H - HJM 9, written testimony, Steve Johnson, 2 pp.**
- I - HB 2953, -1 amendments, staff, 1 page**
- J - HB 2953, written reports and brochures, Jim Green, 65 pp.**
- K - HB 2953, written testimony, Chris Pryor, 1 page**
- L - HB 3243, -1 amendments, staff, 4 pp.**
- M - HB 3243, written testimony, Rep. Barnhart, 2 pp.**
- N - HB 3243, written testimony, Jim Green, 3 pp.**
- O - HB 3243, written testimony, Chris Pryor, 1 page**

P - HB 2822, -1 amendments, staff, 2 pp.
Q- HB 2822, written testimony, Rep. Tootie Smith, 1 page
R - HB 2822, written testimony, Kathy Nickoloff, 1 page
S - HB 2822, written testimony, Wayne Neuburger, 3 pp.