## HOUSE COMMITTEE ON STUDENT ACHIEVEMENT AND SCHOOL ACCOUNTABILITY

April 5, 2001 8:30 A.M. Hearing Room E Tapes 73–75

MEMBERS PRESENT:	Rep. Vic Backlund, Chair
	<b>Rep. Elaine Hopson, Vice Chair</b>
	Rep. Tootie Smith, Vice Chair
	Rep. Phil Barnhart
	Rep. Bill Morrisette
	Rep. Donna Nelson
	Rep. Mary Nolan
	Rep. Bruce Starr
	Rep. Cliff Zauner
STAFF PRESENT:	Janet Adkins, Committee Administrator
	Stephen Kosiewicz, Committee Assistant
MEASURE/ISSUES HEA	RD: HB 3619 Public Hearing and Work Session

MEASURE/ISSUES HEARD: HB 3619 Public Hearing and Work Session HB 3236 Work Session HB 3552 Public Hearing

These minutes are in compliance with Senate and House Rules. <u>Only text enclosed in quotation marks reports a speaker's exact words.</u> For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
<b>TAPE 73, A</b>		
004	Chair Backlund	Calls the committee to order at 8:36 a.m. and opens the public hearing on HB 3619.
HB 3619 PU	BLIC HEARING	C
008	Janet Adkins	Committee Administrator. Reviews the provisions of HB 3619. Explains the proposed –3 and –4 amendments.
039	Rep. Smith	Asks if the language about a teacher being able to transfer means that the teacher would follow the student.
042	Adkins	Responds that if a school district is operating a program and a different school district takes over the program, the teacher would be able to stay.
051	Jim Green	Oregon School Boards Association (OSBA). Testifies in favor of HB 3619 and the proposed -2, -3, and -4 amendments.
108	Rep. Nelson	Comments on students already enrolled and the transfer of money at that time.
115	Green	Responds that the district would drop that student and the state school fund allotment would be reduced.
124	John Pendergrass	Youth Corrections Education Administrator, Department of Education. Submits written testimony (EXHIBIT A) and testifies in favor of HB 3619.
198	Rep. Starr	Asks how much money is involved.
200	Pendergrass	Responds that it will be about \$2.5 million per year.
212	Green	Clarifies that this money is not being taken from the school districts, but simply being transferred to the department.
215	Rep. Nelson	Comments on funding.

220	Pendergrass	Responds that funding through the federal Office of Special Education is about 11% of the cost.
244	Green	Notes that the federal dollars that Mr. Pendergrass alluded to are Title I dollars.
256	Pendergrass	Clarifies that these funds are set aside for students in detention facilities, so the department is not competing with school districts for these funds.
263	Rep. Dan Gardner	House District 13. Submits written testimony ( <b>EXHIBIT B</b> ) and testifies in favor of HB 3619.
290	Janet Arenz	Executive Director, Oregon Alliance of Children's Programs. Submits written testimony (EXHIBIT C) and testifies in favor of HB 3619.
339	Kathie Osborn	Senior Delinquency Attorney, Juvenile Rights Project. Testifies in favor of HB 3619 and the proposed amendments.
<b>TAPE 74, A</b>		
002	Rep. Nelson	Asks if a juvenile's reading level is a common problem that Ms. Osborn encounters in her work.
006	Osborn	Responds affirmatively.
025	Susan Ritchey	Alternative Education Director, Multnomah Education Service District. Submits written testimony (EXHIBIT D) and testifies in support of HB 3619.
115	Ritchey	Continues testimony in support of HB 3619.
183	Tim Loewen	Director, Yamhill County Juvenile Department, and representing
		the Oregon Juvenile Department Directors Association. Submits written testimony ( <b>EXHIBIT E</b> ) and testifies in support of HB 3619.
210	Joanne Fuller	Deputy Director, Multnomah County Department of Community Justice, and representing the Oregon Juvenile Department Directors Association. Submits written testimony ( <b>EXHIBIT F</b> ) and testifies in support of HB 3619.
275	Tricia Bosak	Representing the Oregon Education Association. Submits written testimony (EXHIBIT G) and testifies in support of HB 3619.
296 HB 3619 WOR	Chair Backlund K SESSION	Closes the public hearing and opens a work session on HB 3619.
297	Rep. Starr	MOTION: Moves to ADOPT HB 3619-2 amendments dated 03/29/01.
298 300	Chair Backlund Rep. Starr	Hearing no objection, declares the motion CARRIED. MOTION: Moves to ADOPT HB 3619-3 amendments dated 03/29/01.
301	Chair Backlund	Hearing no objection, declares the motion CARRIED.
318	Rep. Starr	MOTION: Moves to ADOPT HB 3619-4 amendments dated 03/29/01.
320	Chair Backlund	Hearing no objection, declares the motion CARRIED.
321	Chair Backlund	Closes the work session on HB 3619 and opens a work session on HB 3236.
HB 3236 WOR		
328	Adkins	Reviews the provisions of HB 3236 and the proposed –1 amendments. Submits written testimony of Ed Amity (EXHIBIT H).
360 <b>TAPE 73, B</b>	Rep. Hopson	Comments in support of HB 3236.
001	Rep. Starr	MOTION: Moves to ADOPT HB 3236-1 amendments dated 03/29/01.

002 007	Chair Backlund Rep Starr	Hearing no objection, declares the motion CARRIED. MOTION: Moves HB 3236 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.
		<b>VOTE: 8-0</b>
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - Morrisette
008	Chair Backlund	The motion CARRIES.
018	Chair Backlund	Closes the work session on HB 3236 and opens a public hearing on HB 3552.
	PUBLIC HEARING	
022	Adkins	Explains the provisions of HB 3552 and the proposed $-1$ amendments.
058	Mike Cosgrove	Grant School District #3, Grant County. Submits written material (EXHIBIT I) and testifies in support of HB 3552.
122	Grant Smith	Testifies in support of HB 3552.
142	Cosgrove	Comments on his research of padding soccer goal posts.
		Continues testimony in support of HB 3552.
256	Rep. Hopson	Asks if Mr. Hart supports the bill.
257	Cosgrove	Responds that he does not. Continues testimony in support of HB 3619.
375	Rep. Starr	Asks for clarification that the rules prohibiting the padding of soccer goal posts applies to small children as well as high school aged children.
378	Cosgrove	Responds that they will have girls play soccer this year and their school is a very small school.
<b>TAPE 74,</b>	В	seneer is a very small seneer.
005	Rep. Starr	Comments that the legislature should do what it can to protect children.
015	Cosgrove	Continues testimony in support of HB 3552.
062	Rep. Zauner	Asks if the school district supports the idea of padding the soccer goal posts.
064	Cosgrove	Responds that they are.
081	Rep. Barnhart	Asks what national organization children play soccer under.
084	Cosgrove	Responds that it is the Oregon Youth Soccer Association.
100	Rep. Hopson	Asks if the athletic director and soccer community support this padding.
105	Cosgrove	States that they support the idea of padding goal posts but not changing a rule or forcing an organization.
125	Wes Ediger	Oregon School Activities Association (OSAA). Comments on OSAA's concerns with the bill.
139	Mike Wallmark	Assistant Executive Director, Oregon School Activities Association. Testifies that OSAA supports the proposed $-1$ amendments, but is opposed to the bill.
198	Rep. Barnhart	Referencing page 21 of Mr. Cosgrove's submitted material, asks where in the rules the padding of soccer goal posts is prohibited.
213	Wallmark	Reads from the rules.
222	Rep. Starr	Asks if these rules apply to elementary school aged children.
225	Wallmark	Responds that the rules apply only to high school aged children.
234	Dr. Thad Stanford	Orthopedist. Testifies on headgear protection and padding goal posts.
355	Ediger	States that OSAA is willing to work with Mr. Cosgrove on this

		issue.
368	Rep. Barnhart	Asks how often the national rules are preempted by legislative action in other states.
370	Wallmark	Responds that it happens more frequently than they like.
387	Rep. Zauner	Asks why the padding of the goal posts is prohibited.
399	Ediger	Responds that there are no rules prohibiting this for younger
577	Luigoi	children.
TAPE 75, A		
008	Rep. Barnhart	Asks what problem could occur if action is taken on this bill.
014	Wallmark	Responds that they have agreed to follow the rules that have been set by the national federation and they can chose to not follow those rules but will lose their voice on the committee that creates the rules.
020	Rep. Nelson	Comments on the possible benefit in regards to insurance costs if the liability is limited by actions such as padding goal posts. Asks if this issue has been discussed.
032	Stanford	Responds that this has not been a concern for the OSAA.
046	Rep. Smith	Urges OSAA and the national organization to move quickly in
		their work on this issue.
055	Charles Keers	Executive Director, Oregon Youth Soccer Association (OYSA). Testifies on OYSA's concerns with the bill and the use of the legislature to affect the rulemaking process.
121	Rep. Smith	Asks if private organizations pad soccer goal posts.
122	Keers	Responds that they do not.
130	Rep. Smith	Asks what age children participate in these organizations.
132	Keers	Responds that it is children age 6 to about 19.
135	Rep. Smith	Asks if the goal posts used are fixed.
136	Keers	Responds that they are.
137	Tom Crowder	Representing the Portland Youth Soccer Association. Testifies in opposition to HB 3552.
175	Rep. Zauner	Asks Mr. Crowder if the two accidents regarding goal posts
	_	would have been less serious if padded.
177	Crowder	Responds that they might have been.
190	Rep. Zauner	Questions Mr. Crowder's assertion that players may become
		more aggressive if the goal posts are padded.
210	Rep. Starr	Questions why Mr. Cosgrove cannot be permitted to keep the
		pads on for football and let it be a local level decision.
225	Keers	Comments that if the bill didn't require private organizations to
		pad goal posts he might support the bill.
230	Rep. Starr	Comments on what the proposed $-1$ amendments allow.
251	Chair Backlund	Closes the public hearing on HB 3552 and adjourns the committee at 10:42 a.m.

Submitted By,

Reviewed By,

Stephen Kosiewicz, Committee Assistant Janet Adkins, Committee Administrator

## EXHIBIT SUMMARY

- A HB 3619, written testimony, John Pendergrass, 2 pp.
- B HB 3619, written testimony, Rep. Dan Gardner, 2 pp.
- C HB 3619, written testimony, Janet Arenz, 1 p
- D HB 3619, written testimony, Susan Ritchey, 4 pp.
- E HB 3619, written testimony, Tim Loewen, 1 p
- F HB 3619, written testimony, Joanne Fuller, 1 p
- G HB 3619, written testimony, Tricia Bosak, 1 p
- H HB 3236, written testimony of Ed Amity, Staff, 1 p
- I HB 3552, written material, Mike Cosgrove, 25 pp.