

**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**
 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

STAFF PRESENT: **Janet Adkins, Committee Administrator**
 Stephen Kosiewicz, Committee Assistant

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. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 73, A		
004	Chair Backlund	Calls the committee to order at 8:36 a.m. and opens the public hearing on HB 3619.
<u>HB 3619 PUBLIC HEARING</u>		
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 (**EXHIBIT 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.

TAPE 74, A

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 (**EXHIBIT E**) 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 (**EXHIBIT F**) 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 Chair Backlund Closes the public hearing and opens a work session on HB 3619.

HB 3619 WORK SESSION

297 Rep. Starr **MOTION: Moves to ADOPT HB 3619-2 amendments dated 03/29/01.**

298 Chair Backlund **Hearing no objection, declares the motion CARRIED.**

300 Rep. Starr **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 WORK SESSION

328 Adkins Reviews the provisions of HB 3236 and the proposed –1 amendments. Submits written testimony of Ed Amity (**EXHIBIT H**).

360 Rep. Hopson Comments in support of HB 3236.

TAPE 73, B

001 Rep. Starr **MOTION: Moves to ADOPT HB 3236-1 amendments dated 03/29/01.**

		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 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.**