

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

May 03, 2001
8:00 A.M.

Hearing Room E
Tapes 92-95

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: **HB 2833-Public Hearing**
 SCR5A-Public Hearing and Work Session
 HB 2015-Work Session
 HB 2020-Public Hearing
 HB 3081-Public Hearing and Work Session
 HB 2295-Work Session
 HB 2298-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 tape

TAPE/#	Speaker	Comments
TAPE 92, A		
003	Chair Backlund	Calls committee to order at 8:15 a.m. and opens a public hearing on HB 2833.
<u>HB 2833-PUBLIC HEARING</u>		
005	Janet Adkins	Committee Administrator. Explains HB 2833.
050	Rep. Jackie Winters	District 291. Submits and presents written testimony (EXHIBIT A). Supports HB 2833.
062	Honorable Judge Pam Abernathy	Third Judicial District. Submits and presents written testimony supporting HB 2833 (EXHIBIT B). Explains her experience as a judge and her past testimony on this subject. Recommends reading, <u>Ghosts from the Nursery, Tracing the Roots of Violence</u> . Explains the program, BOND (Building our capacity for nurturing and development).
180	Honorable Judge Robert Thornton	Presents testimony supporting HB 2833. Explains his interest in crime prevention and talks about the states that have parenting programs. Refers to a book he authored and mentions the importance of family roles. Refers to his experiences in Japan.
294	Honorable Judge Paul Lipscomb	Presents testimony. Supports HB 2833 and his belief that this is a minimal approach. Explains that this kind of program is needed more than intervention programs.
TAPE 93, A		
003	Terry Poppino	Parent. Presents testimony. Supports HB 2833. Explains

060	Chair Backlund	experiences with her children and the need for this bill. Closes public hearing on HB 2833 and opens public hearing on SCR 5
<u>SCR 5- PUBLIC HEARING</u>		
080	Sen. Gordly	District 10. Supports SCR 5 and explains that this will honor Robert Ford's life as a teacher.
100	Rep. Winters	Presents testimony supporting SCR 5 and explains that Mr. Ford was instrumental in shaping her as a person. Reads letter from a former student.
120	Chair Backlund	Close public hearing and opens work session.
<u>SCR 5-WORK SESSION</u>		
125	Rep. Starr	MOTION: Moves SCR 5 be sent to the floor with a BE ADOPTED recommendation.
		VOTE: 9-0
		AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
126	Chair Backlund	WINTERS will lead discussion on the floor.
127	Chair Backlund	Closes work session on SCR5 and opens a work session on HB 2015.
<u>HB 2015-WORK SESSION</u>		
249	Adkins	Explains HB 2015 and past testimony. Submits –3 amendments (EXHIBIT D) .
250	Rep. Barnhart	MOTION: Moves to ADOPT HB 2015-3 amendments dated 05/02/01.
290	Gratten Kerans	Oregon University System. States that the –3 amendments are acceptable to the University System.
320	Rep. Nelson	Comments on the 2-year commission and further plan for moving responsibility into other organizations.
330	Rep. Nolan	Reminds Rep. Nelson that the purpose for the 2 years is to make recommendation and present to the 72 nd legislature.
340	Chair Backlund	Asks Harvey Mathews if he has any feelings about referring to the Ways and Means Committee.
350	Harvey Mathews	Speaker's Office. Responds that it would be appropriate.
360	Rep. Barnhart	Refers to sections 3 and 4.
280	Rep. Starr	MOTION: Moves HB 2015 with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.
		VOTE: 9-0
		AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
289	Chair Backlund Chair Backlund	Closes work session on HB 2015 and opens public hearing on HB 2020.
<u>HB 2020-PUBLIC HEARING</u>		
400	Adkins	Explains HB 2020, the -1 amendments (EXHIBIT E) and the fiscal impact statement (EXHIBIT F) .
TAPE 92, B		
021	Mathews	Explains HB 2020 and the –1 amendments. Explains this bill is only for public education and a step towards accountability. Explains the Speaker's concerns with the variance of cost.
084	Rep. Starr	Asks about the Speaker's intent.
090	Mathews	Clarifies that it is the body of the legislature that appropriates money and it is not mirrored at local level.
100	Rep. Starr	Comments on the formula. Does not believe it was intended for

		an expenditure formula.
107	Mathews	Responds that this idea was discussed but there was not an in-depth study at that time.
133	Rep. Starr	Believes there are not enough facts on this bill.
135	Rep. Morrisette	Suggests adding a sunset to this bill.
160	Rep. Barnhart	Refers to section 4 and the issue of alternative education programs.
170	Mathews	Responds that it is the intent that those closest to the students have the ultimate say in their experience.
210	Rep. Barnhart	Refers to section 4 and reads from statute. Comments on state and local boards.
220	Mathews	Responds that legislative council should comment on this. Mentions that it was the intent to streamline the process without going through hoops.
237	Rep. Hopson	Asks about the –1 amendments and asks if there are programs that would qualify under the requirements.
240	Mathews	Responds that he does not have a list but there are venues for these students.
248	Rep. Smith	Comments that schools should be spending their money on English as a second language program.
250	Mathews	Mentions that there is a perception that the money is not being spent on these programs.
259	Rep. Smith	Asks if there was a work group established.
260	Mathews	Responds that there was one meeting but no consensus was reached.
272	Rep. Barnhart	Comments on page 2, line 27 and the scope of the program.
280	Mathews	Responds that there is an appropriation to the Children's Education Fund and the monies accessed there has no limitation. Explains that 10% of parents would not be utilizing this.
321	Rep. Barnhart	Asks about local school districts.
330	Mathews	Responds that if parents chose in excess, it would take time away from the public school and they would not have the ability to pay for students in their districts.
30	Rep. Nelson	Mentions concerns and additional control of school systems
TAPE 93, B		
003	Mathews	Responds that this was brought up by the Education Leadership Team, not school districts.
010	Rep. Nelson	Asks if the school districts have been surveyed.
021	Mathews	Responds no.
036	Rep. Nelson	Asks who qualified providers are.
040	Mathews	Responds that these could include school districts, ESDs, public charter schools, or alternative education programs.
050	Cindy Hunt	Legislative Council. States that the State Board of Education would determine the criteria and with the –1 amendment, the special education issue is taken out.
087	Rep. Nelson	Asks what happens to other students who have a language disability.
088	Hunt	Responds that they would be handled under existing programs.
109	Rep. Nelson	Asks Hunt if she sees this as a mandate.
115	Hunt	Responds that the Department of Education is directed to do something but not the school district.
149	Rep. Nelson	Asks if this is passed through administrative rules.
150	Hunt	Responds that the State Board of Education will be adopting rules under this bill.

158	Paul Bender	Presents testimony supporting HB 2020. Comments on his wish that money appropriated needs proper implementation and authentication.
200	Linda McKim-Bell	Teacher. Presents testimony supporting HB 2020 and explains the migrant workers she has worked with. Explains her experience with ESL teaching conditions.
240	Miguel Salinas	Submits and presents written testimony (EXHIBIT G) . Supports HB 2020. Explains HEART (Hispanic Education Advocacy Resource Team), the advocacy group that he leads. Invites committee to their website.
TAPE 94, A		
003	Salinas	Continues with testimony
050	Eduardo Angulo	Submits and presents written testimony supporting HB 2020 (EXHIBIT H) .
131	Laurie Wimmer Whelan	Oregon Education Association. Opposes HB 2020. Presents testimony. Expresses her belief that this bill destabilizes local control and money the school districts already receive. Believes there should be a fiscal impact statement done. Refers to page 13 and 15 on the -1 amendments.
260	Ozzie Rose	Confederation of Oregon Schools Administrators. Opposes HB 2020. Presents testimony. Mentions that this bill distorts the current distribution mechanism. Gives examples of distribution of funds.
342	John Marshall	Oregon School Boards Association. Presents testimony opposing HB 2020. Explains his experience with a committee he served on showing money distribution used and the spending per student. ESL would need money taken out of existing allocated money.
TAPE 95, A		
008	Rep. Morrisette	Feels there is a crisis situation and suggests the Quality Education Model look at this.
070	Rose	Believes that Oregon will do a better job with problem analysis over the next decade.
039	Merced Flores	Department of Education. Presents testimony opposing HB 2020. Explains his experience when coming to Oregon in 1969 and the lack of minorities at that time. Explains his experience as superintendent in Portland. Believes that the bill separates students and programs.
119	Rep. Barnhart	Comments on administrative costs.
137	Flores	Responds that it would cost over 100 million dollars.
162	Brian Reeder	Department of Education. Mentions that the low end estimated cost of providing qualified staff would cost the department approximately \$400,000 over the biennium.
246	Rep. Hopson	Comments on the committee field trip to Heritage Elementary School in Woodburn and the ESL program they offer.
300	Flores	Responds if there was not a program available, the student would not receive the money.
306	Rep. Hopson	Explains the excellent program that Woodburn offers and the ability to opt out of a program.
320	Flores	Believes that we need to look at situations where we do not separate students.
317	Chair Backlund	Announces there will be no work session on this bill.
330	Rep. Barnhart	Suggests this is a problem and the state of Oregon needs to make efforts to deal with these issues but he does not believe this bill is

350	Chair Backlund	the way to accomplish this. Suggests supporting Stan Bunn's proposal. Closes public hearing on HB 2020 and opens work session on HB 3081.
<u>HB 3081 PUBLIC HEARING</u>		
380	Adkins	Explains HB 3081 and the -1 and -2 amendments (EXHIBIT I).
TAPE 94, B		
003	John Valley	American Cancer Society. Explains HB 3081 and the importance of health education. Reviews testimony of last month.
043	Chair Backlund	Explains the -1 and -2 amendments.
055	Rep. Morrisette	MOTION: Moves to ADOPT HB 3081-1 amendments dated 05/02/01.
079	Rep. Smith	Explains that he does not want to add to CAM and CIM.
080	Rep. Barnhart	Concurs.
090	Chair Backlund	Notes that the majority of members object to the above motion.
100	Valley	Explains that the -1 amendments did not pass so the bill has changed, leaving the -2 amendments not applicable.
101	Rep. Starr	Suggests rescinding the -2 amendments.
105	Rep. Smith	Responds that she is opposed due to no funding.
106	Rep. Morrisett	Suggests amending to take out of CIM.
107	Chair Backlund	Indicates that it would be more beneficial to withdraw -2 amendments and vote on with no amendments.
108	Rep. Morrisette	MOTION: Moves to ADOPT HB 3081-2 amendments dated 01/19/01.
109	Rep. Morrisette	Withdraws his motion to adopt HB 3081 -2 amendments dated 01/19/01.
110	Rep. Morrisette	MOTION: Moves HB 3081 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means.
111	Rep. Morrisette	Withdraws his motion to the floor with a do pass recommendation and be referred to the committee on Ways and Means.
	Rep. Morrisette	MOTION: Moves HB 3081 to the floor without recommendation to passage and BE REFERRED to the committee on Ways and Means.
111	Chair Backlund	VOTE: 2-6 AYE: 2 - Morrisette, Backlund NAY: 6 - Barnhart, Hopson, Nolan, Smith T, Starr, Zauner EXCUSED: 1 - Nelson
112	Chair Backlund	The motion FAILS.
113	Chair Backlund	Closes work session on HB 3081 and opens a work session on HB 2295.
<u>HB 2295 WORK SESSION</u>		
207	Adkins	Explains HB 2295 and past testimony. Submits the -1 amendments (EXHIBIT J).
208	Rep. Starr	MOTION: Moves to ADOPT HB 2295-1 amendments dated 01/19/01.
		VOTE: 8-0 EXCUSED: 1 - Nelson
209	Chair Backlund	Hearing no objection, declares the motion CARRIED.

210	Rep. Starr	Suggests sending to Ways and Means to move the process along.
211	Rep. Morrisette	States his support for this bill.
215	Rep. Zauner	Concurs.
264	Rep. Barnhart	States his support for this bill.
265	Rep. Starr	MOTION: Moves HB 2295 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.
		VOTE: 8-0
		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - Nelson
350	Chair Backlund	The motion CARRIES.
400	Rep. Smith	Voices her reservations to this bill but says she would pass on to the Ways and Means Committee.
420	Chair Backlund	Closes work session on HB 2295 and opens a work session on HB 2298.
<u>HB 2298-WORK SESSION</u>		
425	Adkins	Explains HB 2298, the -1 amendments, and why they are not under consideration (EXHIBIT K).
430	Rep. Barnhart	MOTION: Moves to ADOPT HB 2298-4 amendments dated 05/01/01.
440	Rep. Barnhart	MOTION: Moves HB 2298 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.
		VOTE: 6-2
		AYE: 6 - Barnhart, Hopson, Morrisette, Nolan, Zauner, Backlund
		NAY: 2 - Smith T, Starr
		EXCUSED: 1 - Nelson
450	Chair Backlund	The motion CARRIES.
451	Chair Backlund	Closes work session and adjourns committee at 11:35 a.m.

Submitted By,

Reviewed By,

Paula Merritt,
Committee Assistant

Janet Adkins,
Committee Administrator

EXHIBIT SUMMARY

- A - HB 2833, written testimony, Rep. Winters, 5 pp.
- B - HB 2833, written testimony, Judge Pam Abernathy, 3 pp.
- D - HB 2015, -3 amendments, staff, 5 pp.
- E - HB 2020, -1 amendments, staff 16 pp.
- F - HB 2020, revenue impact statement, staff 1 page
- G - HB 2020, written testimony, Miguel Salinas, 28 pp.
- H - HB 2020, written testimony, Eduardo Angulo, 46 pp.
- I - HB 3081, -1 and -2 amendments, staff, 2 pp.
- J - HB 2295, -1 amendments, staff, 1 page

K - HB 2298, -4 amendments, staff 9 pp.