

SENATE COMMITTEE ON EDUCATION

March 15, 2001 Hearing Room B
3:00 p.m. Tapes 48 - 49

MEMBERS PRESENT: **Sen. Charles Starr, Chair**
 Sen. Susan Castillo, Vice-Chair
 Sen. Ryan Deckert
 Sen. Bill Fisher
 Sen. Avel Gordly
 Sen. Tom Hartung

MEMBER EXCUSED: **Sen. Ted Ferrioli**

STAFF PRESENT: **Jan McComb, Committee Administrator**
 Jennifer Simmons, Committee Assistant

MEASURE/ISSUES HEARD: **SCR 5 - Public Hearing and Work Session**
 SB 700 - 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 48, A		
002	Chair Starr	Opens meeting at 3:10 p.m. Opens public hearing on SCR 5.
<u>PUBLIC HEARING – SCR 5</u>		
008	Sen. Gordly	States her support of SCR 5. Speaks about his work in the community and as an educator. Speaks about Robert Ford's stepdaughter, Bobbie Jean Nunn. Explains how this resolution was brought forward.
050	Rep. Winters	Comments about how this person helped not only those whom he was around, but those people that came after him. Says that as a teacher he worked to bring the community into the school. Tells his work with drama and music. States that he was the first African American teacher.
100	Derry Jackson	Portland Public School Board. Recognizes Sen. Gordly as a role model to him. Says that the School Board has unanimously passed a resolution like this one. Says that he has not heard of a teacher having such a lasting effect on his students. Stresses the legacy that Ford has created by inspiring his students to become teachers.
155	Sen. Fisher	Says that not enough people recognize the impact that teachers can have for years to come.
200	Sen. Castillo	Says that Sen. Gordly has also been an inspiration to her.
215	Bobbie Nunn	Stepdaughter of Robert Ford. Speaks about when Ford went to college. Says that he wanted to teach his parents how to read and write, which he eventually did. Thanks the committee for consideration of this bill.
309	Myrtle Carr	Personal friend of Robert Ford. Says that Ford was a remarkable man in many ways but most importantly, as an educator. Says that Portland has been a better place for all because of Ford.

327	Sen. Gordly	States that these are women who inspire her as role models. Says that they helped found the Portland chapters of the NAACP and Urban League. Thanks the women for being before the committee today.
370	Chair Starr	Says that these women have been blazing the path for those who came after them.
380	Sen. Gordly	Reads SCR 5 aloud to the committee. Explains the –1 amendments.
TAPE 49, A		
004	Chair Starr	Closes public hearing and opens work session on SCR 5.
<u>WORK SESSION – SCR 5</u>		
007	Sen. Gordly	MOTION: Moves to ADOPT SCR 5-1 amendments dated 3/8/01.
009		VOTE: 6-0
		EXCUSED: 1 - Ferrioli
	Chair Starr	Hearing no objection, declares the motion CARRIED.
011	Sen. Gordly	MOTION: Moves SCR 5 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.
014		VOTE: 6-0
		EXCUSED: 1 - Ferrioli
	Chair Starr	Hearing no objection, declares the motion CARRIED. GORDLY will lead discussion on the floor. Closes work session and opens public hearing on SB 700.
<u>PUBLIC HEARING – SB 700</u>		
030	Jan McComb	Administrator. Explains the bill and when it is effective.
067	Therese Steward	Parent, autistic child. Reads from written testimony (EXHIBIT A). Submits written testimony from Mr. And Mrs. Norman Lee (EXHIBIT B).
209	Chair Starr	Asks what the penalty is when the district is out of compliance.
212	Steward	Answers that the only thing that can be done is to take away federal money and this almost never happens.
222	Sen. Castillo	Asks if this will fit in with the current hearing officer program or will it create new positions.
231	Steward	Answers that she is unsure of how it will actually work out.
243	Dale Lucht	Parent, autistic child. Reads from written testimony (EXHIBIT C).
426	Sen. Castillo	Thanks the witnesses for sharing their stories.
439	Ed Hughes	Autistic Families. Explains the cost of printing manuals for these parents.
TAPE 48, B		
010	Troy Clark	Parent, Autistic Child. Testifies in support of the bill. Explains the story of his son, Lee. Says that it shouldn't have to come to this, we all want the best for our children. Expresses frustration that they do not even have an unbiased method of dealing with conflict. Says that initiation of this bill would save the state a lot of cost by avoiding the hearing process.
030	Leslie Pitchford	Parent, Autistic Child. Reads from written testimony (EXHIBIT D).
180	Sen. Gordly	Thanks the witnesses for coming forward to tell their stories. Assures the witnesses that even though the members are in and out during the meeting, they are paying attention.
221	Steve Johnson	Associate Superintendent, Special Education, Department of Education. Says that this bill addresses the issue of

		communication between parents and teachers regarding their students' quality of education. Says that he does not believe that this bill will accomplish what parents hope for it to accomplish. Says that the bill is redundant and reflects what is already happening under the current system.
267	Sen. Gordly	Asks if this testimony is available in written form.
269	Johnson	Answers no it is not written. Continues with his testimony.
287	Chair Starr	Asks where to find this provision.
289	Susie Harris	Department of Education. Answers that it is referred to in Attorney General's Administrative Law Manual.
276	Chair Starr	Asks if it would be statutorily required as a step in the process.
303	Harris	Answers that it is currently available.
307	Sen. Gordly	Asks if federal law dictates the makeup of hearing officers.
317	Harris	Answers that federal law requires the use of impartial hearing officers.
327	Sen. Gordly	Asks if they are opposed to the characteristics that the proponents suggest.
347	Johnson	Answers that they are not opposed, but it is further than federal law requires.
367	Sen. Gordly	Asks what the current makeup of the hearing officer panel.
371	Harris	Answers that someone else may be better prepared to answer that.
380	Johnson	Agrees that everyone should be able to communicate and have the same information. Says that they provide copies of decisions, information on special education law, and interpretation on their website.
TAPE 49, B		
008	Sen. Gordly	Asks if they are having difficulty letting parents know about their current efforts.
012	Johnson	Answers that they are.
014	Sen. Gordly	Asks if all people within the district know which students are autistic.
015	Johnson	Answers yes.
021	Sen. Gordly	Asks if they could then use this list to locate parents of students.
025	Johnson	Answers that due to confidentiality they would probably not be provided with this.
034	Harris	Says that this would not be an efficient way to solve this problem.
049	Johnson	Speaks about the ways they reach out to parents of autistic children.
060	Sen. Gordly	Says that parents should be the first to get this information. Asks how difficult it can be to get this to parents first.
070	Johnson	Answers that there are issues such as cooperation with school districts that prevent them from being able to do this.
085	Sen. Gordly	Says that she does not understand why they could not start reaching out to parents tomorrow.
092	Johnson	Responds that they will do what they can as soon as possible.
096	Sen. Gordly	Says that he should accomplish this task with existing resources.
102	Johnson	Reiterates what is currently being done to reach out to parents. Speaks about mediation. Submits written material (EXHIBIT E).
113	Laurie Wimmer-Whelan	Oregon Education Association. Says that their members share the frustration of parents. Points out that due to frustration some finger pointing begins to appear. States her desire for all to work

		together.
160	Chair Starr	Says that too much money has been spent on disputes that could have been spent on meeting the needs of the student.
194	Bob Joendeph	Director, Oregon Advocacy Center. Gives some information on his center. Says that they provide legal assistance to parents of special education students. States that the demand for their services is high. Expresses that there is a very real problem. Says that the Department of Education needs to be sitting down with parents and communicating with them.
282	Sen. Gordly	Asks Joendeph to put his ideas in writing to solve this problem.
285	Joendeph	Answers yes.
291	Tom Ewing	Chief Hearing Officer. Explains the origination and purpose of the hearing officer panels.
323	Sen. Castillo	Asks if they were not required to but chose to use these services.
326	Ewing	Answers that is correct.
328	Sen. Castillo	Asks if he believes the hearing officers to be biased at all.
338	Ewing	Answers that the hearing officer panels will not be biased by anyone.
350	Chair Starr	Speaks about creating a work group on this issue. Places Sen. Gordly in charge of this group. Closes public hearing on SB 700 and adjourns the meeting at 4:59 p.m.

Submitted By,

Reviewed By,

Jennifer Simmons,
Committee Assistant

Jan McComb,
Committee Administrator

EXHIBIT SUMMARY

- A – written testimony, SB 700, Therese Steward, 13 pp**
- B – written testimony, SB 700, Mr. and Mrs. Norman Lee, 1 pp**
- C – written testimony, SB 700, Dale Lucht, 3 pp**
- D – written testimony, SB 700, Leslie Pitchford, 5 pp**
- E – written material, SB 700, Steve Johnson, 13 pp**
- F – written testimony, SB 700, Barbara Ash, 1 pp**