

SENATE COMMITTEE ON EDUCATION

April 03, 2001 Hearing Room B
3:00 P.M. Tapes 64 - 69

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, Administrator**
 Jennifer Simmons, Administrative Support

MEASURE/ISSUES HEARD: **SB 332 - Public Hearing and Work Session**
 SB 919 – 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 64, A		
003	Chair Starr	Opens meeting at 3:06 p.m. Opens public hearing on SB 332.
<u>PUBLIC HEARING – SB 332</u>		
011	Jan McComb	Administrator. Gives overview of the bill.
040	Gary Cortey	Department of Justice. Speaks about the pending lawsuit that this bill could affect. Says that the litigation should not interfere with passage of this bill.
065	Sen. Gordly	Asks if their action would preempt the court decision.
070	Cortey	Responds that the duty is up to the courts to decide how it affects this particular case.
082	Chair Starr	Closes public hearing and opens work session on SB 332.
<u>WORK SESSION – SB 332</u>		
085	Sen. Hartung	MOTION: Moves to ADOPT SB 332-1 amendments dated 02/06/01.
090		VOTE: 6-0 EXCUSED: 1 - Ferrioli Hearing no objection, declares the motion CARRIED.
091	Chair Starr Sen. Hartung	MOTION: Moves SB 332 to the floor with a DO PASS AS AMENDED recommendation.
095		VOTE: 6-0 EXCUSED: 1 - Ferrioli Hearing no objection, declares the motion CARRIED. SEN. HARTUNG will lead discussion on the floor. Closes work session on SB 332 and opens public hearing on SB 919.
<u>PUBLIC HEARING – SB 919</u>		
122	Chair Starr	Says that there is an immediate..... Says that we are wasting countless taxpayer dollars. Explains the English Immersion program. Gives statistics on California's progress with a similar

221	Sen. Gordly	program. Says that students prosper under English Immersion.
229	Chair Starr	Asks what the research suggests about learning styles. Answers that students who learn readily do well in an ESL program. Says that those who have a difficult time learning fare better in an English Immersion program.
255	Sen. Gordly	Asks who among the Hispanic community has shown support for this bill.
270	Chair Starr	Answers that he has submitted a survey from other states regarding this issue.
283	Sen. Gordly	Asks if there is any information that shows that Hispanics in Oregon would prefer this method of learning.
295	Chair Starr	Answers that they have no information on how local Hispanics feel about this. Says that he believes that the local population does not understand the English immersion approach.
325	Sen. Gordly	Asks if he has consulted with the Oregon Commission on Hispanic Affairs.
338	Chair Starr	Answers no.
340	Sen. Castillo	Says that in places where this program has been successful, there have been other factors that contributed to the success.
360	Chair Starr	Responds that these other factors did not raise the performance levels until the English immersion program. Says that the districts that have opted out of English immersion continue to have low performance levels.
440	Rep. Zauner	District 38. Reads from written testimony (EXHIBIT A) .
TAPE 65, A 055	Rep. Nolan	Speaks about her Hispanic daughter that speaks English and Spanish. Says that the opt out is difficult because most of these parents don't speak English or know the process to be able to make this decision.
124	Chair Starr	Asks why they would want to continue a program that has continued to widen the achievement gap.
140	Rep Nolan	Answers that there are options for how children learn and has concerns when we remove options that have been successful for some students.
178	Jack Musser	Superintendent, Forest Grove School District. Testifies in opposition to the bill. Says that the number of their non English speaking students is growing.
270	Sen. Castillo	Asks if the exceptional schools in his district have a high number of bilingual children.
280	Musser	Answers that the average is from fifty to sixty-five percent Hispanic students in their best schools.
284	Sen. Castillo	Asks if bilingual programs are used at these schools.
285	Musser	Answers yes.
288	Sen. Gordly	Asks if they are disaggregating the data in their district.
294	Musser	Answers that they do have some modifications.
305	Sen. Gordly	Asks if the report card ratings incorporate the Hispanic students also.
310	Musser	Answers that it is a somewhat incomplete rating.
324	Sen. Gordly	Says that she will continue to raise questions about disaggregating the data.
345	Chair Starr	Asks if the money that is designated for ESL goes straight to the program.
347	Musser	Answers no.
353	Chair Starr	Says that it is an allocation not an entitlement.

372	Sen. Ferrioli	Asks how much of the funding allocation actually goes to its targeted students.
380	Musser	Answers that he is not prepared to answer that at this time.
390	Sen. Ferrioli	Says that about 7500 dollars is given per student in the ESL program
400	Musser	Responds that he really does not know.
408	Sen. Ferrioli	Says that he has heard a lot of complaints about ESL not being correctly funded.
TAPE 64, B		
015	Musser	Responds that some of the regular programs in the school are used by ESL students and are paid for out of the 7500 dollars.
052	Sen. Gordly	Asks if we have people from Department of Education to testify.
072	Henry Wiens	Hillsboro School District. Testifies in opposition to the bill. Says that they are providing good services to the ESL students.
192	Sen. Ferrioli	Asks how many languages are spoken in his district.
195	Wiens	Answers nineteen languages.
198	Sen. Ferrioli	Asks if the same approach is used for all nineteen languages.
204	Wiens	Answers that they do not have teachers proficient in each of these languages.
222	Sen. Ferrioli	Says that this sounds like English immersion.
226	Wiens	Says that these are small groups of students being pulled out and given intensive English Acquisition.
238	Sen. Ferrioli	Asks how they teach the students without teachers proficient in their language.
240	Wiens	Answers that they are not placed in the Hispanic ESL program.
259	Sen. Ferrioli	Says that it sounds like students that do not speak English or Spanish are treated differently.
312	Maria Palacio	Salem-Keizer Public Schools. Reads from written testimony (EXHIBIT B) .
427	Sen. Ferrioli	Says that younger students are able to learn languages quicker.
442	Palacio	Says that this is correct.
TAPE 65, B		
024	Sen. Gordly	Asks what happened to the drop out rate in California after implementation of the English Immersion program.
025	Palacio	Answers that she does not know.
078	Dr. Dovie Trevino	Testifies in opposition of the bill. Speaks about her experience as an ESL teacher. Says that this bill is frightening. Says that no programs in Oregon are working. Says that there is not enough training for bilingual teachers. Says that there is no accountability for funds in Oregon.
215	Sen. Ferrioli	Says that he has heard of an utterly failing ESL program in this state.
245	Trevino	Says that it is because of money.
269	Sen. Gordly	Asks if she is familiar with SB 782.
280	Trevino	Answers yes.
310	Sen. Gordly	Says that we need to be aware that children are being denied a quality education.
335	David Bautista	Parent. Speaks about his children's success in the ESL program at Grant Community School.
TAPE 66, A		
016	Aurora Cedillo	Explains her history as a Mexican immigrant. Says that we need to educate students in the language that they know so that they receive a quality education.
120	Sen. Hartung	Asks if this is really where they should invest their limited

146	Cedillo	resources or should we invest in other important programs.
181	Sen. Hartung	Answers that this is a difficult question that has many facets.
190	Cedillo	Asks if the Texas experiment is a good example to follow.
197	Chair Starr	Answers that she is not familiar with the Texas experiment.
		Says that we are the only country in the world that focuses on bilingual education.
235	Cedillo	Says that we are not the only country that teaches bilingually.
320	Gary Hargett	ESL Teacher. Reads from written testimony (EXHIBIT C) .
401	Gabe Silva	Commission on Hispanic Affairs. Testifies in opposition to the bill. Says that this will increase the dropout rate for Hispanics who already have a very high dropout rate.
TAPE 67, A		
023	Miguel Salinas	Hispanic Education Advocacy Research Team. Says that being bilingual is an advantage. Speaks about the problems with the current bilingual education program. Says that as a taxpayer it is very disturbing that nobody can answer where this money is going.
126	Antonio Torres	Student. Reads from written testimony (EXHIBIT D) .
162	Carlos Landa	Student. Reads from written testimony submitted by Geraldo Jimenez (EXHIBIT E) .
223	Martha Coronado	Mano a Mano Center. Testifies in opposition to the bill. Says that Hispanics are being attacked again.
271	Annalivia Komyate	Reads from written testimony (EXHIBIT F) .
440	Sen. Ferrioli	Asks why the debate over immersion versus bilingual education is looked at to be racist.
TAPE 66, B		
003	Komyate	Answers that due to a variety of reasons this is looked at as racially directed at Hispanics.
031	Sen. Ferrioli	Says that he has a problem with this being looked at as racist when they are simply trying to figure out what approach works best.
060	Chair Starr	Says that they do have statistics of Hispanics that prefer English Immersion over bilingual education.
097	Johnny Lake	Says that he works all over this state with children of all races. Speaks about cultural issues. Says that the Latino culture brings a lot to our community. Speaks about the advantages of speaking different languages.
185	Ramon Ramirez	Oregon Farm Union. Testifies in opposition of the bill. Speaks about his experience as a child in an English immersion program. Says that bilingual education creates a well rounded student. Says that he does not believe Latinos to be in favor of this bill. States that he is bothered that the local Latino community was not consulted about this bill.
306	Crystal Pillifant	Beaverton School District. Reads from written testimony (EXHIBIT G) .
TAPE 67, B		
024	Daniel Bonham	Parent. Speaks about his children's experience in a trilingual school. Says that his children are receiving an excellent education in this school.
053	Chair Starr	Says that bilingual is not the same as learning a second language.
068	Eduardo Angulo	Coalition for Equality. Testifies in opposition to the bill.
219	Chair Starr	Says that the current program is not working.
230	Sen. Gordly	Says that it is not the program that is not working, it is the instruction and implementation of the program.

275	Michael Dale	Oregon Law Center. Reads from written testimony (EXHIBIT H).
394	Sen. Gordly	Asks about the services that he referred to.
418	Dale	Answers that they need a test to examine English proficiency and then instruct accordingly.
TAPE 68, A		
023	Nancy Ramirez	Student. Reads from written testimony (EXHIBIT I).
064	David Fidanque	American Civil Liberties Union. Speaks about a conflict between Oregon's Constitution and this bill.
148	Sen. Ferrioli	Asks if the current ESL program is so deficient that it is actionable under Title 7 under the Constitution.
177	Fidanque	Answers that the ACLU is very concerned with these same issues.
196	Dale	Says that there is no assessment being done to find out if this program is effective. This is required to take action under Title 7.
208	Sen. Ferrioli	Says that he believes these problems to be varied from district to district.
232	Eloena Franco	MECHA. Says that they actively promote their language and their culture. States that her chapter as well as others are outraged by this bill. Says that this bill is denying them their right to speak their language in their schools.
332	Juan Mayoral	MECHA. Says that this bill will turn the community inside out. Says that Oregon is different than California and we should not assume that what works for them will work for us. Says that the committee has heard the pulse of the community and should listen.
377	Mario Rosales	MECHA. Says that bilingual education is important. Says that their language is one of the most valuable things that they have. Says that they cannot be expected to learn English as soon as they come here.
455	Sara Csaky	Grant Community School. Submits written material (EXHIBIT J).
TAPE 69, A		
033	Teri Urban	Grant Community School. Speaks about the benefits of her daughter being in a bilingual education program.
077	Britney Urban	Says that we need to examine a variety of bilingual models to find which one works the best for Oregon students.
122	John Briar	Speaks for Roberto Barraza whom opposes this bill. Says that bilingual teaching, curriculum, and services are very important. Addresses the high drop out rate among Latino youth.
172	Larry Tucker	Clackamas ESD. Testifies in opposition to the bill. Says that one size does not fit all. Says that a lot of programs work for different people in different systems. Says that this bill limits choices for teachers.
277	Virginia Aguilar	Beaverton School District. Speaks about the excellent programs growing in their district.
367	Susan Dean	ESL program, Beaverton. Says that we need to look at the exemplary ESL programs that are in our state.
TAPE 68, B		
001	Sherrilynn B. Rawson	Woodburn School District. Submits written materials (EXHIBIT K). Explains the efforts that her district has made in bilingual education. Says that this bill would hurt the progress that they have made in their district. Says that local districts

		should be able to decide on programs that best meet their local needs.
075	Lyn Horine	Department of Education. Reads from written testimony (EXHIBIT L) .
119	Sen. Gordly	Asks her to expound upon the Native Americans being educated in English.
130	Horine	Answers that those people were punished and forced to learn English and it was not right.
166	Jim Ludwick	Yamhill County. Testifies in favor of the bill. Says that if there are twenty seven languages spoken in this school district we need to know how the other students are doing in English immersion.
202	Sen. Castillo	Says that from previous testimony they are serving all of the languages.
209	Ludwick	Says that he does not believe that this is about learning English. Says that this is about political correctness. Urges the committee to pass this bill.
260	Sen. Gordly	Points out that when her ancestors came to this country by force as slaves and were not even allowed to learn how to read.
279	Ludwick	Responds that when people do not have facts that they resort to labeling people and it is inappropriate for people to construe this as racist.
317	Abel Carbajal	Latinos Unidos Siempre. States their opposition to the bill. Explains his experience as an immigrant learning English in Oregon schools.
370	Jesus Villafan	Parent. Says that he does not believe that his tax dollars are being misused for the ESL program. Says that this bill is going to hurt their kids.
TAPE 69, B		
011	Richard Lucetti	Hispanic Parents Association. Reads from written testimony (EXHIBIT M) .
115	Pat Muller	Teacher. Testifies in opposition to the bill. Explains how she teaches bilingual education at her school.
238	Rachael Castillo-Brown	Community Action Organization. Testifies in opposition of the bill. Speaks about the confidence that Latino students have as they acquire the English language while maintaining the language of their culture.
335	Karen Perez	ESL Teacher. Reads from written testimony (EXHIBIT N) .
405	Chair Starr	Closes public hearing on SB 919 and adjourns the meeting at 8:35 p.m.

Submitted By,

Reviewed By,

Jennifer Simmons,
Committee Assistant

Jan McComb,
Committee Administrator

EXHIBIT SUMMARY

- A – written testimony, SB 919, Rep. Zauner, 2pp**
- B – written testimony, SB 919, Maria Palacio, 3 pp**
- C – written testimony, SB 919, Gary Hargett, 3 pp**

D – written testimony, SB 919, Antonio Torres, 1 pp
E – written testimony, SB 919, Gerardo Jimenez, 1 pp
F – written testimony, SB 919, Annalivia Komyate, 3 pp
G – written testimony, SB 919, Crystal Pillifant, 2 pp
H – written testimony, SB 919, Michael Dale, 3 pp
I – written testimony, SB 919, Nancy Ramirez, 1 pp
J – written testimony, SB 919, Sara Csaky, 9 pp
K – written material, SB 919, Sherrilynn Rawson, 8 pp
L – written testimony, SB 919, Lyn Horine, 3 pp
M – written testimony, SB 919, Richard Lucetti, 23 pp
N – written testimony, SB 919, Karen Perez, 1 pp