

HOUSE COMMITTEE ON EDUCATION

February 22, 1999 PORT OF PORTLAND BLDG.

6:30 PM Tapes 44 - 46

MEMBERS PRESENT: Rep. Ron Chair Sunseri, Chair

Rep. Chris Beck

Rep. Betsy Close

Rep. Elaine Hobson

Rep. Bob Jenson

Rep. Tim Knopp

Rep. Lynn Lundquist

Rep. Carl Wilson

Rep. Jackie Rep. Winters

MEMBER EXCUSED: Rep. William Morrisette, Vice-Chair

STAFF PRESENT: Norm Fox, Administrator

Joan Diaz, Administrative Support

MEASURE/ISSUES HEARD: SB 100A 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 44, A (note: 90-minute tapes used)		
002	Chair Sunseri	Calls meeting to order at 6:35 p.m. Opens public hearing on SB 100A.

SB 100 A PUBLIC HEARING

025	Chair Sunseri	Discusses general meeting format.
039	Patrick Burke	Asst. Superintendent, Portland Schools. Gives general overview of Superintendent's views on charter schools. Explains Portland has 6 charter-like schools with an enrollment of 932 students. (EXHIBIT A)
112	Rep. Winters	Asks how are ethnic minorities' issues addressed in charter schools in Portland.
117	Burke	Explains admission is through a lottery; advertised at an annual city-wide fair. Explains federal law requires that the educational needs of students with disabilities be met.
136	Rep. Winters	Asks how many special needs students are in the existing program.
138	Burke	Responds approximately 10%.
140	Rep. Lundquist	Asks how long have the six schools been in existence and what has been the enrollment pattern.
143	Burke	Responds that the enrollment has fluctuated during the past four years. Describes the various programs and their enrollment.
155	Rep. Jenson	Asks if the district schools have the same percentage as the charter schools.
158	Burke	Explains the percentage is slightly lower than the district average.
161	Rep. Jenson	Asks what is the total student population in the Portland School District.
163	Burke	Responds there are approximately 55,000 students.
164	Chair Sunseri	Asks if there has been any criticism in admitting students by lottery.
169	Burke	Responds that the lottery is fair, but they have not found a completely neutral system.
184	Rep. Beck	Asks to characterize the satisfaction of parents and students.
192	Burke	Explains staff allocation, flexibility and task force.

219	Chair Sunseri	Asks if a sponsor of a charter school should be involved in the appeals process.
224	Burke	Responds the board has not taken a position on that issue. Explains his personal opinion; appeal of the local school board's decision is his preference.
229	Chair Sunseri	Asks would not that create an adversarial situation.
239	Burke	Discusses the appeal process and conversion of existing schools.
259	Dapo Sobomehin	Director, Operation E.A.S.Y. States that SB 100A needs amending Declares the legislature debates increases in the education budget, but there is little debate on the cost of a new prison. Gives view on lack of abilities of 7 th ñ 8th graders. Discusses expansion of Maclaren School. (EXHIBIT B)
364	Henry Schauffler	Parent, Portland. Member of Education Committee, Beaverton Chamber. EXHIBIT C) Supports charter schools. Discusses: <ul style="list-style-type: none"> • Exemption from collective bargaining • Should be called "public charter schools" • Schools should be experimental, if operating on less money • Summarizes the benefits charter schools will bring to the system.
573	Rep. Beck	Asks if teachers are paid too much.
575	Schauffler	Responds negatively.
584	Rep. Beck	Asks if charter school teachers choose to volunteer, is it fair those schools get 90% funding per student.
601	Schauffler	Responds he does not think any teacher would volunteer. Discusses teachers' right to choose.
621	Rep. Knopp	Asks if he would agree to a flexible funding formula.
631	Schauffler	Responds affirmatively.
640	Rep. Hobson	Asks if a charter school would not address special education students needs.
646	Schauffler	Comments there are states that waive special education requirements.
664	Rep. Hobson	Asks if charter schools had less regulations, would not public schools benefit from less regulation.

671	Schauffler	Responds he does not know; discusses an opportunity to form a charter school without regulations.
691	Rep. Lundquist	Asks if they should have option to join a union.
695	Schauffler	Responds that would be their choice; not required by the school law. Suggests charter schools not be bound by collective bargaining laws.
TAPE 44, B		
002	Rep. Winters	Asks if there is any objection to a charter school choosing to become part of a bargaining unit.
003	Schauffler	Responds he prefers it be an option.
009	Chair Sunseri	Asks for suggestions on designing a bill to "make everybody happy."
014	Sobomehin	Discusses partisan issues in society. Refers to Governor's veto threat.
033	Rep. Sally Perz	District 52, Ohio. Discusses: <ul style="list-style-type: none"> • Charter school legislation in Ohio • Professional background and experience with charter schools • Funding and educational policies in eight states • Disenfranchised students in charter schools • Independent and autonomous charter schools
101	Rep. Perz	Discusses goals set in a charter, and how they should relate to that student population.
167	Rep. Perz	Cautions that if a charter school bill satisfies everybody, it is probably not worth passing. Comments that while 34 states have charter school legislation, the majority of schools are in less than 10 states.
231	Rep. Perz	Comments on special education.
239	Rep. Beck	Asks if the "at-risk population" receives disproportionate services.
250	Rep. Perz	Responds statistics show over one half of charter schools have been started for "at-risk population." Comments each state defines that term differently.
290	Rep. Wilson	Asks if her legislature discussed a charter school bill under the threat of a veto from the governor.

295	Rep. Perz	Shares her experience with the governor in her state.
299	Rep. Hobson	Asks for distinguishing characteristics of charter schools and alternative schools.
304	Rep. Perz	Responds she is not sure.
306	Rep. Winters	Asks for explanation of "creamed off students".
316	Rep. Perz	Discusses disenchantment of parents with present school system and options for their children.
335	Rep. Lundquist	Asks if there are alternative schools in Ohio.
340	Rep. Perz	Discusses the difference between the charter schools in Ohio and the alternative education schools.
354	Rep. Lundquist	Asks if there are many alternative schools in Ohio.
355	Rep. Perz	Responds there are a few.
357	Rep. Lundquist	Asks what percentage of Ohio students are in charter schools.
359	Rep. Perz	Responds there are 15 charter schools in the state.
362	Rep. Lundquist	Asks how many students in Cincinnati are in private schools versus public schools.
364	Rep. Perz	Responds she does not know.
386	Vicky Barrows	Teacher, SE Portland. Expresses concern over teacher licensure in SB 100A. Comments she thinks the teaching profession will be diluted in the name of charter schools. (EXHIBIT D)
437	Barrows	Discusses national testing for teacher/applicants.
520	Barrows	Discusses her experience and background and how teaching preparation was of value to her.
544	Rep. Close	Discusses her professional experience; states Teacher Standards and Practices Commission (TSPC) processes are prohibitive to many who have degrees and teaching experience.

562	Barrows	Responds there are alternatives to re-certification to allow professional people to teach.
585	Rep. Close	Comments that the student teaching experience is a very short part of the certification process; other education aspects keep schools from being flexible.
592	Barrows	Responds there have been many changes to the process.
602	Chair Sunseri	Asks if parents are qualified to decide who should teach their children.
609	Barrows	Responds parents need appropriate information before making that decision.
619	Rep. Winters	Asks if a doctor could teach anatomy without a teaching certification.
629	Barrows	Responds affirmatively; there is a way to obtain certification.
642	Rep. Winters	Gives information on staff at Howard St. Charter School.
664	Barrows	States that if there are long-term teaching staff, there is an option for alternative licensure.
706	Rep. Hobson	Asks if the majority of charter schools across the country are for "at risk" students, should not their teachers be certified.
TAPE 45, A		
002	Barrows	Responds affirmatively.
012	Rep. Jenson	Asks for brief a summary of "A Nation at Risk."
017	Barrows	Describes her contribution to that report.
021	Rep. Jenson	Comments that the findings in the report indicated there was a need for change.
028	Rep. Jo Ann Bowman	District 19. Gives her view of problems with the educational system. Suggests funds be increased for the entire educational system and permit charter schools to form and function on their own.
098	Rep. Bowman	Discusses schools in her districts which lack updated materials.
113	Rep. Wilson	Asks if she can identify why some of the rules and regulations for public schools

		have not been eased.
121	Rep. Bowman	Comments on the 1997-99 Legislature's work. Responds that she has not been able to identify those regulations.
151	Jeff Miller	Teacher, SE Portland. Suggest SB 100A should be amended. Comments a charter school law is not needed to reduce class size; just need more money. Comments on California's charter schools. Discusses teacher licensure. Refers to SB 100A and the grant & loan program. (EXHIBIT E)
325	Rep. Winters	States that teachers of home schoolers are not required to be certified and the test scores are higher.
355	Miller	Responds there is no conclusive evidence that home schoolers are performing better. Discusses diverse body of students in the Portland schools that must be educated by law and obligation.
369	Rep. Winters	Asks if schools had smaller class sizes, would it be an advantage.
374	Miller	Responds affirmatively.
380	Sarah Taylor	Founder, Environmental Middle School, Portland. Gives statistics on her staff and students. Comments no Portland public school administrator has visited her school in four years. States there is no representative of special focus schools on the task force mentioned by a previous witness. Comments Site Councils should be more empowered. Invites committee to visit her school.
405	Trisha Thompson	Parent, Portland. Supports charter schools. Recommends innovation and more resources. Refers to sections of SB 100A; equity funding and sponsorship. Recommends including a non-discrimination clause in an amended bill. (EXHIBIT F)
475	Thompson	States that single sponsorship results in very few public charter schools.
579	Thompson	Explains difference between oversight costs and service arrangements.
596	Thompson	Discusses sponsorship.
647	Thompson	Discusses the new study, "Coping with Competition: How Schools Systems Respond to School Choice."
690	Thompson	Lists reasons for this legislation and cautions that certain groups will undermine it.

TAPE 45, B

007	Rep. Knopp	Asks what is the level of funding for the 188 students.
009	Taylor	Responds with details of her special focus school's funding.
017	Rep. Hobson	Asks if she is a teacher.
019	Taylor	Respond she is the Coordinator.
020	Rep. Hobson	Asks what do other schools in the district get that she does not.
022	Taylor	Responds other schools have twice the number of teachers.
024	Rep. Lundquist	Asks for that information in writing: number of teachers at her school versus the number of teachers in an average Portland school.
030	Taylor	Explains the importance of autonomy for her school.
032	Rep. Beck	Asks what would you do differently if you had charter schools.
041	Taylor	Advocates less regulations, more flexibility, more staff development.
055	Rep. Beck	Asks for specifics.
065	Taylor	Discusses teacher transfers last year; wants greater control over her personnel.
072	Rep. Close	Asks what is the per child funding used for.
074	Taylor	Responds with details of expenditures.
080	Rep. Close	Comments on the amount received in her district per student.
082	Taylor	Responds she does not know why her funding is low.
085	Rep. Beck	Asks for specifics in writing be forwarded to him and the committee.
106	Richard Brisco	Special Education Teacher, Portland. Explains he is against SB 100A. Discusses large class sizes and new standards.

182	Brad Avakian	Parent, Beaverton. Opposes charter schools. Explains fallacies of competition and choice; competition works well in free enterprise. Explains it is not a good idea for education since some schools will be on the losing end of that model. States charter schools deprive children, parents and staff of constitutional rights. (EXHIBIT G)
248	Avakian	Discusses: Section 11 that characterizes charter schools as private, section 6 that declares charter schools a separate entity, section 7 that gives the public body liability protection from the charter school operation, section 8 that allows charter schools to contract separate from the public schools, and section 4 that adopts establishment clause of the 1 st amendment of the constitution.
275	Rep. Lundquist	Asks if other states' charter school laws have been challenged constitutionally.
279	Avakian	Responds some states have, but passing SB 100A is not an unconstitutional act.
284	Rep. Lundquist	Clarifies that SB 100A, as written, defines the charter schools as private and not public.
287	Avakian	Responds affirmatively, under the supreme court test in Section 11.
290	Henry Kane	Private citizen, Beaverton. Discusses amended bill; SB100A is weaker than SB 100. States his main concern is that this bill will penalize schools. Comments he will submit a further statement with proposed amendments. (EXHIBIT H)
435	Sheree Harris	President, Oregon School Employees Association. Opposes SB 100A. Explains the bill waives entire chapters of Oregon Laws and Administrative Rules with one sentence: waiver of rules. Comments charter schools are not the answer for education reform.
535	Rep. Hobson	Asks for a copy of her testimony.
536	Harris	Respond she will forward it to the committee administrator.
543	Richard Burke	Membership Director, Mainstream Liberty Caucus. (EXHIBIT I) Discusses: <ul style="list-style-type: none"> • Governor's position • Granting authority • Teacher certification • Collective bargaining • Conversion of Private-Religious Schools • Standards and Assessments • Admission/Selection • Statewide Funding • Maximums and Minimums

TAPE 46, A		
002	Richard Meinhard	Member, Oregon Public Charter School Task Force. Supports SB 100A. Suggests forming a State Charter School Advisory Committee to implement system and a State Chartering Oversight Committee. Discusses the Legislature creating schools instead of the Department of Education (DOE). (EXHIBIT J)
090	Amanda Fritz	Private citizen, Portland. Opposes SB 100A. Tells of failure due to funding of an alternative school in Portland; Adventure School, part of a National Geographic Program. Explains the need for additional support and smaller classes for the public schools.
175	Jim Dufala	Private citizen, Portland. Supports charter schools. Explains his visits to 12 schools in a 100-mile radius. Discusses a proposal that the Legislature create a model for a charter school without participation by the current system.
239	Rep. Lundquist	Comments on his visits to 50 schools in the state; asks for example of the "system wants things to fail."
244	Dufala	Explains he would prefer to speak off the record and give specific examples.
264	Catherine Swider	Private citizen, Portland. Supports charter schools. Explains her child attends a special focus school. (EXHIBIT K)
325	Eileen Wende	Teacher, Portland. Supports charter schools but has concerns about SB 100A. Urges equity for all students. Cautions against mandating higher standards without providing basic supports. (EXHIBIT L)
428	Sen. Avel Gordly	Senate District 10. Refers to her previous testimony given on the Senate floor. Urges committee to "stay at negotiating table with the governor," and pay attention to equity.
503	Rep. Beck	Asks how can the committee incorporate extra flexibility in the bill for charter schools whose mission is to educate "at risk students."
518	Sen. Gordly	Responds that the Senate committee did not spend time on that. Refers committee to the report from the Northwest Regional Educational Laboratory; Joyce Harris, Director, Race and Desegregation Center.
546	Norm Fox	Committee Administrator. Comments he will obtain a copy for all committee members.
550	Chair Sunseri	Closes public hearing on SB 100A. Adjourns at 10:20 p.m.

Joan Diaz, Norm Fox,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 100A, written testimony, Patrick Burke, 4 pp

B ñ SB 100A, written testimony, Dapo Sobomehin, 1 p

C ñ SB 100A, written testimony, Henri Schauffler, 3 pp

D ñ SB 100A, written testimony, Vicky Barrows, 3 pp

E ñ SB 100A, written testimony, Jeff Miller, 6 pp

F ñ SB 100A, written testimony, Trisha Thompson, 3 pp

G ñ SB 100A, written testimony, Brad Avakian, 6 pp

H ñ SB 100A, written testimony, Henry Kane, 1 p

I ñ SB 100A, written testimony, Richard Burke, 4 pp

J ñ SB 100A, written material, Richard Meinhard, 66 pp

K ñ SB 100A, written testimony, Catherine Swider, 2 pp

L ñ SB 100A, written testimony, Eileen Wende, 2 pp