

HOUSE COMMITTEE ON EDUCATION

February 03, 1999 Hearing Room E

1:00 P.M. Tapes 18 - 20

MEMBERS PRESENT: Rep. Ron Sunseri, Chair

Rep. William Morrisette, Vice-Chair

Rep. Chris Beck

Rep. Betsy Close

Rep. Elaine Hopson

Rep. Bob Jenson

Rep. Tim Knopp

Rep. Lynn Lundquist

Rep. Carl Wilson

Rep. Jackie Winters

MEMBER EXCUSED:

STAFF PRESENT: Norm Fox, Administrator

Joan Diaz, Administrative Support

MEASURE/ISSUES HEARD: HB 2072 ñ Public Hearing

HB 2539 ñ Public Hearing

HB 2249ñ Public Hearing and Work Session

HB 2551ñ 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 18, A

005	Chair Sunseri	Calls meeting to order at 1:05 p.m. Opens public hearing on HB 2072.
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HB 2072 PUBLIC HEARING

008	Carol Pedersen	Private Citizen, Aloha. Supports HB 2072 which would prohibit universities and colleges from granting tenure to faculty. (EXHIBIT A)
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063	Pedersen	Explains her experience at Portland State University. Discusses her efforts in filing a complaint with the university appeals committee.
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120	Pedersen	Comments that tenure was removed by the legislature in the lower grades. Explains that removing tenure in higher education would be appropriate.
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130	Chair Sunseri	Explains that the complaint referred to is currently on appeal.
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135	Rep. Morrisette	Asks is there any fiscal impact should the bill be passed.
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140	Norm Fox	Committee Administrator. Explains that the statement from Fiscal has indicated that its impact is "indeterminate."
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145	Pedersen	Clarifies that her complaint is not on appeal.
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145	Rep. Hobson	Asks how far in the process was the complaint when she left the university.
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148	Pedersen	Responds that she left the university and never heard back from the complaint committee.
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155	Rep. Hobson	Asks was the complaint pursued.
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157	Pedersen	Responds that the process took two years. Explains she wanted legislation to be drafted for others in her situation.
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169	Rep. Wilson	Asks does she represent a sizeable constituency.
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173	Pedersen	Responds she represents no special interest group.
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183	Rep. Wilson	Asks if there were a petition process initiated, would there be a large number of respondents.
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186	Pedersen	Responds affirmatively.
192	Rep. Lundquist	Asks how much of a savings would result if tenure was eliminated.
195	Pedersen	Discusses the benefits of contract teachers versus tenured faculty.
208	Rep. Lundquist	Asks if there would be fewer professors.
209	Pedersen	Responds there would be more teaching and less research being conducted.
210	Rep. Winters	Asks for experiences with all professors.
211	Pedersen	Responds there was a negative experience with only one professor. Explains that a number of professors were unprepared for teaching.
228	Rep. Winters	Asks did her education prepare her for her chosen profession.
230	Pedersen	Responds that only two classes were of value to her. Explains that the basic bachelor's degree (B. S.) was not enough preparation for her.
263	Rep. Jenson	Asks if she sees any value in research at the university level.
280	Pedersen	Responds there is value in research, but that "teaching and research do not have much in common."
304	Rep. Wilson	Asks if Portland State University was her only educational experience.
321	Pedersen	Responds she received a B.S. at Portland State, she attended Portland Community College (PCC) and business college.
322	Rep. Wilson	Asked what was her experience at PCC.
323	Pedersen	Responds that in many ways the community colleges are a better educational value than universities.
325	Rep. Close	Asks for explanation of term "publish or perish."
341	Pedersen	Responds with definition.
362	Rep. Morrisette	Comments that he appreciates issues raised by the witness. Explains he would like to see a reexamination of the tenure system. Comments it would take serious

		thought before dismantling that system.
393	Pedersen	Responds this is not a fundamental change since the legislature abolished teacher tenure from the lower grades.
TAPE 19, A		
015	Rep. Knopp	Acknowledges that there are some ineffective teachers. Asks why bring this issue to the legislature.
025	Pedersen	Responds and explains that there is no student representation in the tenure process.
030	Rep. Knopp	Asks would you be requesting this change in the law if you had not had a bad experience.
039	Pedersen	Responds it was a "good prompt."
054	Grattan Kerans	Director, Government Relations, Oregon University System (OUS). Opposes HB 2072. States it would be very difficult to recruit or retain faculty if tenure was abolished. (EXHIBIT B)
097	Kerans	Describes post tenure review policy, and will provide the information to the committee.
150	Kerans	Explains faculty must engage in "teaching, research and service."
168	Rep. Jenson	Asks if there are non-tenure hiring policies in any U.S. university.
177	Kerans	Responds there are a few, but not at state universities.
188	Rep. Jenson	Asks what kinds of problems would occur if tenure was abolished.
190	Kerans	Responds the impact would be great, since the bill "grandfathers in" present faculty. Explains Oregon salaries are approximately 15% below the "marketplace," and without tenure, it would be hard to attract new faculty.
208	Rep. Jenson	Asks for numbers of part-time or adjunct faculty at universities.
210	Kerans	Refers to exhibit.
215	Tamara Dykeman	Government Relations Advocate, Oregon Community College Association

		(OCCA). Opposes HB 2072 (EXHIBIT C).
230	Laurie Wimmer	Legislative Representative, Oregon Education Association. Opposes HB 2072. Explains that her organization is reviewing the number of adjunct faculty at the community colleges.
252	Michael Reardon	Provost, Portland State University. Opposes HB 2072. Explains process for student complaints. (EXHIBIT D).
267	Rep. Morrisette	Asks for copies of the policy.
	Chair Sunseri	Closes public hearing on HB 2072. Opens public hearing on HB 2539.
<u>HB 2539 PUBLIC HEARING</u>		
310	Kevin Campbell	Legislative Representative, Oregon Association Chiefs of Police. Supports HB 2539 which establishes a maximum fine of \$100 for a student who does not regularly attend school. Acknowledges the bill needs some amendments. Comments that home school students are exempt.
375	Marc Adams	Chief of Police, City of Keizer. Supports HB 2539. (EXHIBIT E). Explains that the police department's procedure is to return truants to school.
TAPE 18, B		
002	Adams	Explains that young people do not take current truancy laws seriously.
024	Rep. Morrisette	Asks what leverage do the police have if the fine is not paid.
026	Adams	Responds that a judge has several options at his discretion.
042	Rep. Jenson	Comments he supports the bill in concept. Cautions "regularly attends school" could be construed as vague.
054	Adams	Responds that the bill needs clarification.
058	Rep. Winters	Asks if a peer court would be an effective option.
063	Campbell	Responds that would involve an agreement with juvenile departments; it could not be part of the bill.
069	Rep. Hobson	Asks how would enforcement be effected.

075	Adams	Responds that if juvenile courts take the responsibility, the students would take truancy more seriously.
088	John Costelow	Lieutenant, Salem Police Department. Supports HB 2539. Explains City of Salem's curfew law.
095	Chair Sunseri	Asks if a fine is assessed and the student ignores it, is it considered contempt.
101	Rep. Hobson	Asks what is the current truancy law.
107	Adams	Explains current law.
128	Costelow	Explains that current law does not give police the authority to handle the current situation. Explains no citation can be issued to either parent or student. Recommends a statewide policy on truancy.
192	John Horton	Judiciary Council, House Committee Judiciary, Criminal Law. Responds to earlier question that student could be held in contempt if fine is ignored.
205	Rep. Jenson	Asks where is the line of authority.
213	Horton	Clarifies the process as indicated in the bill.
230	Rep. Jenson	Asks where are the fines deposited.
235	Horton	Responds he will research that question and get back to the committee.
238	Rep. Hobson	Asks what happens if payment from the student is not forthcoming.
244	Horton	Cites the worst case scenario and explains the judge has many options.
262	Chair Sunseri	Cites ORS 339.925 (5) which specifies where fines are deposited.
265	Chair Sunseri	Closes public hearing on HB 2539. Opens public hearing on HB 2249.
<u>HB 2249 PUBLIC HEARING</u>		
270	David Mesirow	Member, State Scholarship Commission. Supports HB 2249 which changes the name of the State Scholarship Commission to Oregon Student Assistance Commission. Discusses the numerous functions the commission performs besides administering scholarships.

346	Rep. Lundquist	Asks if the present name is a detriment.
347	Mesirow	Responds the purpose of the name change is to lessen confusion.
355	Rep. Jenson	Asks is there any cost to the state in making the name change.
392	Tom Turner	Director of Special Services, State Scholarship Commission. Supports HB 2249. States that the estimated cost of \$10,000 will be absorbed by their present budget.
TAPE 19, B		
002	Chair Sunseri	Clarifies how the estimated \$10,000 cost could be found in the commission's existing budget.
005	Rep. Winters	Asks if there were no name change, what would the \$10,000 be used for.
011	Turner	Responds that he is hoping the cost would be less due to computer re-programming.
027	Rep. Beck	Comments that the proposed name might be confused with persons seeking human resources. States that "scholarship" seems more appropriate.
033	Turner	Responds that other states' scholarship commissions have changed their names as their responsibilities have increased. Explains the commission also administers loans, which are not scholarships.
050	Rep. Beck	Asks if the commission is confident that people can identify the commission by the new name.
068	Turner	Responds that high school counselors, which are the commission's main liaison with students, will recognize the name.
075	Rep. Beck	Asks are there objections by any members of the commission.
080	Mesirow	Responds there is no objection.
090	Chair Sunseri	Closes public hearing on HB 2249. Opens work session on HB 2249.
<u>HB 2249 WORK SESSION</u>		
115	Rep. Jenson	MOTION: Moves HB 2249 to the floor with a DO PASS

		recommendation.
		VOTE: 10-0 AYE: In a roll call vote, all members present vote Aye.
120	Chair Sunseri	The motion CARRIES. REP. JENSON will lead discussion on the floor.
125	Chair Sunseri	Closes work session on HB 2249. Opens public hearing on HB 2251.
<u>HB 2251 PUBLIC HEARING</u>		
130	Elwood Farber	Executive Director, State Scholarship Commission. Supports HB 2251 which changes the name of the Alternative Student Loan Program to Certificate of Initial Mastery (CIM) Achievement Loan Program (EXHIBIT F). Explains the bill also adds the CIM as an eligibility requirement.
195	Farber	Explains program will be funded by up to \$20 million in tax exempt revenue bonds.
215	Farber	Explains requirements that students must meet to qualify for the low interest loan. Explains there will be no cost to the state.
220	Chair Sunseri	States that current law allows schools to award a diploma or the CIM. Asks is it discriminatory to enable CIM recipients to receive these loans.
225	Farber	Responds that the incentive program is not discriminatory.
245	Danny Santos	Education Policy Coordinator, Governor's Office. Supports HB 2251 (EXHIBIT G). Explains further why the program is not discriminatory.
246	Rep. Close	Asks how does this program affect students who receive a General Education Diploma (GED).
253	Farber	Explains that the scholarship commission can adopt rules to include GED recipients.
260	Chair Sunseri	Asks for clarification of CIM recipients versus GED recipients.

265	Rep. Close	Refers to witness' written testimony which appears confusing.
270	Farber	Acknowledges that his testimony is misleading, but it was not their intent to exclude GED recipients in drafting the legislation.
275	Chair Sunseri	Verifies that the language will be clarified in an amendment.
284	Rep. Jenson	Asks if interest on repayment of this loan is tax deductible.
309	Farber	Responds that he does not know.
315	Turner	Responds that under IRS regulations, interest can be deducted for the first five years of repayment.
320	Rep. Jenson	Asks what are the income eligibility requirements.
330	Turner	Responds that the income bracket is approximately \$100,000 or more.
335	Rep. Hobson	Asks are you trying to raise the level of achievement for participating in this program by including a CIM requirement.
337	Farber	Responds affirmatively.
345	Chair Sunseri	Asks if the GED would then be "put on a par with" the CIM.
349	Farber	Responds that the GED and a diploma would be evaluated the same.
357	Rep. Jenson	Asks if the language clarification will be eliminating the diploma requirement.
365	Farber	Responds that is not being considered. States the student must have a diploma or GED for post secondary education.
370	Rep. Close	Asks why not include the SAT's scores.
376	Farber	Responds that the CIM program is the best mechanism.
382	Rep. Beck	Asks is the commission creating a loan program.
390	Farber	Responds that a name change is requested for an existing program.

398	Chair Sunseri	Comments that the bill is also changing terms.
402	Rep. Beck	Summarizes changes listed in HB 2251.
TAPE 20, A		
004	Rep. Hobson	Asks if the GED and the diploma were given equal consideration in the previous implementation of this program.
006	Farber	Responds affirmatively.
007	Rep. Jenson	Clarifies how the Certificate of Initial Mastery (CIM) and the Certificate of Advanced Mastery (CAM) differ.
015	Chair Sunseri	Explains the difference, and states that the CIM will not qualify a student for post secondary education.
021	Rep. Jenson	Comments he will seek further information from the Department of Education.
025	Rep. Winters	Ask if HB 2251 passes, will there be any adverse impacts on any other group.
026	Farber	Responds that the commission did not consider any negative impacts on other groups.
028	Chair Sunseri	Clarifies that the CAM standards are not complete; therefore the Department of Education (DOE) cannot require the CAM for college entrance.
036	Santos	Responds that his office is working with the DOE on ensuring eligibility for home schoolers for this program.
039	Chair Sunseri	Asks if 25% of students achieve the CIM, what would be the status of the program
045	Farber	Responds the level of funding would be lower.
052	Rep. Lundquist	Asks what would be the fiscal impact in this biennium.
062	Santos	Explains additional benefits of the program.
067	Chair Sunseri	Suggests the witness work on amendments. Closes public hearing on HB 2251.

078	Chair Sunseri	Requests that the committee become familiar with SB 100A. States his intention is to spend approximately two weeks on the bill which will include evening meetings.
095	Rep. Jenson	Comments that he is alerting the committee to a community college annexation bill which is forthcoming.
101	Chair Sunseri	Adjourns at 3:00 p.m.

Submitted By, Reviewed By,

Joan Diaz, Norm Fox,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2072, written testimony, Carol Pedersen, 6 pp

B - HB 2072, written material, Grattan Kerans, 3 pp

C - HB 2072, written testimony, Tamara Dykeman, 1 pp

D - HB 2072, written material, Michael Reardon, 3 pp

E ñ HB 2539, written testimony, Marc Adams, 1 p

F ñ HB 2251, written testimony, Elwood Farber, 2 pp

G ñ HB 2251, written material, Danny Santos, 1 p

H ñ HB 2072, written testimony submitted prior to meeting, John Moseley, 7 pp

I ñ HB 2072, written testimony submitted after meeting, Melissa Watson, 1 p