

HOUSE COMMITTEE ON EDUCATION

April 16, 1999 Hearing Room E

1:15 p.m. Tapes 99 - 101

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. Bruce Starr

Rep. Carl Wilson

Rep. Jackie Winters

STAFF PRESENT: Norm Fox, Administrator

Susan M. Pettet, Administrative Support

MEASURES HEARD: HB 2370 Work Session

HB 2687 Public Hearing and Work Session

HB 2816 Public Hearing

HB 2992 Public Hearing

HB 3307 Public Hearing

TAPE/#	Speaker	Comments
TAPE 99, A		
004	Chair Sunseri	Opens the meeting at 1:15 p.m., and opens work session on HB 2370.
<u>HB 2370 WORK SESSION</u>		
011	Norm Fox	Committee Administrator. Summarizes provisions of HB 2370. Explains effects of HB 2370-2 amendments (EXHIBIT A).
022	Chair Sunseri	Refers to HB 2370, page 1, lines 14 and 15. Asks if this portion is to be deleted by the ñ2 amendments.
028	Fox	Answers no.
030	Rep. Roger Beyer	House District 28. Speaks in support of HB 2370. Indicates that HB 2370 directs school districts to admit nonresident students who attend grades 9 through 12, if space is available. Describes the implications of the 11 percent cap on special-needs students for which the district can receive extra funding.
041	Rep. Starr	Asks for clarification of the selection process for nonresident students.
045	Rep. Beyer	Responds that there is no process in place. Assumes it will be first-come, first-served basis. Describes the process under current law.
051	Rep. Wilson	Asks why, under current law, a release is necessary from the originating school district.
057	Rep. Beyer	Describes the policy operating in his school district. Indicates that all school districts do not operate the same.
059	Rep. Hopson	Asks if the ultimate purpose behind HB 2370 is open enrollment.
062	Rep. Beyer	Answers affirmatively.
065	Rep. Hopson	Asks if the fiscal impact on small school districts losing students has been considered.
068	Rep. Beyer	Replies that the impact is expected to be minimal.
071	Rep. Hopson	Asks if school districts treat this policy differently because of financial reasons.

075	Rep. Beyer	Believes this to be true. Addresses academic reasons for students to transfer.
079	Rep. Beck	Asks about personal experience Rep. Beyer may have had with a family member, friend, or constituent being denied transfer.
083	Rep. Beyer	Describes contacts with constituents having difficulty with transfers because of district refusal to release the student. Indicates there has been no transfer request on behalf of his children.
103	Fox	Indicates the original version of HB 2370 stated that the transfer could be requested for academic, but not athletic reasons.
111	Rep. Morrisette	Asks about discussions with the State Board of Education regarding approval of appeals.
121	Rep. Beyer	Indicates there have been no discussions regarding appeals.
126	Rep. Morrisette	Comments that he wants a sense of the position of the Board of Education.
136	Rep. Jenson	Asks about assurances under HB 2370 regarding transfers if space is available.
142	Rep. Beyer	Indicates that HB 2370 allows for transfers statewide, which is essentially open enrollment.
150	Rep. Jenson	Asks for clarification about academic reasons for transfer.
161	Rep. Beyer	Answers, that decision is for the Board of Education. Opines that access to school bus transportation could be considered an academic reason for transfer.
182	Rep. Wilson	Asks if HB 2037 amendments will erode a school district if students want to transfer to a new school with more amenities.
210	Rep. Beyer	Replies that he sees no problem. Opines that enrollment competition in the public school system will improve programs.
231	Rep. Jenson	Asks if the intent of HB 2370 is to allow transfers on a space-available basis for non-resident students who attend grades 9 through 12.
235	Rep. Beyer	Responds affirmatively.
249	Rep. Morrisette	Comments on equalization of funding. Asks if consideration has been given to equal facilities.

255	Rep. Beyer	Indicates that Rep. Morrisette is bringing up unrelated issues. Adds that the facilities are irrelevant to the quality of education provided.
278	Jim MacMillan	Mosier, Oregon. Describes his personal situation residing in a small school district in a rural area. Indicates that a requested transfer for his son was answered with a demand for \$6,000 tuition.
310	MacMillan	Opines this bill is a good beginning to allow experimentation with choice. Explains that the State of Washington allows cross-registration statewide.
368	Rep. Morrisette	Asks how large is Mosier school district.
371	MacMillan	Answers, a little over 1,000 students, K-12. Mentions that it is a unified school district.
374	Rep. Morrisette	Asks if it was forced unification.
376	MacMillan	Answers no.
378	Rep. Morrisette	Discusses unified school districts and the need for updating infrastructure.
382	MacMillan	Describes similar problems in The Dalles. Indicates the major problem is academic availability, not infrastructure update.
391	Rep. Beck	Indicates that MacMillan made a choice to live in a rural community that may have limited academic opportunities. Asks why the legislature should accommodate choices.
407	MacMillan	Indicates his son's choice is both academic and social. Talks about the shift of school funding from local to central control. Comments that he was unaware of the disparity of programs within school districts when purchasing his home.
432	Rep. Knopp	Indicates that Mr. MacMillan is a taxpayer, and the state wants to micromanage where he sends his children to school. Questions why MacMillan should pay extra to improve his children's academic situation. Indicates that he favors allowing choice.
457	Rep. Hopson	Asks if higher-achieving students will attend larger school districts.
484	MacMillan	Opines that every child needs an individual fit. Discusses behavioral settings.
TAPE 100, A		

061	MacMillan	Remarks that transfers usually occur for very specific reasons.
070	Rep. Morrisette	Thinks it is unfair to transfer into a district where the family has not paid to support the infrastructure.
082	Rep. Winters	Addresses the demand for \$6,000 tuition if Mr. MacMillan's son transferred. Asks if the originating school district would release his son.
089	MacMillan	Answers no.
095	Rep. Winters	Asks for the reason.
102	MacMillan	Explains that his son's school district has an agreement with District 12 for an exchange of funds between the districts, but not for transfers out of the districts.
103	Rep. Jenson	Comments on the quality of education in large versus small schools.
115	Chair Sunseri	Closes work session on HB 2370, and opens public hearing on HB 2687.
<u>HB 2687 PUBLIC HEARING</u>		
120	Fox	Summarizes provisions of HB 2687. Explains effects of HB 2687-1 (EXHIBIT B) and 2 amendments (EXHIBIT C).
137	Rep. Vic Backlund	House District 33. Testifies in support of HB 2687. Indicates that this bill provides that students who do not meet mastery level or grade level standards may advance to the next grade level only if certain requirements are met. Speaks in opposition to social promotion.
162	Rodman H. Peil	Retired teacher. Speaks in support of HB 2687. Submits and reads written testimony (EXHIBIT D). Explains that HB 2687 establishes that Oregon expects a student to master the grade-level skills of the present grade before advancing to the next grade.
196	Rep. Hopson	Asks for clarification of his position on social promotion.
205	Peil	Takes neutral position on social promotion. Discusses exceptions, such as lack of ability.
236	Rep. Winters	Asks which individuals should be socially promoted, and under what circumstances.
240	Peil	Opines that social promotion does a disservice to persons of adequate ability.

278	Rep. Winters	Comments on her opposition to social promotion.
295	Peil	Provides an example of circumstances in Chicago. Comments that retention without options is a failure.
331	Peil	Indicates that it is the student's responsibility to make the effort to learn. Describes his personal experience as a sixth-grade teacher. Explains that students read and did math from the first-second grade level through high-school level. Believes that HB 2687 would assist in reducing that spread.
350	Rep. Hopson	Agrees that it is the student's responsibility to learn. Asks if Peil agrees that schools and teachers are responsible for determining promotion.
386	Peil	Responds that he retained just two students in his 17-year teaching career. Discusses circumstances of social promotion.
410	Frankie Osborne	Educator. Speaks in support of HB 2687. Addresses student retention and social promotion. States that a multitude of students in Oregon cannot meet standard benchmarks for reasons that have nothing to do with a lack of effort.
TAPE 99, B		
057	Osborne	Indicates that 30% of Parrish Middle School students speak English as a second language. Adds that 25% of the students have learning disabilities or emotional problems.
072	Rep. Beck	Asks about the costs and impact to a school district to supplement education with summer school or other programs. Asks for the source of funding for supplemental programs.
087	Osborne	States that she is unaware of available funding for supplemental education programs.
093	Rep. Beck	Comments on his personal experience tutoring children during the interim. Indicates that he is reading to third graders who are unfamiliar with the alphabet. Adds that the school system is failing children by not providing adequate funding.
102	Chair Sunseri	Refers to HB 2687, line 15, page 2. Indicates that the educational record of the student shall contain documentation signed by a parent at the time of advancement, explaining the advancement. Refers to HB2687-2 amendments, line 9. Asks if the intent is parental approval of the advancement, or acknowledgement that the school is doing it.
126	Peil	Answers that the intent is parental awareness.

128	Rep. Hopson	Asks about procedures to determine advancement, which includes parental signature. Asks if the intent is to eliminate parental authority in this decision.
130	Osborne	Answers that she does not think so.
132	Rep. Hopson	Asks if parents can disapprove of the advancement.
134	Peil	Indicates the educational institution should make the decision.
136	Fox	Enters into the record written testimony from Marc McAvoy in support of HB 2687 (EXHIBIT E).
144	Chair Sunseri	Closes public hearing on HB 2687, and opens work session on HB 2687.
<u>HB 2687 WORK SESSION</u>		
161	Joanne Flint	Oregon Department of Education. Takes neutral position on HB 2687. Believes promotion of students is a local district decision. Indicates there is a process in place which allows parental approval or disapproval.
180	Rep. Hopson	Describes the process in place in her local school district regarding student retention/promotion.
203	Chair Sunseri	Asks if the ñ2 amendments are a departure from current practice.
205	Flint	Indicates she has not seen the ñ2 amendments.
210	Rep. Beck	Asks if student retention creates additional funding impacts.
219	Flint	Answers yes.
228	Rep. Hopson	Indicates the amount of money spent on summer school for students being socially promoted should equal the amount spent on summer school for students not reaching standards. Opines that services need to be offered to help students reach standards.
265	Chair Sunseri	Asks if members support parental notification or parental approval.
268	Rep. Morrisette	Suggests that parental notification must be provided early in the process.
272	Chair Sunseri	Informs members that HB 2687 provides for the school to establish the process. Asks if parents should be part of the final decision.

275	Rep. Beck	Discusses circumstances where parents are part of the problem. Supports parental notification.
298	Rep. Knopp	Believes that notification is insufficient. Favors parental involvement.
310	Rep. Starr	Agrees with Rep. Knopp.
318	Rep. Jenson	MOTION: Moves to ADOPT HB 2760-2 amendments dated 3/19/99.
321	Fox	Explains the difference between ñ1 amendments (EXHIBIT B) and - 2 amendments (EXHIBIT C). Explains exceptions.
360	Rep. Hopson	Indicates reasons she will vote against the ñ2 amendments.
382	Chair Sunseri	Asks for further discussion on the ñ2 amendments. Instructs the clerk to call the roll.
402		VOTE: 9-1 AYE: 9 - Beck, Close, Jenson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri NAY: 1 - Hopson
	Chair Sunseri	The motion CARRIES.
420	Rep. Jenson	MOTION: Moves to SUSPEND the rules for the purpose of conceptually amending HB 2678-2 amendments.
		VOTE: 10-0
	Chair Sunseri	Hearing no objection, declares the motion CARRIED.
432	Chair Sunseri	Indicates that language needs to be added to allow for parental approval or disapproval.
438	Rep. Morrisette	Comments on the necessity of early parental involvement. Suggests mid-school year notification, or 90 days from the close of the school year.

445	Chair Sunseri	Suggests language in the ñ2 amendments, line 9: "Documentation signed by the parent no later than 90 days from the close of the school year."
451	Rep. Jenson	Comments about the regular reporting period in the school system.
453	Rep. Hopson	Indicates that notification half-way through the school year is insufficient. Comments on her belief that teachers always provide accurate progress reports to parents several times during the school year.
TAPE 100, B		
036	Rep. Wilson	Speculates how children would be affected by this legislation. Opposes parental veto power regarding promotions/retentions.
052	Rep. Winters	Favors parental notification.
065	Rep. Wilson	Speculates on the level of parental involvement regarding retention.
070	Chair Sunseri	Suggests additional language relative to when the documentation regarding advancement must be signed by parents.
073	Rep. Beck	Comments that he wants input from the Department of Education before writing something nontraditional.
079	Rep. Hopson	Opines that she feels like she is sitting at a school board meeting. Remarks that this matter should be decided by teachers.
083	Rep. Close	Indicates that the school board is an elected body, but so are the members. Discusses the legislative obligation to ensure students are not "shuffled."
094	Chair Sunseri	Closes work session on HB 2687, and opens public hearing on HB 2816.
<u>HB 2816 PUBLIC HEARING</u>		
102	Fox	Explains provisions of HB 2816.
114	Peil	Speaks in support of HB 2816. Indicates that HB 2816 allows students in grades 9-12 to challenge courses based on examinations, experience, or training. Explains that this bill allows an opportunity for early graduation. Describes similar 1997 legislation.
157	Wilma Wells	Confederation of School Administrators. Speaks in support of HB 2816. Opines that HB 2816 is unnecessary because these issues are set forth in administrative

		rule for decision by the local school board.
163	Chair Sunseri	Closes public hearing on HB 2816, and opens public hearing on HB 2992.
<u>HB 2992 PUBLIC HEARING</u>		
180	Steven Kafoury	University of Phoenix, and the Oregon Career College Association. Testifies in support of HB 2992.
191	Stacey Maurer	Financial Director, Pioneer Pacific College. Speaks in support of HB 2992. Submits and reads written testimony (EXHIBIT F). Explains that HB 2992 allows the State Scholarship Commission to award state need grants to students attending private or public institutions of higher education in Oregon.
235	Maurer	Discusses her personal success history, from welfare recipient to employment with Pioneer Pacific College.
248	Andy Job	<p>Director, Oregon Campus for the University of Phoenix (OCUP). Speaks in support of HB 2992. Indicates the following regarding OCUP student population:</p> <ul style="list-style-type: none"> • Student average age is 34 years • Enrollment of 850 • Employed full-time adults • Residents of Oregon <p>Opines that the OCUP student population qualifies for need grants under HB 2992.</p>
275	Kafoury	Adds that there is no opposition to HB 2992 from independent schools or state universities.
291	Rep. Morrisette	Expresses concern about the fiscal impact of HB 2992.
307	Kafoury	Indicates that he expects a \$1.8 million fiscal impact.
313	Rep. Beck	Asks how the award of grants will be determined.
317	Kafoury	Replies, on the same basis as other eligible institutions.
343	Maurer	Believes eligibility is based on income, similar to other financial aid.
350	Kafoury	Estimates that a small number of students will be eligible for grants.

357	Rep. Winters	Asks about the fiscal impact and competition for dollars.
383	Kafoury	Replies that many are working to get money into the State Scholarship Commission.
401	Chair Sunseri	Closes public hearing on HB 2992, and opens public hearing on HB 3307.
<u>HB 3307 PUBLIC HEARING</u>		
419	Fox	Summarizes provisions of HB 3307. Explains effects of HB 3307-1 (EXHIBIT G) and ñ2 amendments (EXHIBIT H). Enters into the record written testimony from Tricia Bosak, Oregon Education Association Government Relations Consultant, in support of HB 3307 (EXHIBIT I)
435	Don Zehrung	Speaks in support of HB 3307. Submits and reads written testimony (EXHIBIT J). Speaks in support of HB 3307. Explains that HB 3307 adds physical education to the list of subjects included in the definition of content areas for purposes of the Oregon Education Act for the 21 st Century.
TAPE 101, A		
041	Zehrung	Discusses the fiscal impact of HB 3307. Describes lack of student physical fitness. Indicates that leaving standards development for physical education to local districts after the implementation of a reform act that deemphasized the subject area is not a reasonable expectation.
087	Zehrung	Discusses the importance of physical education and good health.
105	Rep. Winters	Comments on lack of exercise relative to obesity.
125	Flint	Speaks in support of HB 3307. Testifies in opposition to HB 3307. Submits and summarizes written testimony (EXHIBIT K). Indicates that including physical education as a content area would add it as a requirement of the Certificate of Initial Mastery (CIM).
167	Flint	Discusses the fiscal impact of HB 3307. Recommends an amendment to include physical education in the standards, but not as a state-assessed area.
198	Rep. Jenson	Asks for projected additional costs.
202	Flint	Suggests that depends on the type of assessment, which is dependent on standards being developed.
221	Rep. Jenson	Asks for staffing costs.

238	Flint	Replies that no additional staffing is required.
249	John Chism	American Heart Association (AHA). Speaks in support of HB 3307. Submits and reads written testimony (EXHIBIT L). States that physical inactivity is a major risk factor for the development of coronary artery disease. Adds that the AHA recommends daily school physical education for children.
280	Jim Brick	Associate Professor, Health and Physical Education, Willamette University. Speaks in support of HB 3307. Indicates that 24% of Oregon children are obese.
299	Terry Wood	Associate Professor, Department of Exercise and Sport Science, Oregon State University. Speaks in support of HB 3307. Submits and summarizes written testimony (EXHIBIT M). Indicates that physical education is under attack in the public school system at all levels. Emphasizes the importance of physical education programs in the elementary schools.
325	Wells	Speaks in support of HB 3307. Indicates that funds are not available to hire staff for physical education student assessment. Comments that many teachers who are not physical education teachers, are complaining about how much time is spent on state testing.
341	Barbara Cusimano	Oregon State University. Speaks in support of HB 3307. Comments that she teaches the undergraduate methods class for students who will teach physical education or elementary school. Clarifies that this class is an elective and not a state requirement for persons certified to be a classroom teacher.
355	Rep. Jenson	Indicates it appears there is a staffing problem, in terms of in-service costs.
361	Cusimano	Describes opportunities available for teachers to learn about physical education. Comments that many classroom teachers are not interested in teaching physical education. Describes time and energy demands placed upon elementary classroom teachers.
390	Chair Sunseri	Closes public hearing on HB 3307. Adjourns the meeting at 3:35 p.m.

Submitted By, Reviewed By,

Susan M. Pettey, Norm Fox,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 2370, -2 amendments, Staff, 4 pp.

B ñ HB 2687, -1 amendments, Staff, 1 p.

C ñ HB 2687, -2 amendments, Staff, 2 pp.

D ñ HB 2687, written testimony w/attachment, Rodman H. Peil, 2 pp.

E ñ HB 2687, written testimony, Marc McAvoy, 2 pp.

F ñ HB 2992, written testimony, Stacey Maurer, 2 pp.

G ñ HB 3307, -1 amendments, Staff, 1 p.

H ñ HB 3307, -2 amendments, Staff, 1 p.

I ñ HB 3307, written testimony, Tricia Bosak, 1 p.

J ñ HB 3307, written testimony w/attachments, Don Zehrung, 5 pp.

K- HB 3306, written testimony, Joanne Flint, 5 pp.

L ñ HB 3307, written testimony, John Chism, 2 pp.

M ñ HB 3307, written testimony, Terry Wood, 3 pp.