

## **HOUSE COMMITTEE ON EDUCATION**

**April 19, 1999 Hearing Room E**

**1:00 PM Tapes 102 - 105**

**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**

**Kevin E. Wells, Administrative Support**

**MEASURE/ISSUES HEARD: HB 3444 Public Hearing and Work Session**

**HB 2250 Public Hearing and Work Session**

**HB 2723 Public Hearing and Work Session**

**HB 2549 Public Hearing**

**HB 2614 Public Hearing**

**HB 3013 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 102, A**

002	Chair Sunseri	Calls the meeting to order at 1:15 p.m
007	Norm Fox	Committee Administrator. Points out the fiscal statement for HB 3444. Notes that there is no fiscal impact for HB 3013.
019	Chair Sunseri	Discusses upcoming meeting schedules. Opens a public hearing on HB 3444. Introduces the ñ1 amendments ( <b>EXHIBIT A</b> ).

**HB 3444 PUBLIC HEARING**

033	Rep. Jane Lokan	District 25. Testifies in support of HB 3444. Explains that it helps educators deal with potentially violent students. Discusses the proposed ñ1 amendments
090	Rep. Lokan	Offers a conceptual amendment. Concludes testimony on HB 3444. Introduces Deborah Barnes.
110	Deborah Barnes	Telecommunications Instructor, Sabin Skills Center, North Clackamas School District. Supports HB 3444 ( <b>EXHIBIT B</b> ). Discusses school violence. States the need for additional tools to safeguard classes.
145	Rep. Winters	Asks if students who exhibit violent tendencies are involved with drugs.
149	Barnes	States that she is not an expert and does not know. Notes that whether they are on drugs or not these students need counseling.
161	Kathie Osborn	Juvenile Rights Project. Supports the ñ1 amendments to HB 3444.
169	Jim Green	Oregon School Board Association (OSBA). Supports ñ1 amendments to HB 3444.
174	Rep. Hopson	Asks if there are schools that feel they are currently not allowed to undertake the actions proposed in HB 3444.
178	Green	Explains that districts can do these things now, but HB 3444 requires that school districts craft policies on how to deal with these situations.
183	Rep. Hopson	Asks what percentages of districts have relevant policies in place.
185	Green	Replies that most districts, about 90%, have such policies.

193	Rep. Jenson	Asks if current policies would meet the requirements set forth in HB 3444.
201	Green	Explains that each district can work on the policy to meet their own unique needs.
208	Rep. Jenson	Asks if the OSBA's standard policy, without modification to local needs, satisfies HB 3444.
210	Green	States that current policies are sufficient to meet the requirement.
213	Chair Sunseri	Close the public hearing on HB 3444. Opens a work session on HB 3444.
<b><u>HB 3444 WORK SESSION</u></b>		
217	Rep. Close	<b>MOTION: Moves to SUSPEND the rules for the purpose of conceptually amend HB 3444-1 amendments.</b>
		<b>VOTE: 10-0</b>
	Chair Sunseri	<b>Hearing no objection, declares the motion CARRIED.</b>
220	Rep. Close	<b>MOTION: Moves to AMEND HB 3444 on on page 2, in line 6, after "boards," change "shall" to "may".</b>
		<b>VOTE: 10-0</b>
	Chair Sunseri	<b>Hearing no objection, declares the motion CARRIED.</b>
227	Rep. Close	<b>MOTION: Moves to ADOPT HB 3444-1 amendments dated 4/9/99.</b>
		<b>VOTE: 10-0</b>
	Chair Sunseri	<b>Hearing no objection, declares the motion CARRIED.</b>
232	Rep. Close	<b>MOTION: Moves HB 3444 to the floor with a DO PASS AS AMENDED recommendation.</b>

240		<p><b>VOTE: 10-0</b></p> <p><b>AYE: In a roll call vote, all members present vote Aye.</b></p>
	Chair Sunseri	<p><b>The motion CARRIES.</b></p> <p><b>REP. LOKAN will lead discussion on the floor.</b></p>
250	Chair Sunseri	Closes the work session on HB 3444. Opens a public hearing on HB 2250.
<b><u>HB 2250 PUBLIC HEARING</u></b>		
258	Jim Beyer	Oregon State Scholarship Commission. States he is here to answer questions rather than to testify.
265	Chair Sunseri	Asks for staff summary.
267	Fox	Explains HB 2250 creates a tax credit for employee contributions to scholarships created by employers. Discusses related issues.
284	Rep. Beck	Asks if it would be more efficient to put more money into the overall grant program rather than targeting particular children. Asks for details on how the tax credit works.
298	Sherrill Kirchoff	State Scholarship Commission. States HB 2250 leverages money from the private sector.
306	Rep. Beck	Expresses concern that HB 2250 favors children whose parents work at large corporations that have resources to make contributions.
314	Kirchoff	Comments that many of the funding companies are small. Explains that it expands the opportunities to participate in grant programs.
325	Rep. Beck	Asks if HB 2250 has a subsequent referral to Revenue.
327	Rep. Winters	States HB 2250 is an opportunity for public-private partnerships.
330	Rep. Morrisette	States that HB 2250 is a tax write off that is not available to all parents.
338	Beyer	Explains that there are limitations on who can donate and that donors cannot be

		involved in the selection of grant recipients.
347	Chair Sunseri	Close the public hearing on HB 2250. Opens a work session on HB 2250.
<b><u>HB 2250 WORK SESSION</u></b>		
349	Rep. Jenson	States that the intentions of HB 2250 are good and right. Expresses concern that this is a huge tax credit for companies and gives some parents an advantage over others.
377	Chair Sunseri	Notes that Revenue can work on HB 2250.
382	Rep. Jenson	Explains that he will vote no now to send a message to Revenue, but not as an indication of his floor vote.
390	Rep. Winters	Explains that HB 2250 is an opportunity to create private-public partnerships to make higher education more accessible.
<b>TAPE 103, A</b>		
005	Rep. Beck	Expresses concern about HB 2250, that potentially it is an excuse to under-fund the state grant and aid program. States he will vote for HB 2250.
015	Rep. Winters	<b>MOTION: Moves HB 2250 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Revenue by prior reference.</b>
		<b>VOTE: 8-2</b> <b>AYE: 8 - Beck, Close, Hopson, Knopp, Starr, Wilson, Winters, Sunseri</b> <b>NAY: 2 - Jenson, Morrisette</b>
		<b>Chair Sunseri</b>
		<b>The motion CARRIES.</b>
030	Chair Sunseri	Closes the work session on HB 2250. Opens a public hearing on HB 2723.
<b><u>HB 2723 PUBLIC HEARING</u></b>		
035	Joanne Fuller	Oregon Juvenile Directors Association. Supports HB 2723. Explains the need for year-round classes for youths in local detention facilities. Points out the ñ2 amendments ( <b>EXHIBIT C</b> ). States that it was intended to allow flexibility to

		some school districts, but forces all school districts to delay implementation until a new collective bargaining agreement is negotiated.
077	Rhonda Kjargaard	Multnomah Educational Service District. Supports HB 2723. Explains that any time a student spends in a classroom is time well spent. Discusses the students in correctional educational programs. Discusses the difficulties facing these programs.
125	Kjargaard	Relates personal experiences regarding the benefit of these education programs.
195	Kathie Osborn	Juvenile Rights Project. Supports HB 2723. Agrees that there is great benefit from attending correctional education programs even for a short time. Notes that attendance in these programs is good for the mental health of youths in detention. Urges a year round schedule of classes.
229	Jim Green	OSBA. Opposes HB 2723. Discusses the ñ2 amendments. Explains that negotiated contracts cannot be changed by legislation. Discusses the issue of reimbursement from state schools for these services.
269	Laurie Wimmer	Oregon Education Association. Supports HB 2723. States that the ñ2 amendments do not impact current contracts.
285	John Pendergrass	Oregon Department of Education. Supports the concept of providing year-round classes for students in detention. Discusses funding.
301	Chair Sunseri	Asks Pendergrass if any changes to statute are needed to accomplish the goals of HB 2723.
305	Pendergrass	Replies that from the perspective of the Department of Education, no changes are needed.
307	Ozzy Rose	Confederation of Oregon School Administrators. States all teachers are passionate about teaching their students. Stresses that the continual changes in the mission of schools over the last 30 years without commensurate changes in funding has created a problem in the public education system.
343	Cindy Hunt	Legislative Counsel Office. Explains the ñ2 amendment and its effect on collective bargaining agreements.
353	Chair Sunseri	Asks if the language of the bill is acceptable.
354	Hunt	Answers that it suffices.
355	Chair Sunseri	Closes the public hearing on HB 2723. Opens a work session on HB 2723.

**HB 2723 WORK SESSION**

366	Rep. Winters	<b>MOTION: Moves to ADOPT HB 2723-2 amendments dated 4/19/99.</b>
		<b>VOTE: 10-0</b>
	Chair Sunseri	<b>Hearing no objection, declares the motion CARRIED.</b>
380	Rep. Beck	Asks if there are conceptual amendments or has Legislative Counsel decided that the ñ2 amendment is sufficient.
386	Chair Sunseri	Explains that Hunt did not address the proposed amendment. States that the Department of Education supports the bill with the ñ2 amendments.
389	Rep. Winters	<b>MOTION: Moves HB 2723 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.</b>
394	Rep. Knopp	Asks if HB 2723 needs to be referred to Ways and Means.
397	Chair Sunseri	States that HB 2723 needs to be referred to Ways and Means.
		<b>VOTE: 8-1</b> <b>AYE: 8 - Beck, Close, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri</b> <b>NAY: 1 - Hopson</b> <b>EXCUSED: 1 - Jenson</b>
	Chair Sunseri	<b>The motion CARRIES.</b>
400	Chair Sunseri	Closes the work session on HB 2723. Recesses the meeting for five minutes. Opens a public hearing on HB 2549.

**HB 2549 PUBLIC HEARING****TAPE 102, B**

005	Chair Sunseri	Closes the public hearing on HB 2549 ( <b>EXHIBIT D</b> ). Opens a public hearing on HB 2614.
<b><u>HB 2614 PUBLIC HEARING</u></b>		
025	Betsy Shepard	Eugene School District. Opposes HB 2614 ( <b>EXHIBIT E</b> ). Supports the idea of seamless post-secondary education options. Outlines concerns about HB 2614, such as criteria for evaluating programs and the process for designing and implementing programs.
090	Shepard	Reviews opportunities offered to students in Lane County. Questions why these services should be duplicated as HB 2614 would.
128	Rep. Close	Expresses a concern that the Advanced Placement test is too expensive and difficult to pass.
139	Shepard	Explains that students receive high school credit even if they do not pass the Advanced Placement exam. Notes that the high school credits (including university credits taking in a high school program) cost less than university credits.
152	Rep. Close	Asks if there is assistance available to low-income students to pay for the Advanced Placement exams.
155	Shepard	Explains that support systems are in place for low-income students.
163	Mary Jean Sandall	Salem-Keizer Public Schools. Opposes HB 2614. States that the bill is unnecessary. Reviews educational opportunities available to Salem-Keizer students ( <b>EXHIBIT F</b> ).
210	Sandall	States that removing students from existing programs jeopardizes remaining programs.
225	Bill Korach	Superintendent, Lake Oswego School District. Opposes HB 2614 ( <b>EXHIBIT G</b> ). States that Oregon schools are under-funded for the standards that have been put in place.
297	Korach	Suggests that HB 2614 undercuts the efforts to provide rich and valuable educational programs.
305	Chair Sunseri	Suggests that Korach is arguing for HB 2614 as it would make the best use of limited funds to meet the needs of students most efficiently.
324	Korach	Explains that the school experience is more than access to academic programs.



350	Chair Sunseri	Explains that HB 2614 broadens the opportunities available to students. Notes that it leaves money with school districts.
362	Korach	States that a student leaving some funds behind when they go to another program is not the same as having the student and all of the funds.
365	Rep. Morrisette	States that the issue is not money, but other intangible aspects of the student life.
378	Korach	Explains that high school is a holistic experience.
384	Chair Sunseri	States that the decision to pursue early options programs is not an uninformed or immature decision.
392	Korach	Stresses that the dollars needed to provide for students in their junior and senior years are significant to school districts. Urges the committee not pass HB 2614.
<b>TAPE 103, B</b>		
004	Rep. Wilson	Asks if the high school is more important than a seamless pre-K through 16 educational system.
015	Korach	Explains that the current K-12 system is under funded. Stresses the integrity of K-12 education needs to be protected.
017	Rep. Morrisette	Asks about high school students who attend university.
025	Shepard	Explains that their tuition is waived by the higher education system and families pay fees.
037	Kellie Shoemaker	Legislative Director, Oregon Student Association. Opposes HB 2614 ( <b>EXHIBIT H</b> ). Relates concern of current university students, such as having to compete with high school students for spots in courses.
057	Gary Sehorn	Beaverton School District. Opposes HB 2614 ( <b>EXHIBIT I</b> ). States that the bill would transform high school into a two-year program. Explains that HB 2614 jeopardizes the ability of school districts to prepare students for higher education. Notes that similar alternatives already exist, so HB 2614 is unnecessary.
106	Gary Carlson	Associated Oregon Industry (AOI). Supports HB 2614. Discusses AOI's efforts in education and education reform.
165	Carlson	Reviews history of legislation, the Student Bill of Rights. States that HB 2614 offers parents options on how to spend tax dollars to meet their educational goals.

215	Carlson	Restates that HB 2614 provides opportunities to juniors and seniors in high school. Suggests that there will not be mass exodus from high schools. States that HB 2614 will bolster declining student performance.
264	Morrisette	Asks Carlson to provide information to the committee.
266	Rep. Starr	Asks if HB 2614 replaces or enhances existing education programs.
270	Carlson	Replies that it enhances school district programs by expanding the opportunities available to students; it allows students to strive for their potential.
287	Grattan Kerans	Oregon Higher Education System (OHS). Supports HB 2614. Discusses the history of the idea behind the legislation for early option programs.
345	Kerans	Continues to discuss the history of legislation for early option programs. Notes that many high school administrators are not satisfied with their early options programs and that the demand for such programs is increasing.
400	Kerans	States HB 2614 is about money. Discusses the effects of diverting money appropriated for public schools.
<b>TAPE 104, A</b>		
005	Kerans	Notes that OHS has supported the creation of innovative programs while facing a difficult fiscal situation. Explains that school districts retain money when high school students take university or other early option courses. States the need for statewide uniformity for early option programs.
055	Kerans	Stresses that other states already offer opportunities similar to those proposed in HB 2614.
062	Rep. Morrisette	Asks if Kerans has a proposed amendment.
064	Kerans	Explains the proposed amendments. States they are not drafted yet.
088	Chair Sunseri	Closes the public hearing on HB 2614. Opens a public hearing on HB 3013.
<b><u>HB 3013 PUBLIC HEARING</u></b>		
094	Dorothy Karman	The Oregon Christian Home Education Association Network. Supports HB 3013 ( <b>EXHIBIT J</b> ). States the bill protects parents' rights to direct the upbringing of their children.

145	D. Karman	Stresses that home schools are not public schools, so the Superintendent of Public Instruction should not have jurisdiction over home school education. Explains why achievement tests are burdensome for home schoolers. Notes that the few failures in home schooling do not over ride the great majority of parents that are responsible.
200	D. Karman	Notes the compelling interest states have in the education of children. States that home school students are well prepared to be active and contributing members of society. States that HB 3013 is not about money, but about freedom.
231	Rep. Morrisette	Asks about the problems that face non-home schoolers; what happens when children and parents use home schooling as an excuse for truancy.
261	D. Karman	Defer that question to other witnesses.
266	Richard Karman	Chairman, The Oregon Christian Home Education Association Network. Supports HB 3013. Discusses the history of home education and the effort to lessen the requirements on home education.
325	R. Karman	Notes the past error of considering home education as part of public education. Discusses implications of that error. Stresses that home education is not part of public education. Emphasizes the success of home education.
375	R. Karman	Urges passage of HB 3013 and giving home schooling liberty to flourish.
376	Rep. Hopson	Asks what are the control issues that concern R. Karman.
380	R. Karman	Explains that recent control issues include administration of tests by third party individuals that have no relation to home school students.
409	Hopson	Asks what bills, that restrict home schooling, are currently in the Legislature.
<b>TAPE 105, A</b>		
001	R. Karman	States that there are no such bills in the 1999 Legislative Session.
005	Rep. Hopson	Asks what issues prevent home education from flourishing.
008	R. Karman	Responds that the limitations on test taking and situations where education occurs outside the state.
021	Rep. Hopson	Asks what issues beside test taking are obstacles for home schooling.

024	R. Karman	States that differences of philosophy with those in the public education system is a major problem for home education.
030	Rep. Morrisette	Asks if it would be acceptable to have home schoolers report to one another rather than those in the public education system.
044	R. Karman	Defers to other witnesses.
047	Scott Somerville	Home School Legal Defense Association, Virginia. Supports HB 3013. Comments on the expenses of home school testing. Notes that two students were remanded to public school last year after failing their tests. Discusses the issue of truancy, ORS 339.925 subsections 3a & 3b.
100	Somerville	Continues to discuss the regulation of truancy for home schoolers. Discusses the definition of what is education. States that no amount of legislation makes a parent a good parent.
165	Rep. Morrisette	Asks how HB 3013 corrects existing statute.
167	Somerville	Explains how HB 3013 removes the percentile threshold to allow a student to be home schooled and allows for stricter enforcement of truancy laws.
170	Rep. Morrisette	Asks how HB 3013 corrects the problem of enforcing truancy laws.
176	Somerville	Explains what is wrong with current regulation. Explains how HB 3013 corrects those problems. Explains the importance of face to face conferences to deal with alleged truancy.
215	Hally Ray	Home schooler. Supports HB 3013 ( <b>EXHIBITS K &amp; L</b> ). Discusses the problems with current testing requirements.
265	Ray	States that teacher training programs and government sponsored initiatives have not improved public school performance. Stresses that home education requirements are not permissive. States that the government has no right to oversee home education.
315	Ray	States that public education does not guarantee that a student is prepared to be an active and contributing member of society. Explains that home education with little government intervention produces quality education.
356	Rodger Williams	Board Member, OCEANetwork. Supports HB 3013 ( <b>EXHIBIT M</b> ). Submits and reads written testimony.
410	Williams	Discusses the 15-percentile threshold.

**TAPE 104, B**

002	Williams	Continues to relate personal experiences. States that he and his wife know better than anyone what their children's needs are and how to educate them. Explains HB 3013 is important in freeing parents to educate their children. States that current regulations restrict the progress of home school education.
050	Williams	States that public education, particularly slow learning tracts, damage children. Stresses that home education is separate from public education.
062	Chair Sunseri	Thanks Williams for his efforts and testimony.
070	Paul Ries	Salem. Supports HB 3013 ( <b>EXHIBIT N</b> ).
093	Rep. Beck	Asks if parents grade the work of home schoolers.
097	Ries	Explains that every home education situation is different. States that evaluations are made and given to the children.
107	Rep. Beck	Asks what requirements exist for home schoolers.
111	Ries	Explains the primary tests and reporting requirements.
115	Rep. Beck	Asks if private schools have regular testing and grading systems.
127	Ries	Replies that he does not know the answer. States that the testing requirement is greater for home schoolers than for public schools
140	Jeanne Biggerstaff	Oregon Home Education Network. Supports HB 3013.
149	Chair Sunseri	Asks what is the growth rate for home education.
150	Biggerstaff	Responds that there has been a 4%-5% growth rate in home education.
163	Rep. Beck	Asks if the typical home education situation is parents and children or if families group together.
169	Biggerstaff	Explains that generally one family educates their children, but occasionally have joint activities with other home schoolers.
186	Morrisette	Comments on the importance of parent participation in education.

202	Phillip Butler	Home schooler, Marion County. Supports HB 3013. States that home education is the best option for his educational needs. Comments on the grading of home schoolers. Suggests that the home education system is better than public education and should not be held to the same standards. Urges passage of HB 3013.
245	Chair Sunseri	Asks what Butler's plans are for when he gets his diploma.
247	Butler	States he is going to study law and politics.
250	Lea Williams	Supports HB 3013. States that education is not about achieving grades but training them to be good citizens.
300	L. Williams	States that education is about life not taking tests. Stresses that society needs to free citizens to achieve their potential rather than forcing them to take tests. Asserts that before public education there was 100% literacy among all people in the U.S.
324	Rep Beck	Asks when there was 100% literacy in the U.S. Asks if there are subject matters that public schools do not teach that they should teach; are there subjects they teach that they should not; as regards subject areas, what do home schools have that public schools do not.
340	L. Williams	Explains why she decided to home school her son. States that home schooling is more efficient than public school.
360	Rep. Beck	Asks if there is any value to having public school.
364	L. Williams	States that democracy depends on an educated society, but education needs to be directed by the children's parents not the government.
383	Morrisette	Agrees that there is a waste of time in the formal system. Adds that some of that wasted time is informal social interaction.
005	L. Williams	States that modern classroom settings are very unnatural. Suggests that home education promotes more natural social interactions.
028	Chair Sunseri	Closes the public hearing on HB 3013. Adjourns the meeting at 4:38 p.m.

Submitted By, Reviewed By,

Kevin E. Wells, Norm Fox,

**EXHIBIT SUMMARY**

**A ñ HB 3444, LC amendment ñ1 (4/9/99), staff, 1 p.**

**B ñ HB 3444, written testimony, Deborah Barnes, 3 pp.**

**C ñ HB 2723, LC amendment ñ2 (4/19/99), staff, 1 p.**

**D ñ HB 2549, written testimony, Joanne Flint, 1 p.**

**E ñ HB 2614, written testimony, Betsy Shepard, 16 pp.**

**F ñ HB 2614, written testimony, Mary Jean Sandall, 6 pp.**

**G ñ HB 2614, written testimony, Bill Korach, 1 p.**

**H ñ HB 2614, written testimony, Kellie Shoemaker, 1 p.**

**I ñ HB 2614, written testimony, Gary Sehorn, 2 pp.**

**J ñ HB 3013, written testimony, Dorothy Karman, 4 pp.**

**K ñ HB 3013, pamphlet, Hally Ray, 23 pp.**

**L ñ HB 3013, written testimony, Hally Ray, 2 pp.**

**M ñ HB 3013, written testimony, Rodger Williams, 2 pp.**

**N ñ HB 3013, written testimony, Paul Ries, 1 p.**