

HOUSE COMMITTEE ON EDUCATION

April 30, 1999 Hearing Room E

1:00 PM Tapes 119 - 122

MEMBERS PRESENT: Rep. Ron Sunseri, Chair

Rep. William Morrisette, Vice-Chair

Rep. Betsy Close

Rep. Elaine Hopson

Rep. Bob Jenson

Rep. Tim Knopp

Rep. Bruce Starr

Rep. Carl Wilson

Rep. Jackie Winters

MEMBER EXCUSED: Rep. Chris Beck

STAFF PRESENT: Norm Fox, Administrator

Joan Diaz, Administrative Support

MEASURE/ISSUES HEARD: HB 3114 Work Session

HB 3476 Work Session

HB 3484 Work Session

HB 3012 Work Session

HB 2262 Work Session

HB 2251 Work Session

HB 3240 Work Session

HB 2471 Work Session

HB 3013 Work Session

HB 3480 Work Session**HB 3307 Work Session****HB 2829 Work Session****HB 2670 Work Session**

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 119, A		
005	Chair Sunseri	Calls meeting to order at 1:37 p.m. Introduces Don Carlson, State Representative from Washington.
010	Rep. Don Carlson	District 49, Vancouver. Shares his experience in the Washington legislature; serves on House Education Committee.
042	Chair Sunseri	Opens work session on HB 3114.
<u>HB 3114 WORK SESSION</u>		
043	Norm Fox	Committee Administrator. Explains provisions of the bill; refers to the proposed ñ2 amendments. (EXHIBIT A)
065	Chet Orloff	Director, Oregon Historical Society. Testifies in favor of the proposed ñ2 amendments.
084	Rep. Winters	Explains proposed/conceptual amendment. (EXHIBIT B)
092	Rep. Starr	Asks for clarification of conceptual amendment.
099	Rep. Winters	Explains "balanced presentation" as stated in the draft.
114	Chair Sunseri	Asks if there is any objection to the conceptual amendment.
118	Rep. Hopson	Notes her objection to the bill, but has no objection to the amendments.
122	Rep. Morrisette	Comments on the intent of the bill which calls for development of a course in Oregon Studies.

133	Chair Sunseri	Comments that the material is not part of the Certificate of Initial Mastery (CIM).
137	Orloff	Indicates the bill will enable the development of a course of instruction; will be years before it is put in place.
139	Rep. Jenson	Asks if the bill is specifying a particular course.
143	Rep. Winters	Indicates material can be part of an existing course.
146	Rep. Morrisette	Refers to line 18 in the bill indicating a semester-long course.
148	Chair Sunseri	Responds the proposed ñ2 amendments change that.
150	Rep. Starr	MOTION: Moves to ADOPT HB 3114-2 amendments dated 04/29/99.
152	Chair Sunseri	Hearing no objection, the motion CARRIES.
154	Rep. Winters	MOTION: Moves to SUSPEND the rules for the purpose of CONSIDERING a CONCEPTUAL AMENDMENT
156	Chair Sunseri	Hearing no objection, the motion CARRIES.
158	Rep. Winters	MOTION: Moves to AMEND HB 3114 on page 1, line 18, after "of ORS chapter 329." by inserting text from Exhibit B.
160	Chair Sunseri	Hearing no objection, the motion CARRIES.
165	Rep. Winters	MOTION: Moves HB 3114 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways & Means.
172	Rep. Hopson	Comments she will be voting no; considers this a mandate to schools.
		VOTE: 8-1 AYE: 8 - Close, Jenson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri NAY: 1 - Hopson EXCUSED: 1 - Beck

185	Chair Sunseri	The motion CARRIES.
190	Chair Sunseri	Closes work session on HB 3114. Opens work session on HB 3476.
<u>HB 3476 WORK SESSION</u>		
197	Rep. Lynn Lundquist	District 59. Testifies in favor of HB 3476. Discusses the proposed ñ1 amendments. (EXHIBIT C) Discusses the funding level for schools; bill amends ORS 329.085.
265	Rep. Lundquist	Explains the possible range of evaluating schools; from awards to punitive actions. Compares academic recognition to sports recognition. Comments on assessing effectiveness. (EXHIBIT D)
311	Rep. Jenson	Asks if a city would advertise itself as "state academic champions."
320	Rep. Lundquist	Responds that might be a possibility.
326	Rep. Jenson	Comments on the issue of competition.
346	Rep. Morrisette	Comments on recognition of core curriculum achievement awards.
350	Rep. Morrisette	MOTION: Moves to ADOPT HB 3476-1 amendments dated 04/12/99.
352	Rep. Starr	Asks for estimation of the cost to implement provisions of the bill.
354	Rep. Lundquist	Responds that he does not know.
366	Ozzie Rose	Legislative Representative, Confederation of Oregon School Administrators (COSA). States the key issue is that the bill strengthens the legislation from last session; does not think there is an economic impact.
403	Rep. Hopson	Comments there should be no additional funding required if the legislature funds the education budget adequately. Advocates for the Quality Education Model which is business-directed.
444	Chair Sunseri	Hearing no objection, the motion CARRIES
445	Rep. Morrisette	MOTION: Moves HB 3476 to the floor with a DO PASS

		AS AMENDED recommendation.
TAPE 120, A		
		VOTE: 8-1 AYE: 8 - Hopson, Jenson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri NAY: 1 - Close EXCUSED: 1 - Beck
006	Chair Sunseri	The motion CARRIES. REP. LUNDQUIST will lead discussion on the floor.
007	Chair Sunseri	Closes work session on HB 3476. Opens work session on HB 3484.
<u>HB 3484 WORK SESSION</u>		
016	Rep. Lynn Lundquist	District 59. Testifies in favor of HB 3484. Explains proposed pilot programs for schools on drug and alcohol abuse prevention. Discusses the proposed ñ1 amendments which have a fiscal impact. (EXHIBIT E)
051	Chair Sunseri	Asks if the program would be implemented if there were no funds available.
059	Rep. Lundquist	Responds that will not happen.
062	Rep. Winters	Comments on the need for the pilot programs.
065	Rep. Winters	MOTION: Moves to ADOPT HB 3484-1 amendments dated 04/29/99.
068	Chair Sunseri	Hearing no objection, the motion CARRIES.
069	Rep. Winters	MOTION: Moves HB 3484 to the floor with a DO PASS AS AMENDED recommendation.
070	Rep. Hopson	Comments that school districts already have these kinds of programs but this bill will enhance them.

078	Rep. Jenson	Comments on the value of including such programs in school curricula.
		VOTE: 9-0 AYE: 9 - Close, Hopson, Jenson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri EXCUSED: 1 - Beck
092	Chair Sunseri	The motion CARRIES. REP. LUNDQUIST will lead discussion on the floor.
093	Chair Sunseri	Closes work session on HB 3484. Opens work session on HB 3012.
<u>HB 3012 WORK SESSION</u>		
097	Fox	Explains provisions of the bill. Discusses the proposed ñ2 amendments. (EXHIBIT F)
117	Chair Sunseri	Comments on another bill in the Judiciary Committee; forfeiture of autos used in drive-by shootings. Explains if that bill passes, the money received from the sale of those autos will fund the program specified in HB 3012.
131	Rod Harder	Legislative Representative, National Rifle Association. Testifies in favor of HB 3012. Discusses the "Eddie Eagle Program" used in schools in Oregon.
175	Harder	Explains that the section which required firearm safety instruction for grades 7 through 12 has been deleted. Discusses the proposed interim task force who would develop a program other than "Eddie Eagle" for older students.
208	Rep. Hopson	Asks for clarification of "playing with guns at a party."
217	Harder	Responds it is not socially acceptable to play with a gun under any circumstances.
230	Rep. Hopson	Suggests that it might be valuable to tell young students "just don't touch guns."
240	Harder	Responds that it is better to educate the young by teaching them to use guns responsibly.

245	Rep. Wilson	Asks how long it takes to teach the "Eddie Eagle" course.
247	Harder	Responds it takes one hour per semester.
259	Rep. Wilson	Asks where do the instructors for this program come from.
263	Harder	Responds there are classroom instructors and volunteers available.
270	Rep. Morrisette	Asks if he is familiar with McKenzie-Willamette Hospital's involvement with this program.
271	Harder	Responds that he is.
279	Rep. Morrisette	Comments that this program has been successful in Springfield.
280	Rep. Jenson	Comments that firearm safety is a concern of his; supports instruction in the schools.
282	Rep. Close	MOTION: Moves to ADOPT HB 3012-2 amendments dated 04/29/99.
284	Chair Sunseri	Hearing no objection, the motion CARRIES.
286	Rep. Close	MOTION: Moves HB 3012 to the floor with a DO PASS AS AMENDED recommendation.
310	Rep. Hopson	Explains she will be voting against the bill; considers it a mandate.
		VOTE: 8-1 AYE: 8 - Close, Jenson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri NAY: 1 - Hopson EXCUSED: 1 - Beck
320	Chair Sunseri	The motion CARRIES. REP. CLOSE will lead discussion on the floor.

333	Chair Sunseri	Closes work session on HB 3012. Opens work session on HB 2262.
<u>HB 2262 WORK SESSION</u>		
349	Jim Green	Legislative Representative, Oregon School Boards Association (OSBA). Testifies OSBA does not have a problem with the bill. Declares SB 449 is a better bill on the same subject.
375	Kathie Osborn	Legislative Representative, Juvenile Rights Project. Comments she was part of the work group on SB 449; indicates there are potential problems with HB 2262.
392	Larry Oglesby	Legislative Representative, Oregon Juvenile Department Directors Association. Comments he was part of the work group on SB 449; is supportive of HB 2262.
415	Chair Sunseri	Asks if SB 449 is passed, would HB 2262 be unnecessary.
417	Oglesby	Responds affirmatively.
418	Rep. Close	Asks for clarification on parental notification.
421	Osborn	Clarifies which kind of information as specified in the Juvenile Code can be released without parental consent.
447	Fox	Comments that the fiscal impact is minimal on HB 2262.
461	Rep. Morrisette	Comments on a federal statute which prohibits school districts from divulging information without parental consent. Asks if HB 2262 addresses that.
464	Osborn	Responds that SB 449 references the federal statute.
TAPE 119, B		
014	Rep. Hopson	Asks for clarification of proposed amendments that are not drafted yet.
025	Chair Sunseri	States he intends to hold this bill and the committee will review SB 449.
027	Rep. Jenson	Asks if this bill meets the FERPA requirements.
032	Oglesby	Responds that was the intention.
042	Chair Sunseri	Closes work session on HB 2262. Opens work session on HB 2251.

HB 2251 WORK SESSION

051	Woody Farber	Executive Director, Oregon State Scholarship Commission. Testifies in favor of the bill with some changes. States a draft amendment is still in Legislative Counsel.
065	Chair Sunseri	States when the committee receives those amendments and the updated fiscal statements, the bill will be brought back.
070	Chair Sunseri	Closes work session on HB 2251. Opens work session on HB 3240.

HB 3240 WORK SESSION

084	Gov. John Kitzhaber	Governor. Testifies regarding HB 3240 and the proposed ñ3 amendments. (EXHIBIT G) States he withdraws his objection to the collective bargaining issue as written in SB 100B. Recommends that all professional staff in the schools be licensed. Refers to new charter school licensure through Teacher Standards Practices Commission (TSPC).
122	Gov. Kitzhaber	Declares if public dollars are used for charter schools, teachers should be certified; affords accountability to the public.
169	Rep. Morrisette	Asks why not include continuing education for teachers obtaining the charter school licensure.
174	Gov Kitzhaber	States he has not included that requirement; favors a reapplication and review after three years.
178	Rep. Morrisette	Declares he would prefer a provision for continuing education.
184	Gov. Kitzhaber	Responds he would not be "averse" to that; discusses his efforts to compromise.
194	Rep. Hopson	Discusses whether statute requires continuing education for any category of licensure under TSPC.
201	Gov. Kitzhaber	Responds he is not sure.
203	Rep. Wilson	Asks whether parental choice should be a factor in choosing teachers. Asks whether special licensure would hamper parental choice.
230	Gov. Kitzhaber	Responds he views the process he is recommending as an "application."
245	Chair Sunseri	Discusses the proposed ñ2 amendments (EXHIBIT H) and the proposed ñ3

		amendments.
260	Rep. Starr	MOTION: Moves to ADOPT HB 3240-2 amendments dated 04/22/99.
263	Rep. Morrisette	Comments he will be voting no on both proposed amendments.
268	Rep. Hopson	Comments she will be voting for the proposed ñ2 amendments.
270		VOTE: 7-2 AYE: 7 - Close, Hopson, Knopp, Starr, Wilson, Winters, Sunseri NAY: 2 - Jenson, Morrisette EXCUSED: 1 - Beck
279	Chair Sunseri	The motion CARRIES.
281	Rep. Starr	MOTION: Moves HB 3240 to the floor with a DO PASS AS AMENDED recommendation.
287	Rep. Hopson	Asks whether the previous vote was on the ñ3 amendments. States she made an error in casting her vote.
290	Rep. Starr	MOTION: Moves to SUSPEND the rules for the purpose of allowing a vote change on the ñ2 amendments.
292	Chair Sunseri	Hearing no objection, the motion CARRIES.
293	Rep. Hopson	VOTE: NAY
302	Rep. Starr	MOTION: Moves HB 3240 to the floor with a DO PASS AS AMENDED recommendation.
308		VOTE: 6-3 AYE: 6 - Close, Knopp, Starr, Wilson, Winters, Sunseri NAY: 3 - Hopson, Jenson, Morrisette EXCUSED: 1 - Beck

316	Chair Sunseri	<p>The motion CARRIES.</p> <p>REP. SUNSERI will lead discussion on the floor.</p>
318	Chair Sunseri	Closes work session on HB 3240. Recesses committee until 3:00 p.m . Reconvenes committee.
329	Rep. Morrisette	Serves notice of a possible Minority Report on HB 3240.
330	Chair Sunseri	Opens work session on HB 2471.
<u>HB 2471 WORK SESSION</u>		
333	Rep. Jeff Kruse	District 45. Testifies in favor of HB 2471 which abolishes the office of Chancellor of State System of Higher Education. Declares Chancellor's Office budget is approximately \$27 million per biennium with a staff of approximately 150; indicates duplication of efforts at Oregon's universities.
360	Rep. Morrisette	Comments this is not "a simple bill" as witness states. Asks if this bill is intended to start a discussion on the topic.
366	Rep. Kruse	Responds he would encourage a dialogue on improving the way higher education is administered.
TAPE 120, B		
002	Rep. Morrisette	MOTION: Moves to TABLE HB 2471.
		<p>VOTE: 1-7</p> <p>AYE: 1 - Morrisette</p> <p>NAY: 7 - Close, Hopson, Knopp, Starr, Wilson, Winters, Sunseri</p> <p>EXCUSED: 2 - Beck, Jenson</p>
022	Chair Sunseri	The motion FAILS.
024	Chair Sunseri	Closes work session on HB 2471. Opens work session on HB 3013.
<u>HB 3013 WORK SESSION</u>		

027	Rep. Bruce Starr	District 3. Testifies in favor of HB 3013; discusses cooperative efforts of the work group.
055	Jim Green	Legislative Representative, Oregon School Boards Association (OSBA). Explains the proposed ñ4 amendments which address testing for home schoolers. (EXHIBIT D)
109	Green	Comments that the Governor had some concerns with the bill; three of his four points were addressed in the ñ4 amendments.
120	Rep. Close	Asks for clarification of testing of home schoolers.
124	Green	Responds that if students score above the 20th percentile, no more testing is needed.
129	Chair Sunseri	Asks if public school students must meet testing requirement in order to participate in interscholastic sports.
132	Green	Comments home school students have to score at 20th percentile, which equates to a "C" grade; same as public school students.
139	Rep. Morrisette	Asks what are the existing requirements for testing.
144	Green	Responds existing standards require annual testing. Discusses testing requirements in the ñ4 proposed amendments.
165	Wilma Wells	Legislative Representative, Confederation of Oregon School Administrators (COSA). Explains the difference between the original bill and the proposed ñ4 amendments.
170	Roger Williams	Member, OCEAN Board Network. Testifies in favor of HB 3013 with changes. Comments on his three objectives to make a better bill and the good faith efforts of the work group.
210	Chair Sunseri	Comments that this bill provides same testing requirements for home schoolers as for private school students.
235	Rep. Winters	Asks if home school parents/teachers are required to be certified.
237	Green	Responds they are not. Explains those who administer the tests are required to be certified.
246	Fox	Explains that a change in the proposed ñ4 amendments is not reflected in the Staff Measure Summary; explains the change.

280	Green	Explains the proposed ñ4 amendments encompass the ñ1, the ñ2 and the ñ3 amendments.
310	Rep. Starr	MOTION: Moves to ADOPT HB 3013-4 amendments dated 04/30/99.
312	Rep. Starr	Congratulates the work group and expresses appreciation for the final product: the proposed ñ4 amendments.
320	Rep. Morrisette	Disagrees that home school students are outside the "purview of the compelling interest of the state".
360	Chair Sunseri	Hearing no objection, the motion CARRIES.
362	Rep. Starr	MOTION: Moves HB 3013 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 8-0 AYE: 8 - Close, Hopson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri EXCUSED: 2 - Beck, Jenson
368	Chair Sunseri	The motion CARRIES. REP. STARR will lead discussion on the floor.
372	Chair Sunseri	Closes work session on HB 3013. Opens work session on HB 3480.
<u>HB 3480 WORK SESSION</u>		
375	Fox	Describes provisions of the bill.
380	David Myton	Executive Director, Teacher Standards Practice Commission (TSPC). Testifies in favor of HB 3480. (EXHIBIT J) Discusses continual professional development as it relates to license renewal.
410	Rep. Winters	Asks if committee should delay voting on this bill.
415	Myton	Responds affirmatively.

417	Rep. Winters	Asks for information regarding the length of time to receive teacher licensure.
420	Myton	Responds that it usually takes two weeks; if a busy time of year, it takes approximately 30 days.
TAPE 121, A		
002	Rep. Morrisette	Asks if HB 3480 passes, would all teachers would have to meet the continuing education requirement.
012	Myton	Responds that only applies to those who hold the standard teaching license.
014	Chair Sunseri	Closes work session on HB 3480. Opens work session on HB 3307.
<u>HB 3307 WORK SESSION</u>		
030	Chair Sunseri	Expresses concerns that there is not accountability in physical education (PE) in the schools; suggests phasing in a CIM requirement.
047	Wells	States she does not agree PE lacks accountability; has no objection to setting content standards.
069	Minot Cleveland	Physician, American Heart Association. Comments that competitive sports are for the gifted athlete; the vast majority of students need improved PE testing. Comments on the achievement level of students in his district. Discusses cuts in PE.
146	Rep. Morrisette	Asks about costs.
156	Green	Comments that this bill will not give accountability via the CIM. States that the bill takes away local control of school districts. States that the Department of Education (DOE) is accountable for content standards.
191	Cleveland	Declares he will provide DOE documentation from 1995. Explains there is no requirement to report PE test results to DOE. States there are no data from 1995 to 1998.
215	Don Zehrung	Teacher, Beaverton. Testifies in favor of HB 3307. (EXHIBIT K)
250	Chair Sunseri	Explains bill will be carried over until Wednesday, May 5. Asks Rep. Morrisette to lead a work group consisting of Jim Green, COSA representatives, and Don Zehrung to discuss proposed amendments.

260	Chair Sunseri	Closes work session on HB 3307. Opens work session on HB 2829.
<u>HB 2829 WORK SESSION</u>		
262	Rep. Betsy Close	District 36. Discusses the proposed ñ2 amendments. (EXHIBIT L)
308	Chair Sunseri	Declares the committee will "stand down" for a few minutes.
348	Rep. Close	MOTION: Moves to ADOPT HB 2829-2 amendments dated 04/08/99.
349	Chair Sunseri	Hearing no objection, the motion CARRIES.
351	Rep. Close	MOTION: Moves HB 2829 to the floor with a DO PASS AS AMENDED recommendation.
352	Rep. Hopson	Comments she will vote no due to the tax credit for private schools.
		VOTE: 6-1 AYE: 6 - Close, Knopp, Starr, Wilson, Winters, Sunseri NAY: 1 - Hopson EXCUSED: 3 - Beck, Jenson, Morrisette
372	Chair Sunseri	The motion CARRIES. REP. CLOSE will lead discussion on the floor.
375	Chair Sunseri	Closes work session on HB 2829. Opens work session on HB 2670.
<u>HB 2670 WORK SESSION</u>		
377	Fox	Gives update on previous hearings on the bill. Refers to the proposed ñ1 amendments. (EXHIBIT M)
403	Chair Sunseri	Comments that HB 2670 has a subsequent referral to the Revenue Committee.
413	Rep. Starr	MOTION: Moves to ADOPT HB 2670ñ1 amendments

		dated 03/19/99.
415	Chair Sunseri	Hearing no objection, the motion CARRIES.
418	Rep. Starr	MOTION: Moves HB 2670 to the floor as amended WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Revenue.
TAPE 122, A		
003	Rep. Hopson	Comments she will be voting no; rural school districts are dependent on educational service districts.
015	Rep. Knopp	Comments he will likely be a no vote on the floor if the funding disparity is not corrected in the Revenue Committee.
019	Rep. Winters	Comments that she will provide a courtesy vote; may vote no on the floor.
		VOTE: 6-2 AYE: 6 - Close, Knopp, Starr, Wilson, Winters, Sunseri NAY: 2 - Hopson, Morrisette EXCUSED: 2 - Beck, Jenson
024	Chair Sunseri	The motion CARRIES.
025	Chair Sunseri	Closes work session on HB 2670. Reopens work session on HB 2829.
<u>HB 2829 WORK SESSION</u>		
051	Rep. Starr	MOTION: Moves to SUSPEND the rules for the purpose of reconsidering the vote on HB 2829.
053	Chair Sunseri	Hearing no objection, the motion CARRIES.
054	Rep. Close	MOTION: Moves to RECONSIDER the vote on HB 2829.
055	Chair Sunseri	Hearing no objection, the motion CARRIES.

057	Rep. Close	MOTION: Moves HB 2829 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Revenue.
		VOTE: 6-2 AYE: 6 - Close, Knopp, Starr, Wilson, Winters, Sunseri NAY: 2 - Hopson, Morrisette EXCUSED: 2 - Beck, Jenson
066	Chair Sunseri	The motion CARRIES.
078	Chair Sunseri	Closes work session on HB 2829. Explains committee will carry over HB 2539 to Wednesday's agenda. Adjourns at 4:20 p.m.

Submitted By, Reviewed By,

Joan Diaz, Norm Fox,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 3114, proposed ñ2 amendments, staff, 3 pp

B ñ HB 3114, proposed conceptual amendment, staff, 1 p

C ñ HB 3476, proposed ñ1 amendments, staff, 2 pp

D ñ HB 3476, written material, Rep. Lynn Lundquist, 2 pp

E ñ HB 3484, proposed ñ1 amendments, staff, 1 p

F ñ HB 3012, proposed ñ2 amendments, staff, 4 pp

G ñ HB 3240, proposed ñ3 amendments, Gov. Kitzhaber, 5 pp

H ñ HB 3240, proposed ñ2 amendments, staff, 2 pp

I ñ HB 3013, proposed ñ4 amendments, staff, 5 pp

J ñ HB 3480, written materials, David Myton, 13 pp

K ñ HB 3307, written testimony, Don Zehrung, 2 pp

L ñ HB 2829, proposed ñ 2 amendments, staff, 12 pp

M ñ HB 2670, proposed ñ1 amendments, staff 1 p