

## **HOUSE COMMITTEE ON EDUCATION**

**May 05, 1999 Hearing Room E**

**1:00 PM Tapes 125 - 127**

**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**

**MEMBER EXCUSED:**

**STAFF PRESENT: Norm Fox, Administrator**

**Joan Diaz, Administrative Support**

**MEASURE/ISSUES HEARD: Informational Meeting**

**HB 2539 Work Session**

**HB 3307 Work Session**

**HB 2828 Work Session**

**HB 2993 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.

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TAPE/#	Speaker	Comments
<b>TAPE 125, A</b>		
005	Chair Sunseri	Calls meeting to order at 1:35 p.m. Opens Informational Meeting.
008	Norm Fox	Committee Administrator. Refers to HB 3343 which will be assigned to the committee. <b>(EXHIBIT A)</b> Discusses video presentation.
<b><u>INFORMATIONAL MEETING</u></b>		
015	Howard Davis	Parent, Portland. Discusses how television affects children's brain functions.
079	Davis	Explains the American Medical Association's (AMA) position on brain functions as presented in the video. Lists hours per day children at various ages view television. Explains the need for better parental support.
136	(video)	<ul style="list-style-type: none"> <li>• States 56% of children have a television in their bedroom</li> <li>• Discusses Carnegie Foundation Study regarding hours children spend with their parents</li> <li>• Discusses emotions of the mind which is the media's target</li> <li>• Replays scene from "Basketball Diaries"</li> <li>• Describes advertisers' "wish list" ñ attention, memory, attitude, motivation and behavior</li> </ul>
272	Davis	Describes the subject of his documentary.
311	Rachel Ozretich	Parenting Educator, Corvallis. Discusses parenting education and the media. <b>(EXHIBIT B)</b> States there is no curriculum that is adequate to combat the violence in the media; in the process of writing a book on the subject.
417	Ozretich	Explains the need for educating the parent as well as the child.
420	Hill M. Walker	Co-Director, Institute on Violence and Destructive Behavior, University of Oregon. Discusses effective family management techniques. <b>(EXHIBIT C)</b>
<b>TAPE 126, A</b>		
002	Walker	Discusses effect of violent images on children. Discusses need for a curriculum to "buffer" those images.
046	Walker	Refers to a 10-point plan to remove violence from television, video games,

		movies and songs, as listed in the exhibit.
093	Walker	Discusses school safety plans as listed in the exhibit. Explains universal intervention: to keep problems from emerging and to support "at-risk" children.
135	Chair Sunseri	Discusses the impact of media violence. Asks if any curricula can offset the impact.
142	Walker	Explains the research shows protective strategies can be created for "at risk" children.
159	Rep. Close	Points out that page 10 - 11 of the proposed ñ1 amendment indicates a request of \$7 million dollars.
162	Davis	Responds that is correct.
165	Rep. Close	States that the council of experts referred to in the amendment should have more parental representation.
168	Davis	Agrees council should be changed. Discusses the need for K-12 funding.
175	Chair Sunseri	Comments that the committee can pursue that issue at a future meeting.
178	Davis	Presents another portion of the video.
206	(video)	Poses the question: "What is media literacy?"
245	Chair Sunseri	Closes Informational Meeting. Opens work session on HB 2539.
<b><u>HB 2539 WORK SESSION</u></b>		
253	Fox	Describes HB 2539 and the proposed ñ2 amendments. <b>(EXHIBIT D)</b> States the bill does not apply to home school students.
276	Kevin Campbell	Legislative Representative, Oregon Association Chiefs of Police. Testifies in favor of HB 2539.
332	Rep. Winters	Asks what is the City of Silvertonís fine structure.
345	Campbell	Responds their municipal court judge has a wide range of sanctions.

352	Rep. Wilson	Asks what is the apprehension procedure.
357	Campbell	Responds with a description of the procedure.
362	Marc Adams	Chief of Police, Keizer. Testifies in favor of HB 2539.
415	Rep. Wilson	Asks how are students approached and apprehended.
425	Adams	Responds police will approach students who are on the streets during the school day. Describes intent of the bill.
436	Rep. Hopson	Asks if any school superintendent has issued a \$100 citation.
440	Campbell	Asks for clarification.
<b>TAPE 125, B</b>		
002	Adams	Responds he has never witnessed a superintendent issue a fine; usually a truant officer.
009	Rep. Hopson	Asks what happens if the fine goes unpaid.
011	Campbell	Responds it would be handled the same as any other violation.
024	Rep. Starr	Comments on the issue of police officers "harassing" home school students.
032	Rep. Morrisette	Comments on how is fine currently levied. Notes Salem-Keizeris curfew law.
041	Rep. Winters	Asks who sets attendance criteria.
045	Campbell	Comments on "regularly attending" school; defers to committee administrator.
050	Fox	Explains it is in statute.
058	Rep. Winters	Asks for information on attendance standard.
061	Rep. Morrisette	States if a student accrues 10 unexcused absences, he is at risk of being expelled.
075	Kathie Osborn	Legislative Representative, Juvenile Rights Project. Comments there is a problem of using the term "regularly attending."

102	Rep. Jenson	Quotes ORS: attendance criteria.
110	Campbell	Comments on the ORS.
123	Cindy Hunt	Legislative Counsel. Confirms ORS 339.065 is applicable.
134	Rep. Jenson	Reads subsection (3) of ORS 339.065.
140	Chair Sunseri	Repeats previous statements regarding "ongoing" violation.
145	Hunt	Responds that is correct; there could be multiple violations and fines each time a student is not regularly attending school.
152	Chair Sunseri	Asks if a \$25 fine is issued, would the parent still be fined.
155	Hunt	Responds the parent would still be fined.
157	Rep. Morrisette	Asks how are runaway children handled.
175	Adams	Responds they are taken into custody and the family is located.
189	Hunt	Discusses current statute which also refers to legal guardian, foster parent as well as natural parent.
202	Rep. Knopp	<b>MOTION: Moves to ADOPT HB 2539-2 amendments dated 05/04/99.</b>
		<b>VOTE: 8-1</b> <b>AYE: 8 - Close, Jenson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri</b> <b>NAY: 1 - Hopson</b> <b>EXCUSED: 1 - Beck</b>
210	Chair Sunseri	<b>The motion CARRIES.</b>
217	Rep. Knopp	<b>MOTION: Moves SB 2539 to the floor with a DO PASS AS AMENDED recommendation.</b>
222	Rep. Hopson	States she will be voting no; has "agonized" over this bill. Comments the real

		truant will not be affected by a fine.
249	Rep. Morrisette	Comments on truant officer's duties in Springfield; will support the bill.
268	Rep. Jenson	Comments he, too, "agonized" over the bill. Supports early intervention in dealing with truant students.
279	Rep. Knopp	Comments on intent of the bill and peer courts.
301	Rep. Winters	Comments that there is no single way to reach truant students.
<b>310</b>		<b>VOTE: 8-1</b> <b>AYE: 8 - Close, Jenson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri</b> <b>NAY: 1 - Hopson</b> <b>EXCUSED: 1 - Beck</b>
<b>317</b>	<b>Chair Sunseri</b>	<b>The motion CARRIES.</b>  <b>REP. MORRISETTE will lead discussion on the floor.</b>
319	Chair Sunseri	Closes work session on HB 2539. Opens work session on HB 3307.
<b><u>HB 3307 WORK SESSION</u></b>		
347	Rep. Winters, Acting Chair	Asks the committee administrator for a summary of the bill and the proposed amendments.
372	Fox	Discusses the proposed 4 amendments. <b>(EXHIBIT E)</b>
383	Rep. Morrisette	Comments on the results of the work group formed to discuss physical education becoming part of the Certificate of Initial Mastery (CIM) and the Certificate of Advanced Mastery (CAM).
424	Don Zehrung	Teacher, Beaverton. Discusses wellness needs of students. Supports HB 3007 with amendments. Expresses concerns with the issue of assessments.
<b>TAPE 126, B</b>		

015	Wilma Wells	Legislative Representative, Confederation of Oregon School Administrators (COSA). Supports HB 3307 with amendments.
030	Joanne Flint	Associate Superintendent, Department of Education (DOE). Attempts to clarify that page 6 of the proposed ñ4 amendments, section 7, places this issue in the same category as arts and languages.
080	Flint	Comments on estimated fiscal impact to the DOE of \$290,000 - \$300,000. Indicates K-12 teachers who teach physical education (PE) are adequately trained (Section 8).
085	Rep. Morrisette	Suggests new teacher training should include PE instruction.
107	Rep. Hopson	Asks what cognitive skills in PE are measurable.
110	Zehrung	Responds that they relate to anatomy, physiology, and kinesiology.
130	Rep. Hopson	Asks for information on the participants of the work group.
134	Jim Green	Legislative Representative, Oregon School Boards Association (OSBA). Lists participants on the committee.
<b>138</b>	<b>Rep. Starr</b>	<b>MOTION: Moves to ADOPT HB 3307 -4 amendments dated 05/05/99.</b>
152	Green	Comments that while the bill represents a fiscal impact to the DOE, OSBA will support the amended bill.
162	Rep. Jenson	Asks what would be the fiscal impact on local school districts.
168	Green	Responds he is not sure.
170	Rep. Jenson	Expresses concern that the bill will change PE.
180	Green	Responds that PE will remain the same; bill will allow development assessments around the issue of cognitive learning and healthy lifestyle.
185	Rep. Jenson	Asks why is this bill needed.
198	Green	Responds it will bring PE to a higher level and make it a part of CIM.
221	Rep. Morrisette	Comments it is small step to a greater program.

229	Chair Sunseri	Hearing no objection, the motion CARRIES.
232	Rep. Starr	<b>MOTION: Moves HB 3307 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways &amp; Means.</b>
249	Rep. Hobson	Declares objection to the bill. Comments this is another procedure added to an overburdened system.
252	Rep. Jenson	Comments he will vote to pass the bill to Ways & Means, but thought the emphasis would be more on physical education.
		<b>VOTE: 8-2</b> <b>AYE: 8 - Close, Jenson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri</b> <b>NAY: 2 - Beck, Hopson</b>
278	Chair Sunseri	<b>The motion CARRIES.</b>
282	Chair Sunseri	Closes work session on HB 3307. Opens work session on HB 2828.
<b><u>HB 2828 WORK SESSION</u></b>		
285	Rep. Jeff Kropf	District 37. Testifies in favor of HB 2828. States the proposed ñ6 amendments is "a gut and stuff" amendment. <b>(EXHIBIT F)</b>
301	Fox	Asks if the section on special education students is eliminated.
305	Rep. Kropf	Responds affirmatively. Explains the intent of this bill is to allow a disciplinary policy without fear of being sued in a court of law.
343	Rep. Starr	Asks what does this bill permit that is not currently allowed.
345	Rep. Kropf	Responds that it provides for civil immunity.
352	Rep. Morrisette	Asks are running laps considered physical punishment; would there be civil immunity for the teacher.
359	Rep. Kropf	Comments on court challenges.



378	Kathie Osborn	Legislative Representative, Juvenile Rights Project. Testifies against HB 2828. Discusses the proposed ñ6 amendments. Explains the Department of Education would have to insert a specific explanation of "physical punishment."
424	Rep. Kropf	Discusses litigious society.
<b>TAPE 127, A</b>		
002	Rep. Morrisette	Discusses his dislike of punitive action; prefers natural consequences of behavior.
015	Chair Sunseri	Asks if there is a discipline policy that includes running laps as an option.
020	Green	States that most policies are broad; he does not know about specific discipline policies. Comments the bill adds to statute, "physical punishment" and "work punishment."
040	Rep. Hobson	Asks for information regarding a parent accountability plan.
042	Rep. Kropf	Explains parents would work with the school district in a cooperative effort to assist a disruptive student.
054	Chair Sunseri	States he has not polled the committee.
057	Rep. Starr	Asks witness to repeat previous testimony.
081	Rep. Winters	Asks if any school currently implements work punishment.
<b>088</b>	<b>Rep. Beck</b>	<b>MOTION: Moves to ADOPT HB 2828-6 amendments dated 05/05/99.</b>
089	Chair Sunseri	Hearing no objection, the motion CARRIES.
<b>090</b>	<b>Rep. Beck</b>	<b>MOTION: Moves HB 2828 to the floor with a DO PASS AS AMENDED recommendation.</b>
091	Rep. Hopson	States she will be voting no since bill has the potential for hurting teachers rather than helping; states bill is unnecessary.
		<b>VOTE: 7-3</b>  <b>AYE: 7 - Beck, Close, Knopp, Starr, Wilson, Winters, Sunseri</b>

		<b>NAY: 3 - Hopson, Jenson, Morrisette</b>
<b>093</b>	<b>Chair Sunseri</b>	<p><b>The motion CARRIES.</b></p> <p><b>REP. KROPF will lead discussion on the floor.</b></p>
095	Chair Sunseri	Closes work session on HB 2828.
<b>098</b>	<b>Rep. Starr</b>	<b>MOTION: Moves to SUSPEND the rules for the purpose of RECONSIDERING the vote on HB 3484.</b>
<b>100</b>	<b>Chair Sunseri</b>	<b>Hearing no objection, the motion CARRIES.</b>
<b>101</b>	<b>Rep. Starr</b>	<b>MOTION: Moves to RECONSIDER the vote by which HB 3484 was voted to the floor DO PASS AS AMENDED.</b>
<b>105</b>	<b>Chair Sunseri</b>	<b>Hearing no objection, the motion CARRIES.</b>
<b>108</b>	<b>Rep. Starr</b>	<b>MOTION: Moves to SUSPEND the rules for the purpose of RECONSIDERING the vote on HB 3476.</b>
<b>110</b>	<b>Chair Sunseri</b>	<b>Hearing no objection, the motion CARRIES.</b>
<b>113</b>	<b>Rep. Starr</b>	<b>MOTION: Moves to RECONSIDER the vote by which HB 3476 was voted to the floor DO PASS AS AMENDED.</b>
<b>115</b>	<b>Chair Sunseri</b>	<b>Hearing no objection, the motion CARRIES.</b>
116	Chair Sunseri	Opens work session on HB 2993.
<b><u>HB 2993 WORK SESSION</u></b>		
136	Fox	Directs committee's attention to the proposed ñ2, ñ4, and the ñ6 amendments. <b>(EXHIBIT G)</b>
145	Gary Andeen	Executive Director, Oregon Independent Colleges Association. Testifies in favor of HB 2993 and discusses each amendment. Explains Achievement Grants will be offered to all students who pass the Certificate of Initial Mastery (CIM), or some level of a nationally-standardized, college admissions test.

217	Chair Sunseri	Refers to the ñ2 amendments and possible changes.
234	Rep. Jenson	Asks if this bill has an effect on a college entrance exam to a private school.
248	Andeen	Responds that it does not. Explains that students would not be able to substitute a college entrance exam for the SAT.
262	Chair Sunseri	Suggest conceptual amendment to the ñ2 amendments: page 1, delete line 18-19 and edit line 24 .
278	Andeen	Responds he has no objection.
285	Rep. Starr	<b>MOTION: Moves to SUSPEND the rules for the purpose of considering a CONCEPTUAL AMENDMENT.</b>
287	Chair Sunseri	<b>Hearing no objection, motion CARRIES.</b>
290	Rep. Starr	<b>MOTION: Moves to ADOPT HB 2993-2 amendments dated 03/31/99 and that the measure be FURTHER AMENDED on page 1, by deleting line 18-19, and on line 24, by inserting "or a comparable level of academic merit" after "of Initial Mastery".</b>
310	Melissa Watson	Legislative Representative, Oregon Students Association. Testifies that she is in favor of the amendments.
315	Chair Sunseri	<b>Hearing no objection, motion CARRIES.</b>
328	Andeen	Comments that on page 2, of the ñ2 amendments, line 11-31 is "mooted" by the ñ4 amendments.
331	Chair Sunseri	Clarifies that both the ñ4 amendments and the ñ6 amendments need to be addressed.
334	Rep. Starr	<b>MOTION: Moves to ADOPT HB 2993-4 amendments dated 04/23/99.</b>
336	Chair Sunseri	<b>Hearing no objection, motion CARRIES.</b>
337	Rep. Starr	<b>MOTION: Moves to ADOPT HB 2993-6 amendments dated 05/04/99.</b>
338	Chair Sunseri	<b>Hearing no objection, motion CARRIES.</b>

342	Rep. Starr	<b>MOTION: Moves SB 2993 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways &amp; Means.</b>
345		<b>VOTE: 9-0</b>  <b>AYE: 9 - Close, Hopson, Jenson, Knopp, Morrisette, Starr, Wilson, Winters, Sunseri</b>  <b>EXCUSED: 1 - Beck</b>
349	Chair Sunseri	<b>The motion CARRIES.</b>
351	Chair Sunseri	Closes work session on HB 2993. Adjourns at 4:00 p.m.

Submitted By, Reviewed By,

Joan Diaz, Norm Fox,

Administrative Support Administrator

#### **EXHIBIT SUMMARY**

**A ñ HB 3343, proposed ñ1 amendments, staff, 11 pp**

**B ñ HB 3343, written material, Rachel Ozretich, 2 pp**

**C ñ HB 3343, written material, Hill Walker, 52 pp**

**D ñ HB 2539, proposed ñ2 amendments, staff, 1 p**

**E ñ HB 3307, proposed ñ4 amendments, staff, 6 pp**

**F ñ HB 2828, proposed ñ6 amendments, staff, 2 pp**

**G ñ HB 2993, proposed amendments (-2, -4, -6), staff, 6 pp**