

**SENATE COMMITTEE ON EDUCATION**

January 15, 1999 Hearing Room B

1:00 PM Tapes 4-6

**MEMBERS PRESENT: Sen. Tom Hartung, Chair**

**Sen. Susan Castillo, Vice-Chair**

**Sen. Peter Courtney**

**Sen. Verne Duncan**

**Sen. Gary George**

**Sen. Avel Gordly**

**Sen. Marylin Shannon**

**MEMBER EXCUSED:**

**STAFF PRESENT: Jan McComb, Administrator**

**Karen O'Kelley, Administrative Support**

**MEASURE/ISSUES HEARD: SB 100 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
<b>TAPE 4, A</b>		
010	Chair Hartung	Calls meeting to order at 1:05 p.m. and opens public hearing on SB 100.
<b><u>SB 100 PUBLIC HEARING</u></b>		
040	Sen. Gordly	Asks about the Oregon School Employees Association's (OSEA) concerns around waivers in Section 11.

061	Tricia Smith	Government Relations Specialist for the OSEA. States that the OSEA does not believe it is the best policy to provide a blanket waiver of rules and statutes.
085	Chair Hartung	States that some people do not want this bill pushed through too fast. Adds that he will take whatever time necessary to review new material for testimony.
133	Chair Hartung	States there is a sense of urgency to get SB 100 over to the House.
184	Allan Frickey	Assistant Superintendent, Bend-LaPine School District. Testifies in favor of SB 100 ( <b>EXHIBIT A</b> ). Discusses Bend Community School.
277	Frickey	Provides suggestions for starting up a charter-like school. States that a charter school bill should:
		<ul style="list-style-type: none"> <li>• Have teachers that are state licensed.</li> </ul>
		<ul style="list-style-type: none"> <li>• Have an environment free from discrimination.</li> </ul>
		<ul style="list-style-type: none"> <li>• Have an accreditation requirement.</li> </ul>
		<ul style="list-style-type: none"> <li>• Have charter schools identified as alternative education programs.</li> </ul>
362	Chair Hartung	Asks who Dr. Laurie Le Duc is.
367	Frickey	Responds that she is a retired public school administrator who works as a contractor.
<b>TAPE 5, A</b>		
005	Chair Hartung	Discusses sponsors for charter schools.
015	Sen. Duncan	Asks if the resolution process could be a possibility.
029	Frickey	Responds that it could.
042	Chair Hartung	Asks if renting or leasing unused schools would make sense.
048	Frickey	Replies that it would.
050	Sen. Gordly	Asks how strongly Frickey feels about a nondiscrimination requirement in the bill.

095	Frickey	States that discrimination, in terms of access to the school program, should not be a barrier.
125	Sen. Gordly	Asks if there are currently special needs children in the Bend Community School.
129	Frickey	Responds that there are not.
132	Sen. Gordly	Asks if there ever have been special needs students enrolled.
135	Frickey	Responds that there have.
137	Sen. Gordly	Asks what the school's experience was in regards to special needs students.
139	Frickey	States that the special needs students did not stay at Bend Community School for more than a few months.
149	Sen. Gordly	Asks what support was offered to retain the special needs children.
156	Frickey	States that the school offered services from the school district and worked with the teachers to modify the students' instruction.
166	Sen. Gordly	Asks if the student body at Bend Community School is reflective of the demographics that exist in that area.
171	Frickey	Responds that he does not believe that it is.
183	Sen. Gordly	Asks if diversity is a value at Bend Community School.
189	Frickey	Responds it is in terms of studying diversity.
196	Sen. Gordly	Comments that the findings in the UCLA study are very useful for constructing the bill.
209	Chair Hartung	Asks Frickey why there are not more community schools in Bend.
213	Frickey	Responds that there are other schools which exist as neighborhood schools within a school.
241	Vice-Chair Castillo	States that there are a wide variety of very successful alternate schools in Eugene. Asks if the Bend Community School qualifies under current law.

253	Frickey	Responds that it does.
278	Vice-Chair Castillo	Asks if the special needs student who left the Bend Community School was dealt with in the same way he or she would have been handled in a public school.
289	Frickey	Responds that the student was not.
312	Sen. Duncan	Asks what Oregon laws were a problem in organizing the Bend Community School.
333	Frickey	Responds that he is not aware of any.
372	Sen. Duncan	Asks if the school board retained liability.
378	Frickey	Responds that they did.
395	Sen. Courtney	Asks about the lawsuit against Bend Community School.
399	Frickey	States there are a number of constitutional challenges.
404	Sen. Courtney	Asks if the people that are suing the district are against the school.
407	Frickey	Responds that they are.
412	Sen. Courtney	Asks how many students are at the Bend Community School.
415	Frickey	Responds that there are about 45 to 50 students.
419	Sen. Courtney	Asks if there is a waiting list.
422	Frickey	Responds that there is not.
425	Sen. Courtney	Asks how many children are in the Bend school district.
428	Frickey	Responds that there are about 12,500.
<b>TAPE 4, B</b>		
010	Rob Kremer	President of Oregon Education Coalition (OEC). Testifies in support of SB 100 <b>(EXHIBIT B).</b>

055	Kremer	States that the OEC believes the public education system can be improved through a charter school law that would provide parents with more schooling options for their children.
087	Kremer	States that the executive summary in the UCLA study does not live up to the report.
130	Chair Hartung	Asks if Kremer can return on Monday and summarize the UCLA report.
144	Kremer	Responds that he can summarize the report.
190	Kremer	States that charter school legislation should not be highly restrictive.
205	Vice-Chair Castillo	Asks if Kremer would want to elect new school board members.
209	Kremer	Responds that is one way to deal with the problem. States that maybe charter schools should be operated independently.
231	Sen. Gordly	Asks Kremer to be more specific about the obstacles in starting up a charter school.
244	Kremer	States that others from the OEC will testify later.
248	Sen. Gordly	Asks for a definition of the non-discrimination piece.
252	Kremer	Responds that he does not know the answer, but he will find out.
263	Sen. Gordly	Comments that she is very interested in the non-discrimination piece. Asks how many members Kremer represents.
304	Kremer	Responds that the OEC represents a loose knit coalition of (approximately) thousands of parents.
347	Sen. Shannon	States she is glad that Kremer is here representing parents.
<b>TAPE 5, B</b>		
027	John Dallum	Interim Superintendent at Yoncalla School District. Testifies in favor of SB 100. States that he was the superintendent at Central-Linn School, a charter-like school.
055	Dallum	Suggests that there needs to be an alternative place for charter schools to be

		sponsored.
076	Sen. George	Asks Dallum to describe how the school reached out to students who were in danger of being drop-outs.
083	Dallum	Responds that the school made an effort to reach out and win back disenfranchised learners.
137	Caryl Gertenrich	Retired classroom teacher, and co-chair of Howard Street School during its formulation.
		States that public charter school legislation should include multiple sponsors. Adds that charter school legislation must provide adequate funding for K-12 at a minimum of 95%.
199	Chair Hartung	Asks why there are not other schools like Howard Street School in the Salem-Keizer district. Asks if a charter school law would make it easier to set up schools.
202	Gesternech Gertenrich	Responds that yes it would. States that there were not enough specific guidelines to use when they were setting-up Howard Street School.
266	Chair Hartung	Asks how much the Howard Street School received in federal grants.
271	Gertenrich	Responds that the initial grant was for \$5,000 and later the school received a \$35,000 implementation grant.
301	Sen. Shannon	Asks if the Howard Street School is receiving less than 80% funding.
305	Gertenrich	Responds that she is not currently on the board.
347	Becky Black	Founder and Executive Director of Oregon Outreach Incorporated, a non-profit agency that provides educational services to middle and high school students in the greater Portland-Metro area.
<b>TAPE 6, A</b>		
030	Black	States that the local school board should not be the only chartering agents.
		Requests that there be an emergency provision in the bill for struggling schools so that they would be able to get a charter in 60 days.
		Encourages the committee to move swiftly on the charter school legislation.

052	Sen. George	Asks if Black agrees that education should be tailored to the students.
069	Black	Responds that education should be molded around the students.
075	Sen. Gordly	Asks Black what her program's relationship is with the Portland school district.
084	Black	Responds that some of the contracts have been very difficult.
108	Sen. Shannon	Asks what percentage of the daily average attendance the school received when it first started out.
112	Black	Responds that in the early 1990s, they received \$4.00 per day and later they received 80%.
126	Sen. Shannon	Asks if the school is getting double the 80% for troubled students.
128	Black	Responds that in most cases the school does not receive the entitlement.
132	Sen. Duncan	Asks what amount her school is receiving per student now.
138	Black	Responds that the range is from \$2,000 to \$2,800 for a regular alternative student, although it varies district to district.
148	Sen. Gordly	Asks if Black started the English as a Second Language program at her school.
152	Black	Responds that they did.
159	Vice-Chair Castillo	Asks what the adult-to-student ratio is at the school.
167	Black	Responds that varies. States that in some cases it is a 1:5 ratio.
197	Diane Enski	Parent of a child at Howard Street School. States that the Howard Street School does not get paid for every child. Comments that she fully supports funding following the student.
233	Enski	States that there are certified and non-certified teachers at Howard School.
293	Enski	States that Oregon needs a good charter school law which should include appropriate funding, certified and non-certified teachers and multiple sponsors.
415	Chair Hartung	Closes the public hearing on SB 100 and adjourns the meeting at 3:00 p.m.

Submitted By, Reviewed By,

Karen O'Kelley Jan McComb

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A - SB 100, written testimony and magazine article, Allan Frickey, 44 pp**

**B - SB 100, written testimony, Rob Kremer, 5 pp**