

SENATE COMMITTEE ON EDUCATION

March 3, 1999 Hearing Room B

1:00 p.m. Tapes 45-46

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: Introduction of Committee Bills

21st Century Schools Act

SB 166 Public Hearing and Work Session

HB 2384 Public Hearing and 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 45, A		
003	Chair Hartung	Calls meeting to order at 1:10 p.m.

005	Sen. Duncan	Introduces former Sen. Monroe Sweetland.
019	Chair Hartung	Opens work session to consider introduction of committee bills.
<u>INTRODUCTION OF COMMITTEE BILLS</u>		
024	Jan McComb	Committee Administrator. Refers to (EXHIBIT A) . Explains that LC 453, "Directs the University of Oregon (UO) to establish the Mark O. Hatfield Center for the Study of the U.S. Constitution." States that LC 1274, is a housekeeping bill which would address items that were missed when the Oregon Health Sciences University was made into a semi-independent corporation. Explains that LC 4021, "Directs the Department of Education (DOE) to establish a Ready-to-Read pilot program at the Bethel School District."
039	Chair Hartung	MOTION: Moves LCs: 453, 1274, 4021 BE INTRODUCED as committee bills.
		VOTE: 7-0
044	Chair Hartung	Hearing no objection, declares the motion CARRIED.
046	Chair Hartung	Closes work session on introduction of committee bills and opens informational meeting.
<u>21ST CENTURY SCHOOLS ACT</u>		
048	Chair Hartung	Introduces Donny Griffin. States that Griffin will be attending a U.S. DOE Conference on Charter Schools.
060	Sen. Shannon	Asks Griffin if his wife is a public school teacher.
062	Donny Griffin	Responds that she is not.
064	Sen. Shannon	States that very few people who are married to public school teachers support the charter school bill.
066	Griffin	States that he attended some of the public hearings on SB 100. Recognizes that the opinions on charter schools are very broad.
080	Chair Hartung	States that Griffin is on the State Board of Education (SBOE).

084	Griffin	Appreciates the opportunity to take a look at the important issue of charter schools.
088	Sen. Gordly	Thanks Griffin for taking on the assignment. Believes that the committee will be pleased with the quality of the report that he brings back from the conference.
104	Stan Bunn	Superintendent of Public Instruction, DOE. Submits (EXHIBIT B) . States that the SBOE, " is charged by statute with the development of education policy." Explains that his job, as the Superintendent of Public Instruction, is responsible for the actual administration of the DOE in cooperation with the SBOE. States that the DOE is responsible for successfully developing a coordinated, comprehensive education program.
179	Bunn	<p>Discusses the development of the 21st Century Schools Act. States that the DOE needs to have the capacity to carry out the school development plan. Explains that over the last five years there has been a 55 percent reduction in staffing and curriculum. States that school districts across Oregon are in need of specialists.</p> <p>Explains that the DOE is requesting the following in the Governor's budget in order to increase capacity:</p> <ul style="list-style-type: none"> • Five specialists to help school districts carry out the education reform effort. • An increase in wages for specialists and those at the management level. • Additional capacity at regional assessment centers.
268	Bunn	<p>States that the DOE receives many complaints that teachers and school districts are being buried in work. Lists the following reasons why that is happening:</p> <ul style="list-style-type: none"> • Some school districts have allocated funds differently among themselves. • Some school districts are better managed than others. • Schools are required to produce significant results on a tight timeframe.
340	Bunn	States that although Oregon is recognized on a national level as one of the best educational states, it will not have the capacity to continue to provide a quality education without additional resources.
359	Sen. Gordly	Asks how he is enjoying his new assignment.
362	Bunn	Responds that he has never enjoyed a job more. Believes that, "we are at the point where we can move forward with the most phenomenal education opportunities for students that we have ever seen."
371	Sen. Gordly	Asks about the job search to replace Merced Flores.
378	Bunn	Responds that the DOE is gathering a broad list of candidates.
416	Sen. Gordly	Asks Bunn what the challenges are in trying to address the changing demographics.

427	Bunn	Responds that there has been large growth in the minority student population. States that the DOE is trying to identify the different growth areas and make specific plans to address them.
		States that the legislature needs to plan for the long-term in order to ensure an educational vision for the future.
TAPE 46, A		
009	Vice-Chair Castillo	<p>Refers to a principal from Portland who testified that his school is facing enormous challenges in trying to implement the reforms. States that the principal made the following recommendations for the DOE :</p> <ul style="list-style-type: none"> • Review the timeline for the implementation of the standards. • Review the necessity of the current number of work samples per subject in order to meet the benchmark requirements. • Reduce class sizes. • Include a broader spectrum of opinions from teachers, parents, principals, and district staff before reviewing or implementing any further standards.
050	Bunn	<p>Responds to the concerns that Vice-Chair Castillo referred to:</p> <ul style="list-style-type: none"> • States that a reduction of class sizes for K-3 grades is critical. • States the DOE will attempt to meet with more groups in regards to reviewing and implementing standards. • States that the DOE will work harder to let the school districts know about the efforts they are making to help them.
089	Vice-Chair Castillo	States that the teachers that she has spoken to believe in the reforms and want them to work. Adds that the teachers feel they do not have enough funding for professional development.
100	Bunn	Agrees that the Educational Service Districts and the local school districts do not have the funding they need for professional development.
106	Vice-Chair Castillo	Asks if the U.S. contributes only a fraction of what other countries invest in the personal development of their teachers.
112	Bunn	Responds that he is not sure.
116	Sen. Shannon	Refers to information included in EXHIBIT B. States that because there is not a reading specialist at the DOE, it seems that the DOE does not value reading.
133	Bunn	Clarifies that while there is not a full-time reading specialist at the DOE, there is a specialist that works with reading. Adds that historically, the legislature has refused to fund that position to the capacity that it requires.
		States that, "the legislature, the DOE, and the public have not made the

		commitment to reading that needs to be made."
155	Sen. Duncan	Comments that he is extremely supportive of what Bunn said. States that the DOE is trying to re-build programs that were cut in the past.
177	Sen. George	States that Bunn's enthusiasm should be commended. Refers to reading research that was done at the UO that was effective in reaching most students. Asks why the DOE is not considering those efforts.
200	Bunn	Responds that the DOE wants to use whatever methods work.
211	Sen. George	Refers to negotiations that are currently taking place in his district. Wonders if the teachers receive any "skills training" for negotiating.
229	Bunn	States that the DOE needs to design ways to avoid strikes. Adds that training on mediation and negotiation is important.
246	Vice-Chair Castillo	States that unless the budget reaches a certain level, Oregon will continue to struggle with the reform efforts. Asks Bunn what he wants the legislature to consider as they are trying to determine funding.
268	Bunn	Responds that over the long-term the database project will show what a basic education should cost. States that the Governor's budget is not adequate.
294	Chair Hartung	Requests that the committee and Bunn work with Oregon's congressional delegation. Comments that U.S. Sen. Wyden and U.S. Sen. Smith believe that this is the year of education.
318	Bunn	States that he has visited with the congressional delegation and has asked them to maintain the flexibility that was started during the Bush administration. Comments that he has expressed concern to President Clinton's Chief Advisor that we do not want to return to a rigid, specified way of spending federal funds on education.
352	Sen. Gordly	Asks Bunn for an update on SB 100, the charter school bill.
357	Bunn	Responds that the House Education Committee currently has many amendments that they are considering. States that he does not know how it will turn out. Hopes that the final product will be a bill that everyone can agree with.
431	Chair Hartung	Closes informational meeting and opens public hearing on SB 166.
TAPE 45, B		

SB 166 PUBLIC HEARING

006	Melissa Watson	Student, UO, Legislative Associate, Oregon Student Association (OSA). Submits (EXHIBIT C) . Testifies in support of SB 166. States that, "the OSA believes strongly in the need for a seamless education between institutions of post-secondary education." Describes her difficult experience of transferring from Portland Community College to UO.
047	Brian Tanner	Student, Lane Community College. Submits (EXHIBIT D) . States that SB 166 would be beneficial for any student transferring from a community college to a four-year university.
071	Sen. Gordly	Thanks the students for their testimony. Adds that it is important to have their testimony on the record.
080	Chair Hartung	Closes public hearing on SB 166 and opens a work session on SB 166.

SB 166 WORK SESSION

083	Chair Hartung	MOTION: Moves SB 166 to the floor with a DO PASS recommendation.
		VOTE: 6-0 EXCUSED: 1 - Castillo
089	Chair Hartung	Hearing no objection, declares the motion CARRIED. SEN. COURTNEY will lead discussion on the floor.
091	Chair Hartung	Closes work session on SB 166 and opens public hearing on HB 2384.

HB 2384 PUBLIC HEARING

093	Rep. Lane Shetterly	House District 34. States that HB 2384 would require school districts to present the recitation of the Pledge of Allegiance at least once a week. Adds that this bill would not require students or teachers to recite the Pledge of Allegiance. Believes that, "the Pledge of Allegiance is an exercise of common civic and patriotic recognition of who we are as a people."
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		States the Oregon School Boards Association does not oppose the bill. Urges the committee to support HB 2384.
157	Chair Hartung	Asks if there was any controversy with this bill either in committee or on the house floor.
168	Rep. Shetterly	Responds that there might be stigmatization for the kids who do not recite the Pledge of Allegiance. States that there did not appear to be any other objections.
189	Sen. Shannon	Comments that HB 2384 would be a good law.
196	Sen. Duncan	States that although he will support the bill, he believes that it is sad that Oregon needs to mandate it.
210	Sen. George	Refers to his school experience of having the freedom to participate or not participate in prayer. Believes that this bill would give students the opportunity to be reminded of what the flag represents. States that, "for the sake of history, it is a very good bill."
246	Sen. Gordly	States that there will be students who feel uncomfortable if they remain silent during the Pledge of Allegiance. Asks if those students who are uncomfortable must be present in the classroom during the Pledge of Allegiance.
273	Rep. Shetterly	Responds that the bill does not mandate that. Adds that it could be decided in the classroom on a case-by-case basis. States that the language in the bill is modeled after a statute from Washington.
318	Sen. Duncan	Tells a story about a friend who was a school teacher.
339	Sen. George	Believes that "respectful silence" is important.
360	Sen. Shannon	Believes that not participating makes kids stronger by standing for what they believe in.
378	Jim Willis	Commander, American Legion Post 10 in Albany. Testifies in support of HB 2384 and submits (EXHIBIT E) . States that, "the Pledge of Allegiance gives teachers a clear opportunity to discuss with their students what liberty and justice mean in this country, why this republic is indivisible, and what led to that." Believes that the bill would also teach respect for diversity. Urges the committee to support this bill.
436	H. A. MacDonald	Retired U.S. Marine. Testifies in support of HB 2384. States that he would like to have bill amended to provide teachers with a video that explains the history of the flag.

TAPE 46, B

008	Sen. George	States that the flag is about liberty and justice for all.
015	Sen. Duncan	States that the suggestion for the video is a great idea. Encourages the American legion to take on the responsibility for distributing the video, rather than amending the bill.
022	Chair Hartung	Agrees that he does not want to amend the bill.
034	Sen. Gordly	Refers to a newspaper article which states, "that throughout the 1920is, the Klu Klux Klan persuaded state legislators to require students to recite the Pledge of Allegiance as a show of loyalty to white Christian beliefs." States that this is a part of history that must be rejected now.
075	Lloyd Kumley	<p>Salem resident. Submits (EXHIBIT F). States that he does not oppose providing students the opportunity to salute the flag, however, he does oppose the process that is outlined in the bill.</p> <p>Opposes HB 2384 for the following reasons:</p> <ul style="list-style-type: none">• Minority rights are violated• Civil strife is promoted
138	Jon Zimmer	<p>County Chair, Libertarian Party of Clackamas County. Submits (EXHIBIT G).</p> <p>Lists the following problems with HB 2384:</p> <ul style="list-style-type: none">• "The Pledge of Allegiance is a prayer and making it a public prayer through this bill would violate the prohibitions against the governmental establishment of religion in the Oregon Constitution and the U.S. Constitution."• "Paragraph 2 is unconstitutionally vague when it requires that students not participating in the flag salute maintain a respectful silence."• "Paragraph 2 also violates the Free Speech clauses of the Oregon Constitution and the U.S. Constitution."• "The Pledge of Allegiance is not the basis of our governmental system. The U.S. Constitution and the Oregon Constitution are the basis of our government."• "Most students in Oregon were born in the U.S. They should not be required to pledge allegiance to this country because they are already citizens of this country."• "The Pledge of Allegiance does not mention equality."• "Compelling a recitation of the pledge is not real education."
		Suggests further modifications to the bill. States that this bill is not necessary for the education of students in Oregon.
201	David Fidanque	Executive Director, American Civil Liberties Union of Oregon (ACLU). States

		<p>that the ACLU does not support or oppose HB 2384. Discusses the origins of the Pledge of Allegiance. States that, "the Pledge of Allegiance was written in 1892 in commemoration of the 400th anniversary of Columbus' voyage to the new world." Adds that the Pledge of Allegiance was drafted by Frances Bellamy who was a socialist. Explains that the American Legion popularized the Pledge of Allegiance during the 1920s and encouraged schools to adopt it.</p> <p>Refers to a supreme court case in the 1940s which determined that students could not be required to recite the Pledge of Allegiance.</p>
295	Chair Hartung	Closes public hearing on HB 2384 and opens work session on HB 2384.
<u>HB 2384 WORK SESSION</u>		
301	Chair Hartung	MOTION: Moves HB 2384 to the floor with a DO PASS recommendation.
		<p>VOTE: 6-1</p> <p>AYE: 6 - Castillo, Courtney, Duncan, George, Shannon, Hartung</p> <p>NAY: 1 - Gordly</p>
322	Chair Hartung	<p>The motion CARRIES.</p> <p>SEN. SHANNON will lead discussion on the floor.</p>
324	Chair Hartung	Closes work session on HB 2384 and adjourns the meeting at 2:55 p.m.

Submitted By, Reviewed By,

Karen O'Kelley Jan McComb

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ LC 453, LC 1274, LC 4021, staff, 51 pp

B ñ 21st Century Schools Act, written testimony and charts, Stan Bunn, 5 pp

C ñ SB 166, written testimony, Melissa Watson, 2 pp

D ñ SB 166, written testimony, Brian Tanner, 1 p

E ñ HB 2384, written testimony, Jim Willis, 5 pp

F ñ HB 2384, written testimony, Lloyd Kumley, 2 pp

G ñ HB 2384, written testimony, Jon Zimmer, 1 p