

## SENATE COMMITTEE ON EDUCATION

April 16, 1999 Hearing Room B

1:00 p.m. Tapes 74-75

### MEMBERS PRESENT:

Sen. Tom Hartung, Chair

Sen. Susan Castillo, Vice-Chair

Sen. Verne Duncan

Sen. Avel Gordly

Sen. Marylin Shannon

### MEMBER EXCUSED:

Sen. Peter Courtney

Sen. Gary George

### STAFF PRESENT:

Jan McComb, Administrator

Karen O'Kelley, Administrative Support

### MEASURES HEARD: SB 1227 Public Hearing and Work Session

SJR 12 Public Hearing

SB 829 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 74, A |               |                                                                    |
| 005        | Chair Hartung | Convenes meeting at 1:08 p.m. and opens public hearing on SB 1227. |
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**SB 1227 PUBLIC HEARING**

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| 025 | Sen. Gene Timms    | Senate District 30. Discusses a similar bill from the 1995 Session which addressed accountability in education. Explains that Sen. Dukes introduced SB 1227. States that this bill is his number one priority this session.                                                                |
| 072 | Sen. Joan Dukes    | Senate District 1. Testifies in support of SB 1227 and submits <b>(EXHIBIT A)</b> . Refers to letters included in <b>EXHIBIT A</b> . Discusses the success of Structure of Intellect (SOI) programs. Asks the committee to support the funding of the program for another two years.       |
| 141 | Sen. William Brock | Submits <b>(EXHIBIT B)</b> . Explains that the Bridges System (BS) helps kids that are struggling in school. States that the BS determines why a child is struggling in school and suggests a treatment plan to remedy the problem. Comments that the BS works for a majority of children. |
|     |                    | States that this program is not a "quick fix." Explains they are requesting a three year demonstration period because it will take time. Comments that three other states have begun statewide demonstrations.                                                                             |
| 242 | Sen. Gordly        | States that she took the SOI evaluation. Believes that "this is a direction that we should embrace." States that she would like to have her name added to the list of sponsors for the bill.                                                                                               |
| 251 | Sen. Timms         | States that there are too many pilot programs in the state. Comments that this program is very innovative and has been very successful.                                                                                                                                                    |
| 278 | Sen. Brock         | Explains that the SOI program was implemented at a facility for incarcerated adults. Discusses the success of the program.                                                                                                                                                                 |
| 322 | Sen. Duncan        | States that this is a worthwhile program. States that he would be willing to be a co-sponsor of the bill.                                                                                                                                                                                  |
| 333 | Chair Hartung      | Closes public hearing on SB 1227 and opens public hearing on SJR 12.                                                                                                                                                                                                                       |

**SJR 12 PUBLIC HEARING**

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| 341 | Maxine Kilcrease | Parent. Discusses her son who was identified as having a learning disability in the 3 <sup>rd</sup> grade. Explains that he did not receive the attention that he needed in a public school, so she transferred him to a private school. States that she is concerned with the lack of services to children with learning disabilities in public schools. |
|     |                  | Urges the committee to support this resolution.                                                                                                                                                                                                                                                                                                           |
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| 421                                  | Chair Hartung | Closes public hearing on SJR 12 and re-opens public hearing on SB 1227.                                                                                                                                                                |
| <b><u>SB 1227 PUBLIC HEARING</u></b> |               |                                                                                                                                                                                                                                        |
| 429                                  | Bob Siewert   | Supervisor, Office of Special Education, Oregon Department of Education (ODE). Testifies in support of SB 1227. Explains that this bill would provide an additional two years for nineteen schools in Oregon to continue this program. |
| 464                                  | Sen. Duncan   | States that he has the greatest confidence in Siewert's judgement.                                                                                                                                                                     |
| <b>TAPE 75, A</b>                    |               |                                                                                                                                                                                                                                        |
| 002                                  | Chair Hartung | Asks Siewert if he is familiar with the testimony the committee heard on the Ready to Read Program.                                                                                                                                    |
| 004                                  | Siewert       | Responds that he is not.                                                                                                                                                                                                               |
| 006                                  | Chair Hartung | Asks who at the ODE oversees that program.                                                                                                                                                                                             |
| 009                                  | Siewert       | Believes that it is the Curriculum and Field Services Instruction Office.                                                                                                                                                              |
| 026                                  | Robert Meeker | Testifies in support of SB 1227 and submits <b>(EXHIBIT C)</b> . States that children must be prepared for education, not just prepared for taking tests.                                                                              |
| 042                                  | Mary Meeker   | Explains that the SOI model that came out of World War II. States that she has been working with the SOI model since 1963. Explains that the research on the SOI model has been done in private and public clinics.                    |
| 094                                  | Chair Hartung | Closes public hearing on SB 1127 and opens work session on SB 1227.                                                                                                                                                                    |
| 102                                  | Sen. Gordly   | <b>MOTION: Moves SB 1227 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.</b>                                                                                         |
| 105                                  | Sen. Shannon  | States that this program has proven success.                                                                                                                                                                                           |
| 113                                  | Sen. Gordly   | Thanks Sen. Brock for his leadership.                                                                                                                                                                                                  |
|                                      |               | <b>VOTE: 5-0</b><br><br><b>AYE: In a roll call vote, all members present vote Aye.</b><br><br><b>EXCUSED: 2 - Courtney, George</b>                                                                                                     |

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| 122                                 | Chair Hartung | The motion CARRIES.                                                                                                                                                                                                                                                                                                                                                                                                      |
| 123                                 | Chair Hartung | Reopens public hearing on SJR 12.                                                                                                                                                                                                                                                                                                                                                                                        |
| <b><u>SJR 12 PUBLIC HEARING</u></b> |               |                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 148                                 | Laurie Wimmer | <p>Oregon Education Association (OEA). Testifies in support of the resolution. Discusses the difficulty special education teachers are having balancing their workload and providing services to students.</p> <p>States that in certain districts, the entire 11 percent is not going to special education. Explains that this resolution addresses the issue of reducing caseloads for special education teachers.</p> |
| 171                                 | Sen. Shannon  | Asks Wimmer if all of the money designated for special education students is not following them. Asks if that is why there are large caseloads.                                                                                                                                                                                                                                                                          |
| 177                                 | Wimmer        | Responds that without applying for waivers, districts cannot receive money to serve more than 11 percent of their total population. States that sometimes not all of the money allocated for special education students actually gets to those students. Comments that this is due inadequate resources.                                                                                                                 |
| 186                                 | Sen. Shannon  | Asks which of those problems would be resolved by this resolution.                                                                                                                                                                                                                                                                                                                                                       |
| 189                                 | Wimmer        | Responds that "all of the players be mindful of the impact of the special education caseload overload and make sure that we do everything we can with resources to minimize the impact."                                                                                                                                                                                                                                 |
| 193                                 | Sen. Shannon  | Asks if someone is responsible for "passing out the money" for special education students.                                                                                                                                                                                                                                                                                                                               |
| 196                                 | Wimmer        | Responds that the accountability lies between the local school board and the local community.                                                                                                                                                                                                                                                                                                                            |
| 200                                 | Sen. Shannon  | Asks if there are federal or state regulations that would require that the money follow the special education students.                                                                                                                                                                                                                                                                                                  |
| 211                                 | Wimmer        | Responds that she was referring to the state contribution. Comments that she "is not an expert in the mechanism of accountability."                                                                                                                                                                                                                                                                                      |
| 228                                 | Sen. Shannon  | Asks if there "is no teeth in law" for getting all of the money to special education students.                                                                                                                                                                                                                                                                                                                           |
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| 235                                 | Wimmer             | Responds that the distribution formula is not an allocation formula.                                                                                                                                                                                                                                                                                                                                                                                           |
| 243                                 | Sen. Duncan        | States that there are different degrees of special education students and various amounts of money that are allocated for them.                                                                                                                                                                                                                                                                                                                                |
| 254                                 | Sen. Shannon       | Asks if there is a requirement to get the money to the students.                                                                                                                                                                                                                                                                                                                                                                                               |
| 259                                 | Sen. Duncan        | Responds that is getting to the students. States that all special education students do not have the same costs.                                                                                                                                                                                                                                                                                                                                               |
| 267                                 | Sen. Shannon       | Asks what the average caseload is for special education teachers per day.                                                                                                                                                                                                                                                                                                                                                                                      |
| 282                                 | Chair Hartung      | Asks Siewert to find out the answer and respond to Sen. Shannon. States that he is interested in the answer as well.                                                                                                                                                                                                                                                                                                                                           |
| 285                                 | Charlie Williamson | <p>Oregon Association for Children with Learning Disabilities. Submits <b>(EXHIBIT D)</b>. Refers to SB 1093 from the 1995 Session that failed. Explains that SB 1093 attempted to impose a maximum caseload. States that SJR 12 addresses some of the concerns that arose from SB 1093. Comments that SJR 12 would focus attention on the high caseload problem.</p> <p>States that the Oregon School Boards Association (OSBA) does not oppose the bill.</p> |
| 338                                 | Chair Hartung      | Closes public hearing on SJR 12 and opens public hearing on SB 829.                                                                                                                                                                                                                                                                                                                                                                                            |
| <b><u>SB 829 PUBLIC HEARING</u></b> |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 347                                 | Stephanie Wagner   | Parent. Testifies in support of SB 829 and submits <b>(EXHIBIT E)</b> . Believes that the intent of the Oregon statute was never for parents to pay tuition for public schools. Explains that Riverdale School has structured itself around the intent of charging tuition. States that public education needs to be available to all students and not based on a family's ability to pay for tuition.                                                         |
| 416                                 | Eric Johnson       | High school student. Reads written testimony from Stefan Kapsch included in <b>(EXHIBIT F)</b> in support of SB 829.                                                                                                                                                                                                                                                                                                                                           |
| <b>TAPE 74, B</b>                   |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 003                                 | Frank Wagner       | Testifies in favor of SB 829 and submits <b>(EXHIBIT G)</b> . States that the public school system is not a place for inequity or discrimination.                                                                                                                                                                                                                                                                                                              |
| 033                                 | Sen. Shannon       | Asks what will happen if a school board does not allow a legitimate transfer to another school district.                                                                                                                                                                                                                                                                                                                                                       |
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| 039 | Frank Wagner     | Responds that is difficult to answer.                                                                                                                                                                                                  |
| 045 | Sen. Shannon     | Believes that children should have a free and appropriate education.                                                                                                                                                                   |
| 052 | Frank Wagner     | States that the public school system is not the place for discrimination.                                                                                                                                                              |
| 063 | Sen. Shannon     | States that the children in the Riverdale District are provided a free and appropriate education.<br><br>Asks if any students residing in the Riverdale District are being "kicked out."                                               |
| 072 | Stephanie Wagner | Responds that they are not. States that the Riverdale School is limiting the students that can go there.<br><br>States that the Riverdale School is not accepting students from out the district who cannot afford to pay the tuition. |
| 083 | Sen. Shannon     | States that those children have a public school that they can attend in their own district.<br><br>Asks if the taxpayers are having to pay more taxes because of the Riverdale School.                                                 |
| 090 | Stephanie Wagner | Responds that they are not.                                                                                                                                                                                                            |
| 099 | Sen. Shannon     | States that a bond would be needed to build a new school.                                                                                                                                                                              |
| 101 | Stephanie Wagner | Agrees that for capital issues, a bond would need to be passed.                                                                                                                                                                        |
| 103 | Sen. Shannon     | Asks Stephanie Wagner if she lives in the Riverdale District.                                                                                                                                                                          |
| 104 | Stephanie Wagner | Responds that she does not.                                                                                                                                                                                                            |
| 105 | Sen. Shannon     | Asks if she does not want the Riverdale District to invite children from out of district.                                                                                                                                              |
| 107 | Stephanie Wagner | Responds that she does. States that the Riverdale School should be run as a public, not a private school.                                                                                                                              |
| 128 | Frank Wagner     | States that the parents that want to pay tuition are also free to move to another district.                                                                                                                                            |
| 142 | Sen. Shannon     | States that the people are able to make a choice.                                                                                                                                                                                      |
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| 145 | Frank Wagner     | States that Riverdale School is a mix of private and public money.                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 151 | Sen. Shannon     | States that there is nothing wrong with competition between schools.                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 154 | Frank Wagner     | Comments that competition creates winners and losers. States that this kind of competition is not healthy.                                                                                                                                                                                                                                                                                                                                                                                                               |
| 165 | Sen. Shannon     | Reiterates that kids should receive a free and appropriate education.                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 184 | Chair Hartung    | Asks Stephanie Wagner if she has taken her case to the school board.                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 187 | Stephanie Wagner | Responds that she has.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 197 | Leslie Clark     | Reads written testimony from Kate Schuyler included in <b>(EXHIBIT H)</b> in support of SB 829.                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 220 | Marjorie Hanna   | <p>Parent, Riverdale District. Testifies in support of SB 829. Gives comparison of spending per student between Riverdale School and Lake Oswego High School. States that last year, over 50 percent of Riverdale's students were from outside the district.</p> <p>Believes that SB 829 would bring the intent of the state equalization and the law together.</p>                                                                                                                                                      |
| 262 | Connie Clark     | Parent, Citizens for Equitable Funding. Testifies in support of SB 829 and submits <b>(EXHIBIT I)</b> .                                                                                                                                                                                                                                                                                                                                                                                                                  |
|     |                  | <p>Explains that school funding is distributed by state, and tuition is not needed. Comments that aside from Riverdale School, tuition has practically disappeared from public schools in Oregon.</p> <p>States that "semi-public" schools do not exist anywhere else in the country. Comments that the Riverdale School discriminates based on wealth.</p> <p>States that "we need to question the precedent that the Riverdale plan establishes and ask if this is the way we want Oregon public education to go."</p> |
| 341 | Chair Hartung    | Closes public hearing on SB 829 and adjourns meeting at 2:29 p.m.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Submitted By, Reviewed By,

Karen O'Kelley Jan McComb

Administrative Support Administrator

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**EXHIBIT SUMMARY**

**A ñ SB 1227, articles and letters, Sen. Joan Dukes, 24 pp**

**B ñ SB 1227, written testimony and report, Sen. William Brock, 29 pp**

**C ñ SB 1227, brochures, Robert Meeker, 40 pp**

**D ñ SJR 12, written testimony, Charlie Williamson, 38 pp**

**E ñ SB 829, written testimony, Stephanie Wagner, 1 p**

**F ñ SB 829, written testimony, Stefan Kapsch, 1 p**

**G ñ SB 829, written testimony, Frank Wagner, 1 p**

**H ñ SB 829, written testimony, Kate Schuyler, 1 p**

**I ñ SB 829, written testimony, Connie Clark, 1 p**