

**SENATE COMMITTEE ON EDUCATION**

**May 12, 1999 Hearing Room B**

**1:00 p.m. Tapes 96-97**

**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**

**MEASURES HEARD:**

**SB 557 Public Hearing**

**HB 3444 A Public Hearing**

**SB 960 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 96, A		

004	Chair Hartung	Convenes meeting at 1:07 p.m. and opens public hearing on SB 557.
<b><u>SB 557 PUBLIC HEARING</u></b>		
009	Sen. Randy Miller	Senate District 13. States that this bill would make the program implementation of the Oregon Educational Act for the 21 <sup>st</sup> Century (OEA21C) optional for school districts. States that this bill would allow more local control.
		States that educators, fearing retribution, are not willing to testify in favor of this bill.
		Encourages the committee to pass this bill.
083	Sen. Shannon	Agrees that the teachers are scared to testify on this issue.
094	Sen. Gordly	Asks Sen. Miller what he thinks about the Quality Education Model (QEM).
102	Sen. Miller	Responds that he wants to continue to improve education. States that he is not sure is the reform is the correct way to proceed.
125	Chair Hartung	Asks Bunn to give an update on how Oregon is proceeding with the OEA21C.
131	Stan Bunn	Superintendent of Public Instruction. States that before Oregon passed the OEA21C, Oregon schools ranked in the top third in the nation. States that the reform specified "that Oregon would make a commitment to provide for students, in this state, a quality education that can match any in the world." Explains that this commitment is not an easy task.  States that the OEA21C also attempted to make the quality of education "uniform" throughout Oregon. States that parents want higher standards for students.
180	Bunn	Disagrees with Sen. Miller that the OEA21C diminishes local control. Explains that local school districts are allowed to develop their own curriculum around the standards.
		States that in his experience, teachers are not afraid to express both positive and negative feelings about the OEA21C.  Acknowledges some of the problems stemming from the OEA21C such as confusion, fear of failure, and timelines.
298	Bunn	States that the public needs assurance, stability, and certainty. Urges the committee to "stay the course."

314	Vera Katz	Mayor, Portland. Echoes Bunn's comments, "Stay the course." States that the OEA21C intends to accomplish the following:  <ol style="list-style-type: none"> <li>1. Ensure that every child meets the high standards of an educational system.</li> <li>2. Make sure that every child succeeds.</li> </ol>
440	Katz	States that the OEA21C sets the standard for all children to succeed.
		Refers to her comment about giving an "F." Explains that the "F" referred to the failure to communicate the OEA21C to the state.
<b>TAPE 97, A</b>		
008	Sen. Gordly	Appreciates Katz's leadership. States that the legislature has not done their part to provide the necessary resources to fully implement the OEA21C.
060	Sen. Shannon	States that this bill would allow the local districts to decide.
		States that 10 percent of every school district's budget is for substitute teachers. Comments that this bill would allow a school district to train teachers in the summer.  Discusses the problems with the "every child will learn program."
		Refers to the sheepherder ads. Believes that this bill would pass if it went to the voters.
144	Vice-Chair Castillo	Thanks Bunn and Katz for their leadership. Asks how the lack of funding has been a factor in the reform effort.
160	Bunn	Responds that teachers are making it happen without funding and it is taking a toll.
173	Katz	Indicates that staff development is key. States that educators must be prepared for the reform.
202	Vice-Chair Castillo	Refers to a teacher who believes that larger class sizes are interfering with the success of the reform effort.
230	Bunn	Refers to the success of other states in allocating resources for education.
		States that the ODE needs to have a "unified voice" about the communication that is carried out in regards to the OEA21C.

250	Sen. Courtney	States that parent involvement is needed in the schools.
290	Katz	Comments that the city of Portland is working to be a "family friendly city." Discusses some of the programs.
328	Sen. Duncan	States that Bunn and Katz are right on target. States that the reform can work.
379	Chair Hartung	Agrees with Katz that teachers are resistant to change. States that many teachers see the reform as an opportunity to improve the quality of education.
<b>TAPE 96, B</b>		
001	Sen. Gordly	States that there are teachers in her district that support the reform and want it to work.  Refers to SB 486 which failed on the Senate floor this week. States that she is disappointed that Associated Oregon Industries (AOI) did not support the bill. States that if parental involvement is one of the cornerstones of the reform, then business must help to make that happen. Requests that Bunn and Katz take a look at SB 486 and give suggestions on how to move forward.
019	Chair Hartung	Closes public hearing on SB 557 and opens public hearing on HB 3444 A.
<b><u>HB 3444 A PUBLIC HEARING</u></b>		
024	Deborah Barnes	Telecommunications Instructor, Sabin Skills Center. Testifies in support of HB 3444 and submits ( <b>EXHIBIT A</b> ). Hopes that HB 3444 can aid in safeguarding teachers and students prior to a gun or knife being brought into the classroom.  States that this bill would ensure that students who make verbal threats to kill or injure another human would face disciplinary action and be evaluated by a mental health professional.
082	Rep. Jane Lokan	House District 25. Testifies in support of HB 3444 and submits ( <b>EXHIBIT B</b> ). States that in the House this bill passed on a 59-1 vote. Explains that HB 3444 "directs school districts to set policies for managing students who threaten violence or harm in public schools."
		Explains that the ñ3 amendments included in <b>EXHIBIT B</b> add "staff reporting methods." States that the polices would require an administrator to determine whether the student needs evaluation before the student returns to school.
		States that this bill would cover any weapons. Indicates that HB 3444 would empower school employees to intervene before serious harm is committed.  Hopes that the committee will support the bill.

		Describes the conceptual amendment included in <b>EXHIBIT B</b> . States that the amendment would replace "licensed counselor" with "licensed mental health professionals."
151	Chair Hartung	Explains that the conceptual amendment would need to be sent to Legislative Counsel.
159	Sen. Courtney	States concerns with the bill. Refers to Page 1, lines 27 and 28. States that he is concerned with the term "classroom setting." Asks if "classroom setting" would include the hallway, cafeteria, and football field.  Asks what would happen if the student made a remark off of school property.
207	Rep. Lokan	Appreciates Sen. Courtney's comments. States that she will have amendments drafted.
220	Sen. Courtney	Congratulates Barnes on her efforts.
229	Sen. Duncan	Thanks Barnes and Rep. Lokan for bringing the bill forward. Agrees that the term "classroom setting" is too narrow.
253	Kathie Osborn	Juvenile Rights Project (JRP). Testifies in support of the bill.  Addresses Sen. Courtney's concerns about the hallway, football field, and off-school premises. Refers to Sub-Section (b) which says that, "the district school board shall develop policies on managing students who threaten violence in public schools." Believes that the policies that a school board could develop would include the hallways and maybe the football field.  Refers to Sub-Section (A). States that if the threat took place in a classroom setting, the school would be allowed to immediately remove the child from the classroom setting. Adds that this piece is important for special education students because federal law currently limits the ability of schools to remove special education students from the classroom. Sees Sub-Section (A) as a piece that a school board could consider as part of a policy.
325	Sen. Duncan	Discusses how times have changed from the 1960's.
345	Sen. George	Discusses a news story where a boy was removed from school "for drawing a gun."
374	Sen. Courtney	States that times have changed dramatically. Comments that "the gun thing" is serious.
418	Sen. George	Refers to bomb threats in the Portland School District.
427	Osborn	Believes that times really have not changed. Refers to the statistics for juvenile violence from 1980-1996. States that "juvenile violence in 1997 was no greater

		than juvenile violence in 1980." States that gun homicides by teenagers have increased dramatically.
<b>TAPE 97, B</b>		
011	Sen. Shannon	States that in the 1980is, school killings occurred in the inner cities and now violence is occurring in the suburbs.
019	Osborn	Refers to a statistic "that three times as many children are killed in their home by adults than are killed in the schools."  Refers to statistics for special education students. States that the JRP hopes this bill will identify kids needing special education services at an earlier age.
072	Chair Hartung	Asks what Osbornís position is on "securing" the schools.
091	Osborn	Responds that schools should not look like jails. States that the violent tendencies by children are committed by a small percentage of the total.
138	Sen. Shannon	States that kids want to feel secure at school.
153	Sen. Gordly	Refers to lines 9 and 10. Asks for a definition of "reasonable physical force."
161	Rep. Lokan	Responds that the term is from an existing statute.
163	Sen. Gordly	Asks for a definition.
170	Osborn	Responds that it does not include corporal punishment. Believes that it means, "what a person feels is reasonable at the time to control the circumstances."
186	Chair Hartung	Closes public hearing on HB 3444 and opens work session on SB 960.
<b><u>SB 960 WORK SESSION</u></b>		
190	Jan McComb	Committee Administrator. Explains that on line 6, "when necessary to meet a studentís educational needs and interests" has been removed.
217	Sen. Shannon	Asks why this is being taken out.
221	McComb	Responds that Sen. Bryant requested that it be removed.
235	Sen. Gordly	Asks about the pending case relating to this bill.

243	McComb	Believes that it is pending in the Court of Appeals.
246	Sen. Gordly	Notes that Sen. Bryant said that the case is still preceding.
251	Vice-Chair Castillo	Asks if this bill would interfere with that case.
253	McComb	Responds that it is possible. States that she would prefer to defer questions to Sen. Bryant.
271	Chair Hartung	Recesses meeting until 2:55 p.m.
276	Chair Hartung	Reconvenes meeting at 2:57 p.m., closes work session on SB 960, and adjourns meeting at 2:57 p.m.

Submitted By, Reviewed By,

Karen O'Kelley Jan McComb

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A ñ HB 3444 A, written testimony, Deborah Barnes, 3 pp**

**B ñ HB 3444 A, amendments, Rep. Jane Lokan, 2 pp**