

SENATE COMMITTEE ON EDUCATION

May 17, 1999 Hearing Room B

1:00 p.m. Tapes 98 - 100

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:

HB 3444 Work Session

Implementation of the 21st Century Schools Act

HB 3240 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 98, A		

003	Chair Hartung	Convenes meeting at 1:08 p.m. and opens work session on HB 3444.
<u>HB 3444 WORK SESSION</u>		
010	Rep. Ron Sunseri	Refers to the ñA4 amendments included in (EXHIBIT A) . Explains that this amendment requires school districts to notify parents if their child's name appears on a "hit list." Adds that this amendment would also require that teachers be notified. Refers to a situation in his school district where a "hit list" was discovered.
052	Sen. Shannon	Asks Rep. Sunseri which amendments he is referring to.
054	Rep. Sunseri	Responds that he is referring to the ñA4 amendments.
061	Sen. Duncan	Believes that "we have a right to know" about "hit lists."
067	Rep. Sunseri	States that Legislative Council said that it is legal to make this requirement if the health and safety of an individual is at risk.
075	Sen. Shannon	Asks Rep. Sunseri if currently teachers are not notifying parents.
081	Rep. Sunseri	Responds that they are not being notified.
086	Sen. Courtney	States that this bill would clarify that teachers have an obligation to notify the parents.
101	Rep. Jane Lokan	Explains that the ñA3 amendments (EXHIBIT B) establishes staff reporting methods. Refers to lines 3, 4, 5, and 8. States that the ñ5 amendments included in EXHIBIT B replaces "licensed counselor psychologist or psychiatrist" with "licensed mental health professional."
140	Sen. Duncan	States that he is concerned about using the term "licensed mental health professional" because it would eliminate school counselors.
146	Rep. Lokan	States that it is not her intention to eliminate school counselors.
158	Jim Green	Oregon School Boards Association (OSBA). States that the OSBA is concerned with lines 10 and 11 "where it just references teacher." Explains that under the statute definition, this only includes those who are licensed by the Teachers Standards and Practices Commission (TSPC). States that Rep. Sunseri agrees with removing "teachers" and inserting the "school employee" on lines 10 and 11.

175	Chair Hartung	Asks Rep. Lokan is she agrees with Green.
176	Rep. Lokan	Responds that she does.
178	Tricia Smith	Oregon School Employees Association (OSEA). States that the OSEA supports Greenís conceptual amendment.
185	Laurie Wimmer	Oregon Education Association (OEA). States that OEA is very supportive of the bill and the amendments. Hopes that mental health evaluations are performed by those who are licensed to do them.
208	Sen. Courtney	MOTION: Moves to ADOPT HB 3444-A3 amendments dated 05/11/99.
		VOTE: 5-0 EXCUSED: 2 - Castillo, George
212	Chair Hartung	Hearing no objection, declares the motion CARRIED.
215	Sen. Courtney	MOTION: Moves to ADOPT HB 3444-A5 amendments dated 05/14/99.
219	Sen. Duncan	Requests that Crome be allowed to testify.
222	Joe Crome	North Clackamas School District (NCS D). States that there needs to be flexibility for administrators to evaluate students at the counselor level.
229	Chair Hartung	Asks Crome if he supports the amendments.
230	Crome	Responds that he is concerned about the ñA5 amendments.
		States that the NCS D has school psychologists and school counselors who make student evaluations.
249	Sen. Shannon	States that on page 2, line 3, "school counselors" would remain.
251	Crome	States that the ñA5 amendments would remove it.

290	Cindy Hunt	Legislative Counsel. States that the ñA5 amendments delete out "licensed counselor psychologist or psychiatrist" and insert in "licensed mental health professional."
325	Sen. Shannon	Agrees with Rep. Lokan. Believes that there might be a benefit to having someone other than a counselor evaluate a student.
348	Sen. Gordly	Refers to line 1, page 2, and discusses "immediate attention." Discusses the counseling needs of schools in the state.
404	Sen. Duncan	Believes that a typical school counselor is not qualified to do an in-depth mental health evaluation.
		VOTE: 5-0 EXCUSED: 2 - Castillo, George
461	Chair Hartung	Hearing no objection, declares the motion CARRIED.
TAPE 99, A		
003	Sen. Courtney	MOTION: Moves to ADOPT HB 3444-A4 amendments dated 05/14/99 and that the measure be FURTHER AMENDED on page 1, lines 10-11, by deleting "teacher" and by inserting "school employee".
		VOTE: 5-0 EXCUSED: 2 - Castillo, George
021	Chair Hartung	Hearing no objection, declares the motion CARRIED.
043	Sen. Courtney	MOTION: Moves HB 3444 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Castillo, George

047	Chair Hartung	The motion CARRIES. SEN. COURTNEY will lead discussion on the floor.
049	Chair Hartung	Closes work session on HB 3444 and opens informational meeting.
<u>IMPLEMENTATION OF THE 21ST CENTURY SCHOOLS ACT</u>		
057	Steven Jones	Sophomore, Ulysses S. Grant High School (USGHS). States that the Certificate of Initial Mastery (CIM) is a good idea. Believes that the CIM could be implemented in a better way.
072	Carlita Lewis	Sophomore, Jefferson High School (JHS). States that most students do not have a clear understanding of what criteria they need to meet for the CIM. States that the teachers have not prepared the students enough.
088	Sam Roberts	Sophomore, Cleveland High School (CHS). States that the CIM is very time consuming. Believes that more time should be spent teaching the teachers how to grade the speeches for the CIM. States that some of the test questions on the CIM are very confusing.
099	Chair Hartung	States that many changes have been made to "the act" since its passage during the 1991 Session.
106	Sen. Gordly	Thanks the students for helping the committee to understand their experiences in trying to meet the CIM. Asks the students what information has been given to their parents about the CIM.
118	Jones	Responds that it has been mentioned in a monthly newsletter. Comments that he does not believe that any real effort has been made.
132	Lewis	Responds that the students provide feedback to their parents. Adds that the CIM may have been covered during "open house."
142	Roberts	Responds that CHS distributed newsletters.
146	Sen. Gordly	Asks the students what is the general attitude amongst their peers about having to meet the CIM standards.
155	Jones	Responds that there is a negative feeling among students about the CIM. Believes that the teachers have not allowed enough time to prepare for the CIM testing. Believes that the CIM has not been incorporated smoothly into the curriculum.

186	Lewis	Comments that students are not sure what will happen if they do not pass the CIM.
205	Roberts	Comments that at CHS the feeling is mostly negative. States that there are petitions circulating against the CIM.
214	Sen. Gordly	Asks the students what they need in order to be more successful in their school experiences.
232	Jones	Responds that the curriculum should be less "busywork oriented."
254	Lewis	Responds that the students need more encouragement.
278	Roberts	States that the teachers, parents, and students need to be kept more informed about the CIM.
290	Lewis	States that the students need more time to prepare for the CIM.
296	Sen. Gordly	Thanks the students for their comments.
299	Sen. Duncan	Asks the students when they first heard of the CIM.
318	Jones	Responds that it was either at the end of 8 th grade or the beginning of 9 th grade.
329	Lewis	Responds that it was during her freshman year.
331	Jones	Responds that it was in 8 th grade
333	Lewis	Recalls that it was during the 8 th grade.
337	Sen. Duncan	States that the students' testimony has been very helpful.
368	Sen. Shannon	Asks the students if they have any older brothers and sisters and if they feel more challenged in school than their siblings did.
383	Lewis	Responds that she does feel challenged. States that JHS has a CIM preparation class.
392	Sen. Shannon	Asks what gets accomplished during the CIM preparation class.

399	Lewis	Responds that nothing gets accomplished.
405	Sen. Shannon	Believes that the CIM has taken the place of some elective classes that were available. States that parents, teachers, and students want to have the CIM timelines extended out.
		Asks if the teachers are away from school frequently for training.
448	Lewis	Responds that there have only been a few days this year.
TAPE 98, B		
001	Roberts	States that although the teachers have been out for some CIM preparation, it has not been enough.
005	Sen. Shannon	Asks the students if they are aware of the millions of dollars that are being spent on education because of the CIM. States that it does not seem that the students are receiving the benefits.
		Refers to the shepherd advertisements. Asks the students if they have less curriculum choices at school due to the CIM.
020	Jones	Responds that in some cases, it is just the opposite. Cites an example of more science classes being offered.
031	Sen. Shannon	Asks the students if they hope that their kids will have the opportunity to take the CIM.
034	Lewis	Responds that she does.
039	Jones	States that some students are not taking the CIM seriously.
044	Chair Hartung	States that some teachers believe that the CIM is moving students in the right direction.
068	Sen. Shannon	Thanks the students for their honest answers.
073	Chair Hartung	Discusses the need to make the CIM relevant to universities.
		Asks the students what they think about businesses supporting the CIM because

		they want well trained workers.
103	Jones	Believes that any program that would make employers more eager to hire people would be good.
112	Lewis	States that some students might want to pass the CIM so that they can get a job.
122	Roberts	States that he does not have a comment.
131	Sen. Shannon	Believes that students should be educated and not "trained."
146	Sen. Duncan	States that over time, there will be a better educated workforce. Believes that the CIM has potential.
176	Sen. Gordly	Thanks the students for their testimony.
183	Nancy Brink	Teacher, Bethel School District. States that she is a proponent of education reform. States that because the tests are so difficult, average is not good enough. States that some students will never be able to memorize all of the skills. States that she is concerned about those students who will not be able to meet the standards. Comments that the students need to be good readers in order to do well on the tests.
302	Brink	States that the state tests do not reflect the school curriculums.
371	Chair Hartung	Closes informational meeting and opens public hearing on HB 3240.
<u>HB 3240 PUBLIC HEARING</u>		
374	Jean Thorne	Governor's Education Workforce Policy Advisor. Refers to the ñA5 amendments included in (EXHIBIT C) . Explains that the passage of the ñA5 amendments would allow the Governor to sign SB 100. States that the Governor will veto SB 100 if the teacher licensing issues are not addressed. States that the ñA5 amendments do address the Governor's concerns.
		Comments that the Governor requested that the House Education Committee look at alternative forms of teacher licenses. States that there are many alternative licenses available through the TSPC.
		States that the Governor is willing to support the development of alternative public charter school teaching licenses.
TAPE 99, B		

001	Thorne	Refers to page 4 of the ñA5 amendments which outlines the process for applying for a public charter school teaching license.
004	Sen. Shannon	Asks if there is any difference between the ñA5 amendments and the House Minority Report.
006	Thorne	Responds that there is not. Describes the process to apply for a public charter school teaching license. Asks for the committeeís support of the ñA5 amendments.
027	Sen. Shannon	States that the House Education Committee met most of the Governorís principles.
031	Thorne	States that many of the Governorís principals were met by the action of the Senate Education Committee. States that all of the principles are significant.
046	Sen. Duncan	Asks if criminal checks are included in the ñA5 amendments.
048	Thorne	Responds that they are covered in SB 100.
050	Sen. Duncan	Asks if discrimination is covered.
052	Thorne	States that the anti-discrimination workshop required for a limited teaching license, would not be a part of the process for a public teacher charter school license.
058	Sen. Duncan	Asks why not.
059	Chair Hartung	Responds that Sen. Gordly had "discrimination language" added to the bill.
065	Sen. Duncan	Asks if the reporting of child abuse is included.
067	Thorne	Responds that it is included in SB 100.
070	Sen. Duncan	States that the registration form does not require very much information.
074	Thorne	Expects that the TSPC will exercise some judgement as to whether the applicant has enough experience.
083	Sen. Duncan	States that he is concerned about the "judgement call."

085	Rep. Sunseri	Comments that non-certified teachers are being employed today in alternative and private schools. Refers to "teachers of record" which are non-certified teachers in the public schools.
		States that charter schools are intended to be innovative and creative.
		States that experts should have the flexibility to teach without being certified.
183	Sen. Courtney	Asks Rep. Sunseri if he opposes having the post-secondary education listed on the application.
207	Rep. Sunseri	Believes that is something that the charter school can already require.
216	Sen. Courtney	Asks Rep. Sunseri if he would be opposed to having that language added.
218	Rep. Sunseri	Responds that the choice is already available to a charter school.
225	Sen. George	Refers to professionals who teach college courses without a license.
236	Rep. Sunseri	States that professionals do not need to be licensed by the TSPC to teach at community colleges.
246	David Myton	TSPC. States that community college instructors are not required to be licensed.
		States that a school district can bring in experts as guests to teach. Adds that there is also a limited license that would allow a district to employ someone for a specific assignment.
287	Sen. Duncan	States that higher education has accreditation. Explains that this is a "check and balance" that does not exist within the secondary schools.
312	Sen. George	States that this bill is just another way of certifying someone to be prepared to teach.
320	Rep. Sunseri	Agrees that it is.
329	Sen. Duncan	Asks for a definition of a "teacher of record."
333	Myton	Responds that Rep. Sunseri is referring to instructional assistants.
368	Rep. Sunseri	States that he has a list of "teachers of record." States that the administrative rule does not require "line of sight" supervision.

380	Sen. Duncan	States that he would like a copy of the list that Rep. Sunseri is referring to.
391	Vice-Chair Castillo	States that she would like to know what schools and districts this is happening in. Asks how the instructional assistants would be allowed not to have supervision when they are not qualified to teach in a classroom.
412	Rep. Sunseri	Responds that it is legal.
419	Vice-Chair Castillo	Asks if the ñA5 amendments would limit how the new license could be used.
439	Thorne	Responds that the new license would only be available to a charter school.
447	Chair Hartung	States that head start schools do not require any teaching licensing.
TAPE 100, A		
003	Tricia Bosak	OEA. States that the licensure options that are available through the TSPC presently are sufficient for the public charter schools. States that the OEA does not support HB 3240.
013	Chair Hartung	Closes public hearing on HB 3240 and opens work session on HB 3240.
<u>HB 3240 WORK SESSION</u>		
040	Chair Hartung	MOTION: Moves HB 3240A to the floor with a DO PASS recommendation.
043	Sen. Gordly	Asks Chair Hartung if his motion is includes the ñA5 amendments.
045	Chair Hartung	Responds that it does not. States that the local school board would be able to reject applicants who are not qualified.
061	Sen. Gordly	States that the Governor has indicated that he will veto SB 100 if HB 3240 passes without the ñA5 amendments.
080	Chair Hartung	States that if this committee passes the amendments there would need to be concurrence from the House. Comments that he would like to give the Governor an opportunity to sign the bill.
096	Sen. Gordly	Believes that this is the only opportunity for charter schools.
118	Sen. Shannon	States that it is time for the Governor to work with the legislature.

121	Sen. Gordly	Asks what the students get if the committee misses this opportunity for charter schools.
128	Chair Hartung	Responds that this is a pilot program. States that there are a lot of qualified teachers that do not have a teaching license.
138	Vice-Chair Castillo	States that accountability is an issue. Asks why the committee would pass this bill without the ñA5 amendments knowing that the Governor will veto SB 100.
158	Chair Hartung	Recesses meeting until 3:14 p.m.
161	Chair Hartung	Reconvenes meeting at 3:15 p.m.
179	Chair Hartung	Refers to page 1, Section 2 of SB 100A.
200	Myton	Responds that this section has a whole program for alternative licensure. Refers to the various licenses that TSPC offers.
228	Chair Hartung	Asks how it relates to SB 100.
230	Myton	Responds that the first nine sections of the bill do not relate to SB 100.
237	Chair Hartung	Asks if that will cause problems.
240	Myton	Responds that it would create a brand new license that does not currently exist. States that there would be a minimal fiscal impact for the TSPC, but there would be a significant impact on school districts.
255	Chair Hartung	States that the school boards could decide whether or not to do it.
258	Sen. Shannon	States that the boards are not mandated to do it.
261	Myton	States that the creation of the alternative license would be required of the TSPC. States that Section 10 deals with charter schools.
285	Jan McComb	Committee Administrator. Discusses HB 3240.
323	Vice-Chair Castillo	Asks Thorne why the minority report is being replaced by the ñA5 amendments.

326	Thorne	Responds that the ñA5 amendments are the minority report. Explains that the ñA5 amendments remove all of the basic pieces to HB 3240 and establish the charter school teaching license.
376	Sen. Gordly	MOTION: Moves to ADOPT HB 3240-A5 amendments dated 05/17/99.
380	Chair Hartung	States that he objects.
381	Sen. Shannon	States that she objects.
437	Chair Hartung	Closes work session on HB 3240 and adjourns meeting at 3:31 p.m.

Submitted By, Reviewed By,

Karen O'Kelley Jan McComb

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 3444, - A4 amendments, Rep. Ron Sunseri, 1 p

B ñ HB 3444, -A3 and ñA5 amendments, Rep. Jane Lokan, 2 pp

C ñ HB 3240, -A5 amendments, staff, 5 pp