

SENATE COMMITTEE ON EDUCATION

May 19, 1999 Hearing Room B

1:00 p.m. Tapes 101 - 102

MEMBERS PRESENT:

Sen. Tom Hartung, Chair

Sen. Susan Castillo, Vice-Chair

Sen. Peter Courtney

Sen. Verne Duncan

Sen. Gary George

Sen. Avel Gordly

Sen. Marilyn Shannon

MEMBER EXCUSED:

STAFF PRESENT:

Jan McComb, Administrator

Karen O'Kelley, Administrative Support

MEASURES HEARD:

HB 2550 Work Session

SB 557 Work Session

HB 3585 Work Session

HB 3013 Work Session

HB 2249 Public Hearing

HB 3186 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.

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TAPE/#	Speaker	Comments
TAPE 101, A		
003	Chair Hartung	Convenes meeting at 1:03 and opens work session on HB 2550.
<u>HB 2550 WORK SESSION</u>		
008	Sen. Ron Sunseri	House District 22. Discusses the ñA3 amendments (EXHIBIT A). Asks Hunt to describe the proposed conceptual amendments.
016	Cindy Hunt	Legislative Counsel. Refers to page 2, lines 22-25.
028	Chair Hartung	Asks Thorne if she is in agreement with the changes.
030	Jean Thorne	Governor's Office. Responds that she is.
031	Rep. Sunseri	States that background checks are essential. States that the amendments require the Teachers Standards and Practices Commission (TSPC) to do background checks on all applicants. Explains that a background check will be the basis for registration.
043	Chair Hartung	Asks if a registered teacher will have the same background check as a licensed teacher.
046	Rep. Sunseri	Responds that they will. Explains that the amendments will require a report that will be provided to the 71 st and 72 nd legislative assembly on public charter school teacher registration.
058	Thorne	Clarifies that the report would list the persons that are registered, the positions that are held, and the relevant background information.
064	Chair Hartung	Asks if this report would be ongoing.
065	Rep. Sunseri	Responds that it would.
067	Chair Hartung	Likes that the Governor is requesting the report.
069	Rep. Sunseri	Agrees that it is valuable to have information available to the legislature in order to make future decisions. Refers to page 5, line 28 of the ñA3 amendments. States that an applicant would

		be required to pay the fee for the background check.
076	Thorne	States that the Governor's Office is pleased with the ñA3 amendments. States that the registration will capture the information and allow the issues to be revisited next session. Believes that the ñA3 amendments are a good compromise on both sides.
086	Sen. Duncan	Asks if TSPC's costs will be covered by the fees.
101	David Myton	Executive Director, TSPC. States that the staff time for registration would not be covered.
123	Rep. Sunseri	States that this would only include a small number of people.
131	Vice-Chair Castillo	Asks Myton what new educational standards would need to be met for the registration in the ñA3 amendments.
134	Myton	States that it would require the charter school to provide information, but does not create any standards against which that would be measured.
145	Chair Hartung	MOTION: Moves to ADOPT HB 2550 ñA3 amendments dated 05/19/99 as conceptually amended.
148	Vice-Chair Castillo	States that she does not support the ñA3 amendments.
		VOTE: 6-1 AYE: 6 - Courtney, Duncan, George, Gordly, Shannon, Hartung NAY: 1 - Castillo
153	Chair Hartung	The motion CARRIES.
154	Chair Hartung	MOTION: Moves HB 2550 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-1 AYE: 6 - Courtney, Duncan, George, Gordly, Shannon, Hartung NAY: 1 - Castillo

160	Chair Hartung	The motion CARRIES. SEN. HARTUNG will lead discussion on the floor.
161	Sen. Duncan	Reserves the right to oppose HB 2550 on the Senate floor.
164	Rep. Sunseri	Thanks the Governor "for staying with us on this, and working through this."
168	Chair Hartung	Gives thanks to Rep. Sunseri and Thorne.
		Closes work session on HB 2550 and recesses meeting until 1:20 p.m.
177	Chair Hartung	Reconvenes meeting at 1:32 p.m. and opens work session on SB 557.
<u>SB 557 WORK SESSION</u>		
198	Sen. Duncan	MOTION: Moves to TABLE SB 557.
201	Vice-Chair Castillo	States that she supports the motion.
206	Sen. Gordly	Objects to the motion.
		VOTE: 4-2 AYE: 4 - Castillo, Courtney, Duncan, Hartung NAY: 2 - George, Gordly EXCUSED: 1 - Shannon
215	Chair Hartung	The motion CARRIES.
216	Chair Hartung	Closes work session on SB 557 and opens work session on HB 3585.
<u>HB 3585 WORK SESSION</u>		
219	Sen. Duncan	MOTION: Moves to TABLE HB 3585.
224	Sen. Courtney	Objects to motion.

		VOTE: 5-1 AYE: 5 - Castillo, Duncan, George, Gordly, Hartung NAY: 1 - Courtney EXCUSED: 1 - Shannon
229	Chair Hartung	The motion CARRIES .
230	Chair Hartung	Closes work session on HB 3585 and opens work session on HB 3013.
<u>HB 3013 WORK SESSION</u>		
236	Sen. Hartung	MOTION: Moves HB 3013 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Rules.
		VOTE: 6-0 EXCUSED: 1 - Shannon
245	Chair Hartung	Hearing no objection, declares the motion CARRIED .
248	Chair Hartung	Closes work session on HB 3013 and opens public hearing on HB 2249.
<u>HB 2249 PUBLIC HEARING</u>		
255	David Mesirow	Member, State Scholarship Commission (SSC). Explains that this bill proposes a name change for the SCC. Explains that the name change reflects the SSC's new responsibility for the Office of Degree Authorization (ODA). States that HB 2249 should be moved forward without any amendments.
339	Diane Tsukamaki	Chair, SSC. States that the SSC has taken the responsibility of the ODA very seriously over the past two years.
355	George Bell	Vice-Chair, SSC. States that six of the seven SSC members are in agreement to oppose any amendments to HB 2249.
371	Gary Andeen	Executive Director, Oregon Independent Colleges Association (OICA). Testifies in support of the bill amendments included in (EXHIBIT B) . States that the bill amendments would move the ODA to the Oregon Department of Education

		(ODE).
TAPE 102, A		
003	Andeen	Discusses the Governor's recommendation during the 1997 Session to move the ODA to the SSC. Discusses the SSC's search for a new director.
		Believes that moving the ODA to the ODE would accomplish the following: <ul style="list-style-type: none"> • A more neutral regulatory environment for the ODA to function within. • An opportunity to consolidate all of Oregon's post-secondary review functions into a single state agency.
096	Stephen Kafoury	University of Phoenix, Oregon Career College Association. States that the ODA is very important to his two clients as well as Oregon.
		States that his clients require a fast turn around from the ODA. States that, over the past year, there have been severe problems with the ODA. States that the ODA should be in a place where there will be stability.
134	Ray Gauthier	President, Oregon Career Colleges Association (OCCA). Testifies in support of the 11 amendments and submits (EXHIBIT C) . Comments that the current state of the ODA, and its supervision is unsatisfactory. States that the ODA has been without leadership for six months. Believes that the ODE is in a better position to provide the long-term regulatory oversight to enforce the law and protect the integrity of the degree authorization process.
195	Chair Hartung	Closes public hearing on HB 2449 and opens public hearing HB 3186.
<u>HB 3186 PUBLIC HEARING</u>		
197	Rep. Kitty Piercy	House District 39. Testifies in support of HB 3186. Explains that the ODE would inform local school districts and citizens of the options available for alternative schools. Refer to amendments included in (EXHIBIT D) . States that the ODE wants to change "Child Development Specialists" (CDS) in the statute to include middle and high schools.
251	Joyce Cohen	Testifies in support of the amendments included in EXHIBIT D . States that there needs to be as many professional mental health workers as possible to assist teachers.
286	Chair Hartung	Thanks Cohen for all of the work she did as a legislator.

290	John Diehl	Urges the committee to support HB 3186. States that he is representing the Beaverton School District and submits (EXHIBIT E) .
323	Dick Stokes	Licensed Clinical Social Worker, Counselor, Sunset High School. Testifies in support the amendments and submits (EXHIBIT F) . Discusses the Bridge Program at Sunset High School.
374	Vice-Chair Castillo	Asks for the difference in training levels between a CDS and a guidance counselor.
389	Diehl	Responds that in Beaverton, the degree requirements are essentially the same.
404	Vice-Chair Castillo	Asks if the TSPC will testify.
408	Chair Hartung	Responds that they will.
414	Anita McClanahan	Director Early Childhood Programs, ODE. Testifies in support the amendments and submits (EXHIBIT G) . States that the ODE views the amendments as an opportunity for school districts to expand their capacity to serve students at every level.
TAPE 101, B		
001	McClanahan	Refers to the CDS competency evaluation included in EXHIBIT G .
		States that there are 269 CDS in Oregon. Comments that the ODE has authorized 88 percent of the total. Explains that the other 12 percent were authorized by the TSPC. Discusses the education and training that is required.
057	Myton	Submits (EXHIBIT H) . Discusses the difference between what CDS are required to do by statute and what school counselors do. States that the skills and competencies necessary for school counseling are different than those required for CDS.
087	Sen. Duncan	Asks Myton if a sunset clause would ease his concern.
091	Myton	Responds that it would give the TSPC more information.
098	Sen. Duncan	States that he does not like the title CDS for middle and high schools.
121	Vice-Chair Castillo	States that although she has concerns, she will support it because of the sunset clause. States that there are not enough school counselors in the schools.

152	Myton	Refers to the licenses of accomplishment included in EXHIBIT H . States that there are vehicles to create special licenses without opening up the entire secondary school counseling staff to fill the CDS.
156	Vice-Chair Castillo	Thanks Myton for the information.
167	Greg McMurdo	ODE. States that a sunset clause would be a good idea. Comments that the interim committee should call upon the ODE and the TSPC during the interim to get a progress report.
182	Julia Cohen-Polk	CDS, Beaverton School District. States that she does not know how to get around the certification issues with the TSPC.
210	Chair Hartung	Closes pubic hearing on HB 3186 and opens work session on HB 3186.
<u>HB 3186 WORK SESSION</u>		
220	Sen. Courtney	MOTION: Moves to ADOPT HB 3186-2 amendments dated 05/19/99.
		VOTE: 6-0 EXCUSED: 1 - Shannon
227	Chair Hartung	Hearing no objection, declares the motion CARRIED.
228	Sen. Courtney	MOTION: Moves HB 3186 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Shannon
240	Chair Hartung	The motion CARRIES. SEN. COURTNEY will lead discussion on the floor.
242	Chair Hartung	Closes work session on HB 3186 and reopens work session on HB 3585.

HB 3585 WORK SESSION

251	Vice-Chair Castillo	States that Laurie Wimmer would like to testify on HB 3585.
255	Chair Hartung	Closes work session on HB 3585 and reopens public hearing on HB 2249.

HB 2249 PUBLIC HEARING

265	Danny Santos	Governor's Office. Discusses the concerns that were raised about the ODA. Congratulates the SSC for their work thus far.
325	Sen. Gordly	Asks if the Governor supports retaining the ODA within the SSC.
330	Santos	Responds that the Governor does not want to make a transfer at this time.
339	Grattan Kerans	Oregon University System (OUS). States that the OUS is satisfied with the decision that was made two years ago by the Governor and the Legislature. Believes that it is far too early to start over.
		States that the OUS is opposed to the ñ1 amendments.

TAPE 102, B

001	Kerans	Recommends that the committee leave the ODA with the SSC.
021	Tamara Dykeman	Oregon Community College Association (OCCA). Agrees with Kerans' testimony. Supports the bill without the ñ1 amendments.
034	Jessica Harris	Member, SSC. Testifies in support of the ñ1 amendments. Believes that the ODE is a better place to oversee the function of the ODA.
061	Sen. Gordly	States that she would like to hear from the ODE.
063	Sen. Duncan	Believes that the California Department of Education oversees the Department of Degree Authorization.
065	McMurdo	States that the ODE does not have a position on this bill.
078	Sen. Gordly	Asks McMurdo if he is lobbying to have the ODA moved to the ODE.
080	McMurdo	States that this is not something that the ODE requested.

094	Chair Hartung	Closes public hearing on HB 2249 and reopens work session on HB 3585.
<u>HB 3585 WORK SESSION</u>		
099	Sen. Hartung	MOTION: Moves to RECONSIDER the vote by which the committee tabled HB 3585.
103	Sen. Courtney	Regrets that the Senate Education Committee is being shutdown now. States that he does not agree with referring difficult education bills to the Rules Committee.
134	Sen. Gordly	Agrees with Sen. Courtney.
147	Chair Hartung	Asks if the committee would like him to request permission from the Senate President to meet next week.
152	Jan McComb	Committee Administrator. States that Hill Walker will be a part of an informational meeting on Wednesday, May 26 th .
162	Sen. George	Asks Chair Hartung if he intends to remove HB 3585 from the table.
163	Chair Hartung	Responds that he does not. States that the committee can discuss it at the next meeting.
181	Chair Hartung	Closes work session on HB 3585 and adjourns meeting at 2:59 p.m.

Submitted By, Reviewed By,

Karen O'Kelley Jan McComb

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ HB 2550, -A3 amendments, staff, 16 pp

B ñ HB 2249, -1 amendments and written testimony, Gary Andeen, 14 pp

C ñ HB 2249, written testimony, Ray Gauthier, 1 p

D ñ HB 3186, -1 and ñ2 amendments, staff, 5 pp

E ñ HB 3186, written testimony, Mary Smith, 1 p

F ñ HB 3186, written testimony, Dick Stokes, 2 pp

G ñ HB 3186, guidelines, chart, and evaluation, Anita McClanahan, 15 pp

Hñ HB 3186, written testimony, David Myton, 3 pp