

HOUSE COMMITTEE ON EDUCATION

May 9, 1997 Hearing Room E

08:15 A. M. Tapes 129 - 130

MEMBERS PRESENT:

Rep. Dennis Luke, Chair

Rep. Terry Thompson, Vice-Chair

Rep. Roger Beyer

Rep. Ron Sunseri

Rep. Charles Starr

Rep. Bob Jenson

Rep. Ryan Deckert

MEMBER EXCUSED:

STAFF PRESENT:

Bryan Boehringer, Administrator

Joan Diaz, Administrative Support

MEASURE/ISSUES HEARD:

SB 628A - Public Hearing

HB 3139 - Public Hearing and Work Session

HB 3073 - Work Session

HB 2701 - Public Hearing and Work Session

SB 124 - 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 129, A		
005	Chair Luke	Calls meeting to order at 8:15 a.m. Opens public hearing on SB 628A.

<u>SB 628A - PUBLIC HEARING</u>		
021	Chair Luke	Asks staff to explain bill.
	Bryan Boehringer	Committee Administrator, explains previous discussion regarding funding of charter schools.
	Steve Meyer	Legislative Revenue, explains State School Fund Permanent Equalization Formula (EXHIBIT A). ¹ (Explains how average daily membership is weighted (ADMw).
	Rep. Thompson	Asks for range on the remote small schools.
097	Meyer	Comments the weight range can vary. Explains a charter school wouldn't qualify under the remote small school calculation because it wouldn't meet the distance requirement.
	Cindy Hunt	Legislative Counsel, clarifies how "remote small school" is defined. Comments committee might consider stipulating that a charter school cannot be sited next to a remote small school so that the remote small school's weighting is not affected.
112	Meyer	Continues testimony.
	Chair Luke	Asks for further clarification if local revenue is taken into account when calculating funding for charter school.
	Meyer	Responds that charter schools will receive 90% of the General Purpose Grant or 90% of the \$4500 target.
	Chair Luke	Closes public hearing on SB 628A. Opens public hearing on HB 3139.
<u>HB 3139 - PUBLIC HEARING</u>		
150	Chair Luke	Asks staff to explain the bill.

	Bryan Boehringer	Committee Administrator, explains that the -2 amendments replace the bill (EXHIBIT B). [2](
	Chair Luke	Refers to Senate Committee on Education and the outreach program.
178	Grattan Kerans	Legislative Representative, Oregon State System of Higher Education, testifies regarding the bill and the -2 amendments which were requested by the Chancellor. Explains the outreach program.
	Rep. Deckert	Asks why the Cascadia project was defeated on the Senate side.
	Kerans	Responds it was a policy question. State did not want to approve granting authority for 4-year degrees to community colleges.
244	Rep. Thompson	Asks when will outreach program actually begin.
	Kerans	Responds within coming biennium. Oregon State System of Higher Education is working on interagency agreement; still working with Ways & Means Committee.
	Chair Luke	Explains satellite link up and down the coast which will provide educational services to students without building additional campuses. Discusses University Center stage 1 and stage 2. University Center stage 2 in Central Oregon will have instructors on staff by Fall 1997.
272	Rep. Thompson	Asks if it is OSSHE's preference to have the Legislative Assembly approve changes as they occur.
	Kerans	Responds that it is and views the approval process as a safeguard.
	Chair Luke	Closes public hearing on HB 3139. Opens work session on HB 3139.

**HB 3139 -
WORK
SESSION**

Rep. Beyer Asks if there is a fiscal impact.

Chair Luke Comments if money is not appropriated, project will not go forward.

305 Kerans Explains that the initiative is linked to the regional capacity initiative; OSSHE cannot finance it with own resources.

317 Rep. Thompson **MOTION: Moves to ADOPT HB 3139-2 amendments dated 05/08/97.**

Chair Luke **Hearing no objections the motion CARRIES.**

Rep. Thompson **MOTION: Moves HB 3139 to the floor with a DO PASS AS AMENDED recommendation.**

VOTE: 7-0

AYE: In a roll call vote, all members present vote Aye.

The motion CARRIES.

Chair Luke

REP. LUKE will lead discussion on the floor.

Chair Luke Closes work session on HB 3139. Opens work session on HB 3073.

**HB 3073 -
WORK
SESSION**

335 Rep. Lynn Snodgrass Represents district 10, testifies regarding the -2 amendments and the -3 amendments (**EXHIBIT C**). Describes the appeal process regarding student-athletes who want to play sports outside the school system.[\[3\]](#)(

TAPE 130, A

002 Rep. Thompson Asks what "personnel" refers to.

Rep. Snodgrass Responds that it applies to individuals who are teaching a sport, but were not hired primarily as a coach.

Rep. Snodgrass Continues testimony.

025 Rep. Thompson Asks if appeals should be initiated by students.

Rep. Snodgrass Responds she is in favor of allowing students to initiate appeals and does not think they will abuse the process.

045 Chair Luke Asks about option not to hear appeals.

	Rep. Jenson	Comments he has no problem with students accepting responsibilities and initiating appeals. Wording in -3 amendments leaves out private citizen who might also have concerns.
	Rep. Snodgrass	Responds that ORS applies specifically to schools.
074	Chair Luke	Comments on an ombudsman option which might be applicable in this situation.
102	Rep. Snodgrass	Explains the primary purpose of the bill is the protection of student athlete. Comments about the creation of an elite system of club sports. Would be willing to submit additional amendments.
	Wes Ediger	Executive Director, Oregon School Activities Association (OSAA), testifies regarding the amendments (EXHIBIT D) . ⁴ (
	Chair Luke	Explains the process of the amendments.
148	Ediger	Asks questions regarding the -3 amendments.
	Rep. Snodgrass	Comments that restrictions on which students a coach contacts is not acceptable to her.
	Ediger	Comments that "personnel" means that school districts would lose control within their own school district. Explains current appeal process in response to Chair's question.
205	Chair Luke	Asks how appeal process works for parents who object to rule that only two athletes can work with coach outside school.
	Ediger	Responds the appeals board could hear the cases.
	Rep. Snodgrass	Asks for information on length of appeal process.
225	Ediger	Responds resolution usually occurs within a week or so.
	Rep. Deckert	Asks if OSAA would agree with the -2 amendments if the word "personnel" was deleted.
	Ediger	Responds he would not object to the -2 amendments.

	Rep. Jenson	Asks what is fundamental difference between OSAA's existing policy and the -2 amendments.
265	Chair Luke	Asks what percentage of appeals are overturned in favor of the applicant.
	Ediger	Responds that approximately 25% are overturned.
	Chair Luke	Clarifies that appeal only covers whether OSAA has broken state laws or rules.
	Ediger	Responds that is correct; most of the student appeals relate to playing extra years (a 5th year).
317	Greg McMurdo	Deputy Superintendent, Department of Education (ODE), testifies regarding the -2 amendments and the appeal process. No opinion on the -3 amendments. Comments some appeals are resolved within 48 hours.
	Chair Luke	Asks if there has been an appeal that OSAA's rules are arbitrary.
	McMurdo	Responds there was, but it was rejected.
362	Rep. Snodgrass	Clarifies steps to be taken if parent comes to appeals process.
		Explains ruling by the state board or the state superintendent as to whether
		* OSAA was following its own rules.
	McMurdo	* rule discriminated.
		* rule was unconstitutional.
		* rule was arbitrary or capricious.
390	McMurdo	Responds to Chair's question that board meets monthly. To facilitate appeals process, board has delegated authority the to Department of Education.
TAPE 129, B		
002	McMurdo	Continues testimony.

- Rep. Jenson Asks if parent can ask board to override decision of superintendent.
- McMurdo Responds only if superintendent refers it to the state board.
- 015 Ediger Comments Department of Education scrutinizes OSAA rules and policies.
- McMurdo Comments that superintendent shares some of Rep. Snodgrass' concerns and a committee was appointed to review OSAA rules as they apply to female athletes.
- 032 Rep. Snodgrass Comments that study took a year.
- Ediger Responds that the discussion on club sports has taken place for approximately 3-4 years.
- 056 Rep. Jenson Asks to compare and contrast what other states are doing.
- Ediger Comments that in interaction at national meetings it was ascertained that many states have the "rule of 2" players, or "rule of 3" players who can train with coaches. Many states are more conservative about what coaches are allowed to do.
- 88 Rep. Jenson Asks for information regarding Washington and California.
- Ediger Responds that Washington says no involvement with kids year round. Comments he is not sure about California.
- Rep. Snodgrass Explains volleyball season is January-June to qualify for Olympics. The season is not in the summer so players are discriminated against. Policy, or rule of 2, is discriminatory against this sport.
- 116 Rep. Sunseri Asks why wasn't discrimination appealed rather than have a bill drafted.
- Rep. Snodgrass Responds that appeal process was not explained before today.
- Chair Luke Comments that Rep. Thompson has agreed to work with Rep. Snodgrass and OSAA to draft amendments.

McMurdo Comments that ODE wants to be included in future discussions.

Chair Luke Closes work session on HB 3073. Opens public hearing on HB 2701.

**HB 2701 -
PUBLIC
HEARING**

Chair Luke Asks for public testimony. Closes public hearing on HB 2701. Opens work session on HB 2701.

**HB 2701 -
WORK
SESSION**

Chair Luke Asks staff to explain the bill.

Bryan Committee Administrator, explains the phonics bill previously heard by
Boehringer the committee and the -3 amendments (**EXHIBIT E**).⁵(

Wilma Wells Legislative Assistant, Confederation of School Administrators, testifies
regarding the bill and the -3 amendments (**EXHIBIT F**).⁶(Has no
objections to the -3 amendments.

Joanne Flint Asst. Superintendent, Department of Education, testifies regarding
HB 2701.

Rep. Jenson Asks what is decodable text.

Wells Responds that it is comprised of words that are all phonetic; for
example, books like "Hop on Pop."

199 Rep. Deckert Asks what is explicit systematic phonics.

Wells Responds there are different systematic approaches and explains each.

211 **Rep. Starr MOTION: Moves to ADOPT HB 2701-3 amendments dated
05/05/97.**

Chair Luke Hearing no objections the motion CARRIES.

Chair Luke Asks for questions. Comments bill is a compromise between the
sponsors and the Department of Education. Suggests bill with

amendments is a good policy.

- 220 Rep. Starr Explains that in previous discussions it was apparent there was only one choice in textbooks: the whole language adoption. He has reviewed explicit phonics textbooks which provide better foundation for reading. Bill provides direction to Department of Education.
- Rep. Thompson Comments that he is a believer in phonics. Comments that the State can only suggest what teachers teach. Teacher utilizes what is best for students.
- Chair Luke Asks Flint if teacher preparation includes phonics.
- Flint Responds whether programs adopt phonics preparation depends on local school districts who request it.
- Chair Luke Asks if ODE has any input into teacher education programs.
- Flint Responds, only informally. Teacher education programs are approved by the Teachers Standards and Practices Commission.
- 295 David Myton Executive Secretary, Teachers Standards and Practices Commission (TSPC), responds to Chair's question on teacher preparation regarding phonics. TSPC has authority by Administrative Rules but actively solicits advice from ODE and the Superintendent of Public Instruction.
- 323 Rep. Starr **MOTION: Moves HB 2701 to the floor with a DO PASS AS AMENDED recommendation.**
- Rep. Beyer Comments will support bill, but would have preferred the -2 amendments.
- Rep. Sunseri Comments will reluctantly support bill. Explains committee has "neutered it" since standards were taken out of it. The education community does not want to be "pinned down to standards in any way."
- Chair Luke Comments committee members had the option of moving the -2 amendments.
- VOTE: 7-0**
- AYE: In a roll call vote, all members present vote Aye.**
- Chair Luke **The motion CARRIES.**

REP. SUNSERI will lead discussion on the floor.

**SB 124 -
PUBLIC
HEARING**

Chair Luke Closes work session on HB 2701. Opens public hearing on SB 124.

Chair Luke Asks staff to explain bill.

Bryan Committee Administrator, explains bill and the -1 amendments
Boehringer **(EXHIBIT G)**.⁷(Comments on provision suggested by Rep. Jenson.

402

Jennifer Chairperson, Teachers Standards and Practices Commission, testifies
Heiss regarding SB 124 **(EXHIBIT H)**.⁸(Comments bill addresses the work
of the Commission's re-design of teacher licensure.

TAPE 130, B

002

Heiss Continues testimony

025

David Myton Executive Secretary, Teachers Standards and Practices Commission,
testifies regarding bill and amendments **(EXHIBIT I)**. Comments that
four additional felonies have been added to the list of offenses which
would deny licensure if applicable.

083

Chair Luke Asks whether training of teachers for CIM/CAM requirements can be
incorporated into the license renewal process.

Myton Responds that commission is working on a continuing development plan
that would identify "domains of preparation." Identifies the six domains.

166

Myton Responds to committee's question that an individual or an agency who
profits from the training would pay for new training .

Rep. Beyer Asks if there is any fiscal impact; none indicated from the Senate
committee.

Myton Responds there could be an impact with regard to salary steps. Actual
workshops are usually paid for by the districts but is dependent on
arrangements and who is benefiting by the additional training.

196 Chair Luke Asks who would pay for additional training if a school board determines that an employee is deficient in a particular area.

 Myton Responds and explains the two parallel processes currently in place.

 Chair Luke Comments committee will be bringing the bill back. Closes public hearing on SB 124.

 Chair Luke Adjourns meeting at 10:00 a.m.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

EXHIBIT SUMMARY

¹(A - SB 628A, written materials, staff, 1 pg

[\[2\]](#)(B - HB 3139, proposed amendments, staff, 2 pp

[\[3\]](#)(C - HB 3073, proposed amendments, staff, 2 pp

⁴(D - HB 3073, written testimony, Wes Ediger, 9 pp

⁵(E - HB 2701, proposed amendments, staff, 1 pg

⁶(F - HB 2701, written testimony, Wilma Wells, 1 pg

⁷(G - SB 124, proposed amendments, staff, 5 pp

⁸(H - SB 124, written testimony, Jennifer Heiss, 2 pp

I - SB 124, written testimony, David Myton, 1 pg