

HOUSE COMMITTEE ON EDUCATION

May 14, 1997 Hearing Room E

08:15 A.M. Tapes 133 -134

MEMBERS PRESENT:

Rep. Dennis Luke, Chair

Rep. Terry Thompson, Vice-Chair

Rep. Roger Beyer

Rep. Ron Sunseri

Rep. Charles Starr

Rep. Ryan Deckert

MEMBER EXCUSED:

Rep. Bob Jenson

STAFF PRESENT:

Bryan Boehringer, Administrator

Joan Diaz, Administrative Support

MEASURE/ISSUES HEARD:

HB 2569 - Work Session

SB 628A - 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 133, A		
004	Chair Luke	Calls meeting to order at 8:20 a.m. Opens work session on HB 2569.
<u>HB 2569 - WORK SESSION</u>		

	Chair Luke	Asks staff to explain bill.
008	Bryan Boehringer	Committee Administrator explains bill and the -1 amendments (EXHIBIT A). [1] (
	Chair Luke	Comments that the sponsor of the bill, instead of referencing the federal act, wants the federal act put into Oregon statute.
	Jim Green	Legislative Advocate, Oregon School Boards Association, responds that would be acceptable.
	Wilma Wells	Legislative Assistant, Confederation of School Administrators (COSA), responds there would be no objection to including the Family Education Rights and Privacy Act (FERPA) in Oregon statute.
	Greg McMurdo	Deputy Superintendent, Department of Education (ODE), responds that they agree with Confederation of School Administrators and the -1 amendments are acceptable.
	Rep. Deckert	Asks what FERPA would do.
047	Green	Explains the Family Education Rights and Privacy Act.
	McMurdo	Relates that in 1993 state student record laws were amended to comply with FERPA. State student laws are presently in compliance but FERPA is not specifically mentioned.
	Rep. Sunseri	Discusses test that is being used in Oregon and other states was written subsequent to the federal law (EXHIBIT B). ² (
	Chair Luke	Suggest spelling out the federal law in one amendment and draft a second amendment with Rep. Sunseri's suggestions.
	McMurdo	Responds that adding religious clause would exceed FERPA.
093	Chair Luke	Explains that committee will discuss issue more after amendments are drafted.

	Rep. Sunseri	Asks why ODE would include questions regarding religion in a "Careers Test."
	McMurdo	Responds ODE would have no trouble eliminating such questions. Comments he has no idea why a particular school district would include such questions on a test.
	Green	Comments in response to committee's question, the local school board is the proper avenue for objecting to such test questions.
	Rep. Sunseri	Explains that parental objection is hard to voice because it cannot be demonstrated that such tests are connected to federal funds.
	Boehringer	Suggests language that parallels FERPA.
	Chair Luke	Asks staff to draft amendments and bring bill back on Monday. Asks that it be distributed to committee before Monday. Closes work session on HB 2569. Opens public hearing on SB 628A.
SB 628A - PUBLIC HEARING		
	Michael Harris	Representative, Oregon Association for Alternatives in Education, testifies against SB 628A and submits changes to bill (EXHIBIT C). ³ (
304	Molly Bordonaro	Private citizen, testifies in support of SB 628A. Comments that charter schools increase educational opportunities for students at risk in particular, provide choices for parents, and increase flexibility for teachers. Comments on experiences she had in establishing charter schools in California. Comments on her experiences with the Village School in Portland which is a contract school. Explains there are 23 states that currently have charter schools (EXHIBIT D , 4 (E). ⁵ (
TAPE 134, A		
002	Bordonaro	Continues testimony. Comments on concerns with funding as detailed in the bill.
	Chair Luke	Asks staff to share Legislative Revenue information with witness.
	Rep.	Asks question regarding current status of the Bond Street School, in

026	Thompson	Oakland, California.
	Bordonaro	Responds that it is a public school now, and is expanding enrollment while maintaining a yearly surplus of funds.
	Rep. Thompson	Clarifies how California authorizes charter schools.
	Bordonaro	Explains in California any public school can apply to be a charter school but the state has a "cap" on the total number.
054	Henri Schaffler	Private citizen, testifies in favor of SB 628A (EXHIBIT F). ⁶ (
114	Schaffler	Continues testimony.
160	Jan Shea	Legislative Committee Member, Oregon Parent Teachers Association, testifies against SB 628A (EXHIBIT G). [7] (
250	Ozzie Rose	Legislative Representative, Confederation of School Administrators, testifies against SB 628A as written but supports its intent with specific amendments (EXHIBIT H). [8] (
310	Rep. Beyer	Comments the suggested amendments if adopted would change charter schools into a public school. Asks what would be the difference.
	Rose	Responds that is not correct. Indicates that among other differences, the organization and administration would be different.
	Rep. Sunseri	Expresses concerns with assessments and their potential incompatibility with charter schools' curriculum.
	Rose	Explains statewide assessments are academic tests; academic expectations for the students. Comments that the Legislative Assembly should not set up a parallel system.
	Rep. Sunseri	Clarifies that in reviewing ODE materials, they test to outcomes or performance objectives, and do not relate to academics specifically.
		Responds that it is not a significant problem. Explains his argument is that

355	Rose	if chartered schools are publicly funded, there should not be a parallel system with different expectations.
	Chair Luke	Asks what is the objection to private schools becoming charter schools.
	Rose	Responds that in the long term it might not be a problem. In the short term, if a large number of private schools become charter schools, it would present a financial issue for the district.
415	Jim Green	Legislative Advocate, Oregon School Boards Association, expresses concerns with multiple sponsorship but is in favor of the concept of charter schools (EXHIBIT I). [9](
TAPE 133, B		
004	Green	Continues testimony.
023	Rep. Deckert	Asks what is the difference between SB 184, the alternative education bill, and SB 628A.
	Green	Explains that in SB 184 all the rules and regulations which apply to public schools will still be in effect. In SB 628A there are a limited number of compliances required.
046	Rep. Beyer	Asks regarding the number of California charters available.
	Bordonaro	Responds originally there were 100 schools permitted in original bill in California. That has been waived and now the number is 109 since the schools have been proven successful.
	Rep. Beyer	Asks if those were existing public schools converting to charter schools.
061	Bordonaro	Responds that in California existing public schools could convert to charter schools or new schools could be created as charter schools.
	Boehringer	Comments that issue was discussed on the Senate side.
069	Rep. Thompson	Asks what are other restrictions put on California schools.
		Responds that the Bond St. School in Oakland received the "waiver of all

	Bordonaro	waivers," to run the school free of all regulations. Today those teachers earn much higher wages and there is a lower student/teacher ratio.
	Rep. Thompson	Asks if regulations adopted for public schools are of little use.
	Bordonaro	Responds that teachers and administrators will admit that rules and regulations hamper their teaching. Explains how the California charter schools are run like a business; contracting out other services, etc. Health and Safety regulations and federal regulations still do apply.
	Boehringer	Explains that committee administrator for Senate Committee on Education, Jan McComb, put together a matrix of state laws. Will have that information available for committee.
103	Rep. Thompson	Comments he has concerns about abandoning laws, rules and regulations.
115	Vicie English	Director, Brownsville Academy, testifies in favor of SB 628A (EXHIBIT J). [10](Comments on importance of multiple sponsorship. Comments local school board are allowing more restrictions which are not state mandates.
	Rep. Deckert	Asks for example.
	English	Responds assessments scores is one issue. Describes scoring inconsistency.
167	Rep. Deckert	Asks why would the state approve of a charter school if local school board does not approve of charter school.
	Chair Luke	Asks what is percentage of funding received.
	English	Responds that her local school board is short of funds; they have in turn required her school to show a profit.
	Rep. Deckert	Asks if a new board could be elected.
	English	Responds that it would take four years to restructure board.

	Rep. Thompson	Asks why not establish a private school.
214	English	Explains school started out as a private school and the district asked her school to be a charter/alternative school so that funding could be passed back to district. Continues testimony.
254	Rob Kremer	Board Member, Oregon Education Coalition, testifies in favor of SB 628A (EXHIBIT K). [11] (
340	Kremer	Continues testimony. Explains in the states that have charter schools, the majority of the students served are special needs students who are not being adequately served in the public school system.
358	Rep. Deckert	Expresses concerns if the local community does not oversee the charter schools. Comments that a local school board is elected to represent citizens within the district. Asks why having a sponsor outside the school district is a good idea.
	Kremer	Responds that the question is whether the local school board should have a monopoly on publicly funded education services in the area.
	Rep. Sunseri	Comments that one disadvantage of local supervision is that a local school board cannot consider a charter during a strike. If a county board of commissioners is the charter sponsor, they would be more accessible.
	Chair Luke	Closes public hearing on SB 628A. Adjourns meeting at 9:50 a.m.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

EXHIBIT SUMMARY

[\[1\]](#)(A - HB 2569, proposed amendments, staff, 1 pg

²(B - HB 2569, written materials, Ron Sunseri, 3 pp

³(C - SB 628A, written materials, Michael Harris, 11 pp

[\[4\]](#)(D - SB 628A, written testimony, Mary Bordonaro, 2 pp

⁵(E - SB 628A, written materials, Mary Bordonaro, 8 pp

⁶(F - SB 628A, written testimony, Henri Schauffler, 2 pp

[\[7\]](#)(G - SB 628A, written testimony, Jan Shea, 2 pp

[\[8\]](#)(H - SB 628A, written testimony, Ozzie Rose, 1 pg

[\[9\]](#)(I - SB 628A, written testimony, Jim Green, 1 pg

[\[10\]](#)(J - SB 628A, written testimony, Vicie English, 1 pg

[\[11\]](#)(K - SB 628A, written testimony, Rob Kremer, 2 pp