

HOUSE COMMITTEE ON EDUCATION

May 19, 1997 Hearing Room E

08:15 A.M. Tapes 137- 138

MEMBERS PRESENT:

Rep. Dennis Luke, Chair

Rep. Terry Thompson, Vice-Chair

Rep. Roger Beyer

Rep. Ryan Deckert

Rep. Bob Jenson

Rep. Charles Starr

Rep. Ron Sunseri

MEMBER EXCUSED:

STAFF PRESENT:

Bryan Boehringer, Administrator

Joan Diaz, Administrative Support

MEASURE/ISSUES HEARD:

HB 2569 - Work Session

SB 124 - Public Hearing and Work Session

SB 181A - Public Hearing and Work Session

HB 2391 - 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 137, A		
004	Chair Luke	Calls meeting to order at 8:15 a.m. Opens work session HB 2569.

HB 2569 - WORK SESSION		
	Chair Luke	Asks staff to explain bill.
	Bryan Boehringer	Committee Administrator, explains the bill and the -4, and the -5 amendments (EXHIBIT A). [1] (
	Chair Luke	Asks Legislative Counsel to clarify what committee previously thought they were agreeing to when the bill was last heard.
032	Cindy Hunt	Legislative Counsel, explains the difference between the original bill and the amendments. The original bill references the Family Education Rights Privacy Act (FERPA) and related provisions under 20 U.S.C. 1232g and 1232h. Comments that Section 1232g is the part of federal law which deals with student records.
118	Hunt	Continues testimony.
	Rep. Deckert	Asks if adopting the -4 amendments is a way of putting FERPA into Oregon law.
	Hunt	Responds that the -4 amendments puts 20 U.S.C. Section 1232h into Oregon law. FERPA is technically 1232g. Clarifies differences in the -5 amendments.
148	Rep. Jenson	Asks why section 1232g is not part of FERPA.
	Hunt	Responds she is not sure but that section is more recent than FERPA.
160	Rep. Sunseri	Clarifies that FERPA was written in 1978 but not utilized until congressional hearings in 1984. In 1994 after another review and under "Goals 2000" by President Clinton, 1232h became part of FERPA.
	Chair Luke	Recesses work session on HB 2569. Opens public hearing on SB 124.
SB 124 - PUBLIC HEARING		

	Chair Luke	Asks staff to explain bill.
203	Bryan Boehringer	Committee Administrator, explains bill and the -1 amendments (EXHIBIT B) . [2](
218	David Myton	Executive Secretary, Teachers Standards Practices Commission (TSPC), explains the change in teacher licensure procedures (EXHIBIT C) . ³ (
	Chair Luke	Asks why language has been deleted from the original bill, references the -1 amendments, page 4, lines 10-13.
	Myton	Responds that the original language was confusing; upon advice of the Attorney General, it was deleted.
309	Rep. Beyer	Asks for clarification if the continuing education requirement creates a fiscal impact for a school district.
	Myton	Responds that 93-94% teachers meet this requirement already.
	Tricia Bosak	Legislative Representative, Oregon Education Association (OEA), testifies that OEA supports the -1 amendments.
	Chair Luke	Closes the public hearing on SB 124. Opens work session on SB 124.
<u>SB 124 - WORK SESSION</u>		
	Rep. Jenson	MOTION: Moves to ADOPT SB 124-1 amendments dated 05/08/97.
	Chair Luke	Hearing no objections the motion CARRIES.
	Rep. Jenson	MOTION: Moves SB 124 to the floor with a DO PASS AS AMENDED recommendation.
	Rep. Jenson	VOTE: 4-0 AYE: 4 - Beyer, Jenson, Starr, Luke EXCUSED: 3 - Deckert, Sunseri, Thompson
	Chair	The motion CARRIES.

	Luke	REP. JENSON will lead discussion on the floor.
	Chair Luke	Closes work session on SB 124. Opens public hearing on SB 181A.
SB 181A - PUBLIC HEARING		
	Chair Luke	Asks if there are amendments forthcoming on this bill.
	David Myton	Executive Secretary, Teachers Standards Practices Commission (TSPC), testifies in favor of SB 181A (EXHIBIT D). Comments the Senate Committee on Education adopted other amendments. ⁴ (
TAPE 138, A		
123	Myton	Continues testimony.
	Paul Meyer	Member, Teachers Standards Practices Commission, testifies in favor of SB 181A with some changes; suggests deleting sections 2 and 4.
	Chair Luke	Asks if the -8 amendments are supported by TSPC (EXHIBIT E). ⁵ (
	Myton	Responds that the -8 amendments would not damage the commission's objectives if committee chose to amend the bill.
140	Ozzie Rose	Legislative Representative, Confederation of School Administrators, testifies in favor of SB 181A (EXHIBIT F). ⁶ (Comments name change will help both the critics and the supporters of the commission focus on what the commission actually does.
	Rose	Responds to Chair's question on the composition of the 17-member commission.
216	Rep. Deckert	Asks what is the basis for the change.
	Rose	Responds the request for change is generated by the perception of the Oregon Education Association's influence on the commission.
226	Rep. Starr	Asks if the perception is as explained, why not replace two teachers with two additional public members.

	Rose	Responds he recommends not "tilting" the composition of the commission towards the public members.
249	Chair Luke	Comments in the past, commission policies were not readily understood by the general public.
	Bruce Adams	President, Oregon Education Association, testifies against SB 181A as written (EXHIBIT G). ⁷ (Organization is specifically against reducing the numbers of teachers on the commission. Most states have a majority of teachers on their commission. Would support the -8 amendments.
342	Adams	Responds to committee's question that most of the administrators on the commission are former teachers.
	Myton	Responds to Chair's question regarding commission's composition and the geographical area of Oregon they represent.
TAPE 137, B		
003	Ozzie Rose	Legislative Representative, Confederation of School Administrators, responds to Chair's question on how appointments are made to commissions.
020	Myton	Comments on the diversity of the commission.
	Chair Luke	Closes public hearing on SB 181A. Opens work session on SB 181A.
<u>SB 181A - WORK SESSION</u>		
	Rep. Beyer	Comments that he is in favor of the bill without any amendments.
	Rep. Beyer	MOTION: Moves SB 181A to the floor with a DO PASS recommendation.
035	Rep. Thompson	Comments there is no reason to reduce the number of teachers on the commission.
	Rep. Jenson	Comments that he is in agreement.

	Rep. Beyer	Comments on whether name change is a viable reason to enact a bill.
	Rep. Deckert	Comments he will favor a no vote on the bill; his second choice would be to approve the -8 amendments.
075	Rep. Beyer	Comments on how the board's composition was created in the past with representation from outside the industry that the board was overseeing.
	Rep. Jenson	Recommends saving citizens' money and not pass this bill.
115	Chair Luke	Asks clerk to call the roll.
		VOTE: 4-3
		AYE: 4 - Beyer, Starr, Sunseri, Luke
		NAY: 3 - Deckert, Jenson, Thompson
	Chair Luke	The motion CARRIES.
		REP. BEYER will lead discussion on the floor.
	Rep. Thompson	Comments that he anticipates there will be a minority report filed.
	Chair Luke	Closes work session on SB 181A. Recesses meeting.
125	Chair Luke	Reconvenes meeting. Reopens work session on HB 2569.
	Rep. Sunseri	Makes a proposal that the committee consider the -4 amendments and add a section 6 "Nothing in this act shall limit a licensed educator's responsibilities under the child abuse reporting requirements." Comments he has consulted with the Oregon Education Association, Confederation of School Administrators, Oregon School Boards Association, and Department of Education. Consider adding -5 amendments, section 3, subsection 8 and make it a part of the -4 amendments.

	Chair Luke	Asks if anything in this bill restricts non-licensed employees or volunteers from reporting child abuse.
	Jim Green	Legislative Advocate, Oregon School Boards Association, responds to Chair's question that volunteers are not mandatory child abuse reporters under the law.
	Chair Luke	Asks if those that administer tests are all licensed.
	Green	Responds that those who are not licensed are supervised by licensed teachers.
	Cindy Hunt	Legislative Counsel, comments on new language inserted. Suggests "school employees" and not "licensed educators" be used.
	Greg McMurdo	Deputy Superintendent, Department of Education, comments that ODE agrees with a new subsection 8 questions involving religion. Test distributed in a previous meeting has nothing to do with the Oregon Educational Act for the 21st Century. Contacted superintendent in the Cottage Grove area and discussed how that test was supplied to students.
194	Rep. Sunseri	Discusses other tests that he has received that are in use in other locations in Oregon.
	Hunt	Confirms wording for conceptual amendment, " Nothing in this act shall limit a school employee's responsibilities under the child abuse reporting requirements of ORS 419b. 010." Add section 3, subsection 8, -5 amendments into the -4 amendments after line 13.
	Chair Luke	Asks for comments for the record.
	Laurie Wimmer	Government Relations Representative, Oregon Education Association, testifies her organization agrees with the new language.
	Jim Green	Legislative Advocate, Oregon School Boards Association, agrees with the new language.
	Greg McMurdo	Deputy Superintendent, Department of Education, agrees with the new language.

247	Green	Responds to committee's questions regarding a student taking a personal finance class and supplying financial information of the parents. Comments the -4 amendments are not as restrictive as the original bill.
252	Rep. Sunseri	MOTION: Moves to ADOPT HB 2569-4 amendments dated 05/16/97 and that the measure be FURTHER AMENDED on page 2, line 13, by inserting "(8) Religious affiliations or beliefs." and on page 2, line 21, by inserting "SECTION 6. Nothing in this act shall limit a school employee's responsibilities under the child abuse reporting requirements under ORS 419b. 010"
	Chair Luke	Hearing no objections the motion CARRIES.
	Rep. Sunseri	MOTION: Moves to ADOPT HB 2569-4 conceptual amendments dated 5/19/97.
	Chair Luke	Hearing no objections the motion CARRIES.
300	Bryan Boehringer	Committee Administrator, asks if there is a fiscal impact on the amended bill.
	McMurdo	Comments there will not be.
	Green	Comments there may be some impact in developing the policies but very little.
	Rep. Sunseri	MOTION: Moves HB 2569 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 7-0
		AYE: 7 - Beyer, Deckert, Jenson, Starr, Sunseri, Thompson, Luke
	Chair Luke	The motion CARRIES. REP. SUNSERI will lead discussion on the floor.
	Chair Luke	Closes work session on HB 2569. Opens work session on HB 2391.
<u>HB 2391 - WORK SESSION</u>		

388	Chair Luke	Asks staff to explain bill.
	Bryan Boehringer	Committee Administrator, explains bill and the -2, -3, -4 and -5 amendments (EXHIBIT H). ⁸ ([9] (
TAPE 138, B		
	Boehringer	Continues testimony.
011	Joanne Flint	Asst. Superintendent, Department of Education, comments that the \$9.6 M fiscal impact relates to the norm-referenced testing.
025	Marsha Ackerlund	Former teacher, testifies regarding HB 2391. Comments that the -5 amendments reflect the efforts of the workgroup in the House Subcommittee on Education early in the session. Continues testimony.
114	Chair Luke	Closes work session on HB 2391. Committee will bring the bill back on Friday to give committee additional time to review the amendments. Adjourns meeting at 10:00 a.m.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

EXHIBIT SUMMARY

[\[1\]](#)(**A - HB 2569, proposed amendments, staff, 4 pp**

[\[2\]](#)(**B - SB 124, proposed amendments, staff, 5 pp**

³(**C - SB 124, written testimony, David Myton, 1 pg**

⁴(**D - SB 181A, written testimony, David Myton, 4 pp**

[\[5\]](#)(**E - SB 181A, proposed amendments, staff, 5 pp**

⁶(**F - SB 181A, written testimony, Ozzie Rose, 1 pg**

⁷(**G - SB 181A, written testimony, Bruce Adams, 3 pp**

⁸(**H - HB 2391, proposed amendments, staff, 41 pp**

