

HOUSE COMMITTEE ON EDUCATION

May 21, 1997 Hearing Room E

08:15 A.M. Tapes 139 - 140

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 3636 - Work Session

SB 871A - Public Hearing

HB 3080 - 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 139, A		
004	Chair Luke	Calls meeting to order at 8:15 a.m. Opens work session on HB 3636.
<u>HB 3636 - WORK</u>		

<u>SESSION</u>		
007	Rep. Mark Simmons	Represents district 58, explains bill and the -1 amendments which is a "Gut & Stuff" amendment that replaces the bill (EXHIBIT A). [1] (The -1 amendments require the Department of Education to adopt by rule a uniform accounting system for school districts and education service districts.
	Greg McMurdo	Deputy Superintendent, Department of Education, testifies that timelines are reasonable assuming the money is available to implement a new accounting system.
	Laurie Wimmer	Government Relations Consultant, Oregon Education Association, supports the -1 amendments.
	Rep. Thompson	Expresses thanks for bringing this bill forward with the amendments.
039	Jim Green	Legislative Advocate, Oregon School Boards Association, supports the -1 amendments.
	Rep. Beyer	MOTION: Moves to ADOPT HB 3636-1 amendments dated 05/20/97.
	Chair Luke	Hearing no objections the motion CARRIES.
	Rep. Beyer	MOTION: Moves HB 3636 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. SIMMONS will lead discussion on the floor.
	Chair Luke	Closes work session on HB 3636. Opens public hearing on SB 871A.
<u>SB 871A - PUBLIC HEARING</u>		
	Chair Luke	Asks staff to explain bill.

	Bryan Boehringer	Committee Administrator, explains bill which requires that a faculty member serve on the State Board of Higher Education. Faculty member would be prohibited from voting on collective bargaining issues before the board.
	Robert Becker	Retired professor, testifies in favor of SB 871A (EXHIBIT B). ² (
118	Sen. Lenn Hannon	Senate district 26, testifies in favor of SB 871A.
	Chair Luke	Asks if the student representative on the board is a voting member.
	Sen. Hannon	Responds the student representative is a voting member.
149	Rep. Beyer	Asks whether a faculty member can be included on the board currently.
	Sen. Hannon	Responds statute has no provision for including faculty members.
	Dave Barrows	Legislative Representative, American Association of University Professors, Portland State University, responds and cites ORS 351.020. SB 871A has amended this statute to include faculty member.
181	Sen. Cliff Trow	Senate district 18, responds to Rep. Beyer's question and testifies in support of the bill as amended (EXHIBIT C). ³ (
	Rep. Beyer	Asks if, by adding this language, could the board consist entirely of faculty members.
	Mark Nelson	Legislative Representative, Association of Oregon Faculties, responds. Intention is to add one faculty member. Refers to line 8-9 in SB 871A.
241	Becker	Continues testimony.
	Chair Luke	Asks if there is a faculty member currently serving on the board.
	Nelson	Responds and discusses the amendments approved by the Senate.

	Chair Luke	Clarifies faculty member's participation in collective bargaining sessions.
333	Sen. Trow	Explains that collective bargaining occurs on individual campuses; no board members are present.
	Grattan Kerans	Legislative Representative, Oregon State System of Higher Education, testifies in opposition to SB 871A.
TAPE 140, A		
001	Kerans	Continues testimony. Comments the bill will change the philosophy and purpose of the board which is to do the public's business in managing a public enterprise. Board is deeply concerned about anticipated changes to the board.
	Chair Luke	Asks whether a faculty member attends collective bargaining sessions.
	Kerans	Responds faculty member can be in the room during discussions but cannot vote.
	Cindy Hunt	Legislative Counsel, responds to Chair's question and refers to lines 19-21; no faculty member participates in collective bargaining issues.
082	Chair Luke	Clarifies further.
	Nelson	Responds that the intent was not to have a faculty member participate in collective bargaining issues.
	Chair Luke	Asks Nelson to work with Kerans and Legislative Counsel to be more specific and clarify the language in an additional amendment.
	Rep. Beyer	Comments that he would like additional clarification in an amendment regarding the addition of a faculty member to the board.
	Rep. Thompson	Suggests that Rep. Beyer draft a separate amendment.
	Kerans	Responds to committee's question that the two student positions on the board are designated by statute.

	Kerans	Responds that he will assist in drafting additional amendments but will still not support the bill.
123	Chair Luke	Explains that the committee will bring this bill back on Friday. Closes public hearing on SB 871A. Recesses meeting.
134	Chair Luke	Reconvenes meeting. Opens work session on HB 3080.
HB 3080 - WORK SESSION		
	Chair Luke	Asks staff to explain bill.
	Bryan Boehringer	Committee Administrator, explains the -2 amendments and comments there is no fiscal impact.
	Cindy Hunt	Legislative Counsel, clarifies the -2 amendments further and explains they replace the bill (EXHIBIT D) . ⁴ (
	Chair Luke	Questions ORS 339.030, Section 1, subsection (4).
	Hunt	Responds if classes taught in a satellite or extension of a public, private, or parochial program, student is not required to attend the school itself.
	Rep. Jenson	Asks if a satellite program could be out of state.
180	Hunt	Responds that it could be. Continues explaining the -2 amendments.
	Rep. Deckert	Asks if amendments remove the state board's authority to determine the type of testing student will use and transfers approval to the parent.
	Hunt	Responds as long as the type of testing is one listed in the - 2 amendments.
	Greg McMurdo	Deputy Superintendent, Department of Education, clarifies testing options.

	Brian Ray	Representative, National Home Education Research Institute, explains diagnostic testing and narrative evaluation.
320	Hunt	Continues explaining the -2 amendments.
368	Hunt	Continues testimony.
TAPE 139, B		
001	Chair Luke	Asks for further testimony.
005	Ray	Explains that home school students are doing better or as good as students in the public school system. Comments on a recent study of 5,000 children in the 50 states.
028	Rep. Thompson	Comments he has no doubt that home school students perform well, but has concerns with the few who do not do well and re-enter the public school system.
	Ray	Responds many parents of home school educated students have never enrolled their children in public school, and would not enroll them if they did not do well. The majority do well. Comments it would be hard to craft a law for those few who do not do well.
	Chair Luke	Asks staff to recap action on the bill.
054	Boehringer	Reminds committee that the -1 amendments were previously adopted.
	Chair Luke	Verifies that the -2 amendments when adopted replace the bill. Calls for further discussion.
060	Rep. Starr	MOTION: Moves to ADOPT HB 3080-2 amendments dated 05/20/97.
	Chair Luke	Hearing no objections the motion CARRIES.
	Rep. Starr	MOTION: Moves HB 3080 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 4-3
		AYE: 4 - Beyer, Starr, Sunseri, Luke

		NAY: 3 - Deckert, Jenson, Thompson
	Chair Luke	The motion CARRIES. REP. STARR will lead discussion on the floor.
070	Chair Luke	Closes work session on HB 3080. Adjourns meeting at 9:30 a.m.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

EXHIBIT SUMMARY

[\[1\]](#) (A - HB 3636, proposed amendments, staff, 1 pg

²(B - SB 871A, written testimony, Robert Becker, 1 pg

³(C - SB 871A, written testimony, Cliff Trow, 1 pg

⁴(D - HB 3080, proposed amendments, staff, 7 pp