

**HOUSE COMMITTEE ON EDUCATION**

**February 21, 1997 Hearing Room E**

**08:15 AM Tapes 33-36**

**MEMBERS PRESENT:**

**Rep. Dennis Luke, Chair**

**Rep. Terry Thompson, Vice-Chair**

**Rep. Roger Beyer**

**Rep. Ryan Deckert**

**Rep. Charles Starr**

**Rep. Ron Sunseri**

**MEMBER EXCUSED:**

**Rep. Bob Jenson**

**STAFF PRESENT:**

**Bryan Boehringer, Administrator**

**Joan Diaz, Administrative Support**

**MEASURE/ISSUES HEARD:**

**HB 2354 - Work Session**

**HB 2535 - Public Hearing and Work Session**

**SB 182 - Public Hearing and Work Session**

**HB 2352 - 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 33, A</b>		
		Opens meeting at 8:15 a.m. Calls committee's attention to the article in

006	Chair Luke	"The Oregonian" concerning drug use by an Evergreen High school counselor ( <b>EXHIBIT A</b> ). Comments on HB 2464, random drug testing for teachers. Opens public hearing on HB 2354.
<b><u>HB 2354 - WORK SESSION</u></b>		
	Chair Luke	Asks staff to explain bill.
	Bryan Boehringer	Committee Administrator explains HB 2354. Explains last week the committee adopted -3 amendments. Asks committee to note attached -5 amendments.
024	Rep. Starr	<b>MOTION: Moves to ADOPT HB 2354-5 amendments dated 02/18/97.</b>
	Chair Luke	<b>Hearing no objection, declares the motion CARRIED.</b>
030	Rep. Starr	<b>MOTION: Moves HB 2354 BE REFERRED to the committee on Revenue by prior reference WITHOUT RECOMMENDATION as to passage.</b>
		<b>VOTE: 4-2</b>  <b>AYE: 4 - Deckert, Starr, Thompson, Luke</b>  <b>NAY: 2 - Beyer, Sunseri</b>  <b>EXCUSED: 1 - Jenson</b>
	Chair Luke	<b>The motion CARRIES.</b>
		Closes work session on HB 2354. Opens public hearing on HB 2535.
<b><u>HB 2535 - PUBLIC HEARING</u></b>		
048	Chair Luke	Asks staff to explain bill.
	Boehringer	Explains bill and indicates there are -1 amendments that will be discussed by the majority leader.
	Rep. Lynn	Representative, District 10, and sponsor of the bill. Explains her

069	Snodgrass	involvement in authoring the bill. Calls Deborah Burton and her daughter to testify and to share the daughter's experience.
082	Deborah Burton	Parent and registered nurse. Testifies regarding an incident involving her daughter who was not allowed to use medication at school and how it affected her daughter ( <b>EXHIBIT B</b> ).
090	Rachel Leiber	Student, testifies in favor of HB 2535 ( <b>EXHIBIT C</b> ).
168	Snodgrass	Explains -1 amendments.
188	Rep. Sunseri	Questions language in section 1 and in section 3, adopting rules for administering rules for medication, and asks if school personnel should be trained to administer medication.
206	Burton	Explains that Oregon has outdated standards for training and the training issue needs to be addressed.
213	Greg McMurdo	Deputy Superintendent, Department of Education (DOE), testifies in favor of HB 2535 ( <b>EXHIBIT D</b> ). DOE has no objection to the -1 amendments. Agrees Oregon is behind other states in these practices.
286	Tricia Smith	Representative, Oregon School Employees Association, speaks in favor of HB 2535 ( <b>EXHIBIT E</b> ), providing language in section 1, line 7 is clarified. Urges that a standard set of rules be established.
<b>TAPE 34, A</b>		
010	Barbara Neely	Nurse Supervisor, Multnomah School District, testifies in favor of HB 2535 ( <b>EXHIBIT F</b> ). Requests delegation from Oregon Nursing Association be part of any group deciding on procedures for administering medications. Indicates approximately one hour of training would be required after the tools have been developed.
	Chair Luke	Comments there will be an impact statement relating to costs and asks further questions.
084	Neely	Responds that past training experiences proved to be cost effective.
098	Jan Hootman	Representative from the Oregon School Nurses Association. Testifies in favor of HB 2535 ( <b>EXHIBIT G</b> ). Comments that the most critical piece of this proposed legislation is the training to administer

		medications.
125	Wilma Wells	Legislative Assistant, Confederation of Oregon School Administrators (COSA) testifies in favor of HB 2535 ( <b>EXHIBIT H</b> ).
160	Rep. Sunseri	Asks if some medication given requires injections.
	Wells	Responds that in special education programs, where there are medically fragile children, more intense training is required.
182	McMurdo	Responds to chair's question regarding liability issue.
	Snodgrass	Comments that there is no objection to amending the language to help clarify liability. Explains that a person has to be designated and trained before the good faith clause would be effective.
	Chair Luke	Explains that the Legislative Fiscal Office has to come up with a impact on costs. Closes public hearing on HB 2535 and opens work session on HB 2535.
<b><u>HB 2535 - WORK SESSION</u></b>		
	Rep. Sunseri	Comments that he would like to see a couple of items clarified.
255	McMurdo	Suggests language for a new amendment.
283	Chair Luke	Suggests more specific language. Committee Administer will get it drafted.
	Smith	Suggests that in Section 3 school districts prohibit personnel who are not trained from administering medication to limit liability. Explains she would feel more comfortable with a clearer statement.
361	Rep. Sunseri	Suggests language, "No personnel shall be designated who is not previously trained."
371	Snodgrass	Explains that she has no problem with that language.

<b>TAPE 33, B</b>		
003	Chair Luke	Explains that legislative intent is now established and rule making follows by DOE.
009	Rep. Beyer	Asks if a motion is needed to move bill as amended.

018 Chair Luke Explains that comments are appreciated, but it's too early in the session to move a conceptual amendment.

023 Rep. Beyer **MOTION: Moves to ADOPT HB 2535 -1 amendments dated 02/20/97.**

Chair Luke **Hearing no objection, declares the motion CARRIED.**

025 Chair Luke Closes work session on HB 2535. Opens public hearing on SB 182.

**SB 182 -  
PUBLIC  
HEARING**

030 McMurdo Comments that this bill would delete requirement that youth care centers file their educational plans with the local school district and not the DOE.

Chair Luke Asks for questions from committee. Closes public hearing on SB 182 and opens work session on SB 182.

**SB 182 -  
WORK  
SESSION**

059 Rep. Beyer **MOTION: Moves SB 182 to the floor with a DO PASS recommendation.**

**VOTE: 5-1**

**AYE: 5 - Beyer, Deckert, Starr, Thompson, Luke**

**NAY: 1 - Sunseri**

**EXCUSED: 1 - Jenson**

**The motion CARRIES.**

**Chair**      **REP. DECKERT will lead discussion on the floor.**  
**Luke**

080            Chair  
                 Luke      Closes work session on SB 182. Opens public hearing on HB 2352.

**HB - 2352**  
**PUBLIC**  
**HEARING**

Rep.            Representative, District 28, states that he introduced bill and explains its  
Beyer          importance. Does not affect any schools that have already merged. Notes  
                 that the Mollala River School District is not affected with this bill. Does  
                 not prevent mergers in the future but does prevent  
                 state-mandated mergers (**EXHIBIT I**).

225            Paul            Attorney, Lourdes School District, testifies in favor of HB 2352.  
                 Romain       Comments that the school district is trying to maintain a low cost, high  
                 quality school.

280            Linda          Superintendent, Lourdes School District, testifies in support of HB 2352.  
                 Duman       (**EXHIBIT J**). Comments that the success of students is due to the  
                 independence of their school district.

**TAPE**  
**34, B**

005          Duman        Continues testimony.

030          Rep.            Asks for a status report on the reform which their school district is implementing.  
                 Sunseri

Duman       Describes 20th Century School reform.

122          James         School Principal, Ophir Elementary School, testifies in support of HB 2352  
                 Shockley     (**EXHIBIT K**).

144          Lalana         5th Grade teacher, Ophir Elementary School, testifies in support of  
                 Martin       HB 2352. Urges committee not to disrupt the learning environment (**EXHIBIT**  
                 L).

Rachel       Student, Ophir Elementary School, testifies in support of HB 2352. Explains that  
Shockley     her school has sports, band and classes in arts at no extra charge.

250 Drew Sage Student, Ophir Elementary School, testifies in support of HB 2352 and explains that 1st and 2nd graders read each week with 8th grade "reading buddies." Explains that if his school is merged with a larger school, they would lose the 1-1 teacher/student ratio.

280 John Lighty Chairman, Agness School Board, testifies in favor of HB 2352. Explains their tax base is different from Lourdes School District.

325 Darla Moore Parent, Upper Chetco School District, testifies in Favor of HB 2352 (**EXHIBIT M**).

**TAPE 35, A**

004 Moore Continues testimony.

013 Pam Callaway Parent and volunteer at Upper Chetco School testifies in favor of HB 2352 (**EXHIBIT N**).

Chair Luke Recognizes young students and asks them to testify.

050 Marisa Callaway Student, Upper Chetco School, age 5, testifies she has learned to read and write and is in favor of HB 2352.

062 John Moore Student, Upper Chetco School, testifies in favor of HB 2352.

071 Jackie Crook Board Chair, Pistol River School District, testifies in favor of HB 2352. Thanks committee chairman for having students testify before committee. Comments this meeting is a great civics lesson for them.

111 William Crook Parent, comments he testified before committee previously and speaks in favor of HB 2352.

121 Charlotte Heatherly Staff employee, Upper Chetco School, testifies in favor of HB 2352 (**EXHIBIT O**).

256 Nieca Wright Board Member, employee and parent, Upper Chetco School, speaks in favor of HB 2352.

295 Joanne Yatvin Superintendent District 107, Cottrell School District, Boring, speaks in favor of HB 2352. Explains that districts that have merged become a more complex operation and are more expensive to run. Merging small schools is not cost

effective (**EXHIBITS P, Q**).

**TAPE  
36, A**

- 003 Yatvin Continues testimony.
- 013 Cindy Meng Chair, Cottrell School Board, testifies in favor of HB 2352.
- 021 Rebecca Tschiegg Student, testifies in favor HB 2352 and reads Julie Tourlette's testimony into the record (**EXHIBIT R**). Explains that Tourlette is a graduate student at Willamette University doing research on mandated unification.
- 073 David Simmons School Board Member, Monitor School District, testifies in favor of HB 2352.
- 083 Marietta Hess Site Council Chairman, Monitor School, testifies in favor of HB 2352.
- 098 Chuck Goode Private citizen, Silver Crest School District, testifies in favor of HB 2352 (**EXHIBIT S**).
- 159 Robert Mendoza Private citizen, testifies in favor of HB 2352.
- 173 Ralph Fisher Private citizen, Silverton School District, testifies in favor of HB 2352.
- 195 Susie Mendoza Nurse Manager, Salem Hospital, and parent of Silver Crest School student testifies in favor of HB 2352.
- 248 Chair Luke Adjourns meeting at 10:55 a.m.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A - HB 2464, written material, staff, 1 pp**

**B - HB 2535, written testimony, Deborah Burton, 2 pp**



**C - HB 2535, written testimony, Rachel Leiber, 3 pp**

**D - HB 2535, written testimony, Greg McMurdo 3 pp**

**E - HB 2535, written testimony, Tricia Smith, 3 pp**

**F - HB 2535, written testimony, Barbara Neely 2 pp**

**G - HB 2535, written testimony, Jan Hootman, 1 pg**

**H - HB 2535, written testimony, Wilma Wells, 1 pg**

**I - HB 2352, written materials, Roger Beyer, 7 pp**

**J - HB 2352, written materials, Linda Duman, 28 pp**

**K - HB 2352, written materials, James Shockley, 2 pp**

**L - HB 2352, written materials, Lalana Martin 15 pp**

**M - HB 2352, written testimony, Darla Moore, 1 pp**

**N - HB 2352, written testimony, Pamela Callaway, 2 pp**

**O - HB 2352, written materials, Charlotte Heatherly, 12 pg**

**P - HB 2352, written testimony, Joanne Yatvin, 3 pp**

**Q - HB 2352, written materials, Joanne Yatvin, 39 pp**

**R - HB 2352, written testimony, Julie Tourtellotte, 7 pp**

**S - HB 2352, written testimony, Chuck Goode, 2 pp**

**T - HB 2352, written testimony, Bill Blackwell, 5 pp**

**U - HB 2352, written materials, Rep. Beyer, 58 pp**