

HOUSE COMMITTEE ON EDUCATION

March 5, 1997 Hearing Room E

08:15 A.M. Tapes 49 - 52

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 2535 - Work Session

Informational Meeting -

The Bend Community School

HB 2692 - Public Hearing

Informational Meeting -

Oregon Progress Board

HB 2656 - 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 49, A		
004	Chair Luke	Opens meeting at 8:16 a.m. Opens work session on HB 2535.
<u>HB 2535 - WORK SESSION</u>		
005	Chair Luke	Asks staff to explain the bill.
	Bryan Boehringer	Committee Administrator explains bill and explains the bill was heard previously at which time the committee requested an amendment be drafted. The -4 amendments are included in members' packets today.
	Rep. Starr	MOTION: Moves to ADOPT HB 2535-4 amendments dated 03/04/97.
	Chair Luke	Asks staff to explain the -4 amendments
	Boehringer	Responds that the -4 amendments inserts "the Oregon State Board of Nursing" as a group consultant to the Board of Education, and it adds the word "trained" in line 17 and in line 21.
	Chair Luke	Hearing no objection, declares the motion CARRIED.
	Rep. Starr	MOTION: Moves HB 2535 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 6-0 AYE: 6 - Beyer, Jenson, Starr, Sunseri, Thompson, Luke ABSENT: 1 - Deckert
	Chair Luke	The motion CARRIES. REP. STARR will lead discussion on the floor.
<u>INFORMATIONAL MEETING - THE BEND COMMUNITY SCHOOL</u>		

044	Chair Luke	Opens informational meeting and invites representatives from Bend Community School to make a presentation.
083	Michelle Abraham	Student, Bend Community School, testifies about school's activities.
123	Christine Callan	Student, Bend Community School, testifies on low teacher/student ratio and their enhanced learning environment.
157	Chair Luke	Asks what kind of building the school utilizes.
	Abraham	Responds that the school is in an office building that has three large rooms and a conference room.
162	Rep. Thompson	Asks if any parents are involved with the school.
165	Callan	Responds that all the parents volunteer or teach at the school.
179	Dennis Maloney	Board member, parent of Bend Community School student, comments on the union's lawsuit against individual board members as citizens. Suggest committee consider protective action against board members. Comments that present zoning laws make it harder to site a school than a commercial business.
233	Chair Luke	Asks if there were any problems after the recent audit by the Bend School Board.
	Maloney	Responds the audit was conducted using methods for standardized, traditional schools. Recommends encouraging the Department of Education (DOE) to develop an audit system for alternative schools.
259	Rep. Sunseri	Comments there is a bill pending to prohibit suing school board members individually, and will get the bill number. Asks how is school connected to DOE in terms of assessment. Asks how are students tested if school is not teaching what is being assessed.

278	Maloney	Responds that the school can meet the basic outcomes that the statewide testing addresses. Suggests DOE utilize more flexibility regarding outcomes, and that they be more contemporary.
295	Rep. Thompson	Asks questions regarding school's financial situation.
	Maloney	Responds school receives 80% state funds per student. For staffing, school has tried to be creative by hiring part time instructors who may be experts in their field. Gives an example of hiring a geologist for approximately one month to teach a thematic unit in science. Computers are purchased on a loan payment plan.
332	Chair Luke	Asks who owns the equipment if the school closes.
	Maloney	Responds that the board as a non profit corporation would have title to the equipment and must use it for educational purposes.
341	Rep. Thompson	Asks about pay scale for contractors.
	Maloney	Responds it is competitive but the board does not require certified teachers and that is probably the prime reason for the lawsuit.
373	Rep. Thompson	Asks if school uses any selectivity in enrollment.
	Maloney	Responds that the school has received referrals from Bend La Pine School District, and that space is their only limitation. School can accommodate 42 students.
386	Rep. Sunseri	Comments that one criticism of charter schools is that charter schools take only the best students, and asks if that is a fair criticism.
393	Maloney	Responds that his experience is that a charter school does not know before enrollment what type of student is enrolling.

TAPE 50, A		
003	Maloney	Continues testimony.
	Maloney	Responds to committee's questions regarding funding and acknowledges there are legitimate costs that the district absorbs, such as administrative overhead. Comments if there were more charter schools, overhead would be lower.
041	Rep. Thompson	Asks if the parents involved with the charter school are so motivated, does that leave school system with the unmotivated parents.
	Maloney	Responds that if properly approached most parents can be very motivated. His experience has been that the most financially "strapped" parents are the most motivated.
076	Chair Luke	Closes informational meeting. Opens public hearing on HB 2692.
<u>HB 2692 - PUBLIC HEARING</u>		
089	Rep. John Minnis	Represents District 20, testifies in favor of HB 2692 which allows federal funds, in addition to private donations, to be used as matching funds for Article XI-B bond issuance for the Urban Center project at Portland State University.
	Chair Luke	Asks staff to explain the blank line in the bill.
159	Boehringer	Comments that in line 14 of the bill, the "\$ ____" will be completed as "\$7,865,000."
166	Rep. Minnis	Responds that the bill could be referred to Ways & Means but the donated dollars only need tracking since the bill is not providing any additional monies.
172	Chair Luke	Asks why is there a limitation on federal monies that can be received.
	Rep.	Responds it is a control mechanism for the budget

	Minnis	committee.
200	Rep. Thompson	Asks what happens to the federal money if the project is not approved.
220	Rep. Minnis	Responds that the money is returned and does not become part of the Oregon State System of Higher Education (OSSHE) budget since the federal money is dedicated specifically to this project.
	George Pernsteiner	Vice President, Finance & Administration, Portland State University, testifies in favor of HB 2692 (EXHIBIT A).
315	Grattan Kerans	Legislative Representative, Oregon State System of Higher Education, responds to Chair's question regarding process of bill. Bill would have to be heard before the Ways & Means Committee when the capital construction or investment subcommittee convenes.
320	Dr. Nohad Toulan	Dean, College of Urban and Public Affairs, Portland State University testifies in favor of HB 2692.
TAPE 49, B		
004	Toulan	Continues testimony and describes building plans and architect's drawings.
041	Thomas Hacker	Project Architect, testifies in favor of HB 2692 and continues explaining plans for future construction and expansion of Portland State University (EXHIBIT B).
137	Kerans	Responds to Chair's questions that monies will not be used for any other OSSHE institution. Money would be returned to granting agencies.
159	Steve Bender	Staff, Legislative Fiscal, comments that the bill isn't providing any additional money, nor is a positive vote an approval of the project. Bill allows different types of funds to be used for matching funds. In response to Chair's question, he will have information to the committee by Friday regarding the referral to Ways & Means Committee.

246	Rep. Beyer	Asks questions concerning funding sources. Comments that he has a problem with using federal monies to make up the difference in the shortage of private donations received, and will probably not support the bill.
254	Chair Luke	Responds this is a common procedure in business and not unique in higher education fundraising. Comments that Ways & Means will be looking at the project plan closely.
	Chair Luke	Closes public hearing on HB 2692. Opens informational meeting.
<u>INFORMATIONAL MEETING - THE OREGON PROGRESS BOARD</u>		
310	Jeffrey Tryens	Executive Director, Oregon Progress Board, gives update on board's mission to keep Oregonians focused on future. Describes "Oregon Shines" and Oregon's Strategic Plan (EXHIBIT C).
TAPE 50, B		
003	Tryens	Continues presentation.
071	Rep. Beyer	Asks if the student math and reading skills are graphed and tracked for all counties. Comments that he would like that information.
085	Tryens	Comments that he will get that information to committee. Continues explaining graphs and charts in Exhibit C.
356	Rep. Jenson	Comments that the college graduate rates are rising and asks for comparative data with other states.
387	Rep. Thompson	Explains that the information regarding drop out rates, county by county will be of great interest as legislature discusses school funding.
400	Chair Luke	Comments that the committee will be inviting witness back to give additional testimony. Closes informational meeting.
TAPE 51, A		

003	Rep. Starr	MOTION: Requests unanimous consent that the rules be SUSPENDED to allow REP. DECKERT to BE RECORDED as voting on moving HB 2535 to the floor with a DO PASS AS AMENDED recommendation.
	Chair Luke	Hearing no objection, declares the motion CARRIED.
	Chair Luke	Asks clerk to call the roll.
		VOTE: 1-0
		AYE: 1 - Deckert
063	Chair Luke	Opens public hearing on HB 2656.
<u>HB 2656 - PUBLIC HEARING</u>		
	Chair Luke	Asks staff to explain the bill.
	Boehringer	Explains that the bill requires a minimum of 75% of all instruction hours at each community college be taught by full-time instructors, effective June 30, 2001.
	Bob Duehmig	Legislative Representative, American Federation of Teachers, introduces John Sutter and Steve Myers (EXHIBIT D) .
082	Steve Myers	Instructor, at Portland Community College, speaks in favor of HB 2656 (EXHIBIT E) .
108	Chair Luke	Asks if witness is asking legislature to get involved in a collective bargaining issue.
117	Myers	Responds there is a precedent for this situation and continues testimony.
138	John Sutter	Labor representative, Portland Community College, testifies in favor of HB 2656 and submits testimony (EXHIBIT F) . Responds to Chair's question that the Office of Community College Association's figures are misleading.

263	Myers	Responds to committee's questions regarding faculty in rural areas.
280	Duehmig	Comments that the bill does need discussion as it does affect geographic areas differently, but that is a policy issue.
328	Rep. Jenson	Comments that full time faculty at community colleges have other responsibilities on campus that part time faculty do not have.
338	Duehmig	Responds that part time faculty usually have additional responsibilities, such as holding office hours, developing curriculum, etc. all without additional pay.
	Chair Luke	Comments that the committee will allow more time if the bill comes back for an additional hearing.
381	Vickie Totten	Executive Director, Oregon Community College Association, speaks against HB 2656 (EXHIBIT G).
TAPE 52, A		
003	Totten	Continues testimony. Comments that community colleges have locally elected boards who make policy decisions; there is nothing that mandates ratio of part time and full time teachers.
068	Dennis Gilbert	Instructor, Lane Community College, submits written testimony (EXHIBIT H) and a packet of information from other instructors (EXHIBIT I). Speaks in favor of HB 2656.
153	Sandy Barnard	Instructor and adjunct faculty member, Chemeketa Community College, testifies in favor of HB 2656 (EXHIBIT J).
172	Linda Janakos	Instructor, Lane Community College, testifies in favor of HB 2656 (EXHIBIT K).
		Comments the law says unfunded mandates cannot be

	Chair Luke	passed for local schools. This bill may require \$23 million to implement.
	Tamara Smith	Instructor, Chemeketa Community College, requests her testimony (EXHIBIT L) and the testimony of Hillary Barsky, instructor, Portland Community College, (EXHIBIT M) be entered into the record.
	Chair Luke	Closes public hearing on HB 2656. Adjourns meeting at 11:00 a.m.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2692, written testimony, George Pernsteiner, 3 pp

B - HB 2692, printed materials, Thomas Hacker, 5 pp

C - Oregon Progress Board, written materials, Jeffrey Tryens, 9 pp

D - HB 2656, written materials, Bob Duehmig, 8 pp

E - HB 2656, written testimony, Steve Myers, 2 pp

F - HB 2656, written testimony, John Sutter, 4 pp

G - HB 2656, written testimony, Vickie Totten, 2 pp

H - HB 2656, written testimony, Dennis Gilbert, 5 pp

I - HB 2656, written materials, Dennis Gilbert, 56 pp

J - HB 2656, written testimony, Sandy Barnard, 1 pg

K - HB 2656, written testimony, Linda Janakos, 1 pg

L - HB 2656, written testimony, Tamara Smith, 1 pg

M - HB 2656, written testimony, Hillary Barsky, 1 pg