

HOUSE COMMITTEE ON EDUCATION

March 24, 1997 Hearing Room E

08:15 A.M. Tapes 74 - 76

MEMBERS PRESENT:

Rep. Dennis Luke, Chair

Rep. Terry Thompson, Vice-Chair

Rep. Roger Beyer

Rep. Ron Sunseri

Rep. Charles Starr

Rep. Bob Jenson

Rep. Ryan Deckert

MEMBER EXCUSED:

STAFF PRESENT:

Bryan Boehringer, Administrator

Joan Diaz, Administrative Support

MEASURE/ISSUES HEARD:

HB 2805 - Work Session

HB 2979 - Public Hearing and Work Session

HB 2005 - Public Hearing and Work Session

HB 3031 - 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 74, A		
004	Chair Luke	Calls meeting to order at 8:21 a.m. Opens work session on HB 2805

		HB 2805 - WORK SESSION
	Chair Luke	Asks staff to explain bill.
016	Bryan Boehringer	Committee Administrator explains HB 2805 requires that a child who is enrolled in school must attend school.
	Chair Luke	Asks if this law applies to home schooling.
	Boehringer	Responds that home schoolers are still protected under the exemptions in ORS 339.030.
	Rep. Beyer	MOTION: Moves HB 2805 to the floor with a DO PASS recommendation.
		VOTE: 7-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Luke	The motion CARRIES.
		REP. LUKE will lead discussion on the floor.
044	Chair Luke	Closes work session on HB 2805. Opens public hearing on HB 2979.
		HB 2979 - PUBLIC HEARING
	Chair Luke	Asks staff to explain bill.
060	Boehringer	Explains HB 2979 directs State Board of Education to adopt minimum requirements for school district policies on sexual harassment of students.
017	Wilma Wells	Legislative Assistant, Confederation of School Administrators (COSA), testifies against HB 2979 (EXHIBIT A).
		Legislative Representative, Oregon School Boards Association

102	Fallie Calder	(OSBA), suggests putting a period after "students" on page 1, line 5. Comments that she agrees that uniform guidelines should be developed by the Department of Education (DOE) rather than the Legislature.
116	Chair Luke	Comments that he doesn't see anything wrong with the bill.
	Calder	Responds that OSBA is opposed to the Legislature enacting laws that will be local school board policies.
125	Rep. Jenson	Asks whether there are guidelines in place now which were established by government.
139	Calder	Responds there are federal laws which protect everyone.
149	Rep. Beyer	Comments that at the last hearing the Confederation of School Administrators was in agreement with this bill.
155	Wells	Responds and clarifies her testimony from the last hearing.
198	Rep. Sunseri	Comments that the bill appears to be very general in terms
	Chair Luke	Asks whether COSA or OSBA discussed the bill with Rep. Milne.
219	Calder	Responds there was a discussion but it wasn't clear what the action would be. Comments she has a 34-page document on sexual harassment from the U.S. Department of Education that she will share with the committee.
	Rep. Jenson	Asks what are the state sexual harassment guidelines. Asks if all businesses must have policies in place.
250	Cindy Hunt	Legislative Counsel testifies she will research federal requirements and report back.
260	Chair Luke	Asks what is her opinion regarding suggestion to amend the bill by deleting everything after "students," page 1, line 5.
268	Hunt	Responds that each of the subsections would have to be contained in any rules adopted by the Department of Education. Any individual subsection could be changed or eliminated.

285	Sharon Rao	Parent, testifies in favor of HB 2979. Discusses several policies from various school districts which indicate there is no uniform statewide policy. Also explains that at this time parents have to litigate to determine what action a school district took, thereby costing parents time and money (EXHIBIT B).
	Chair Luke	Closes public hearing on HB 2979. Opens work session on HB 2979.
HB 2979 - WORK SESSION		
328	Rep. Sunseri	Explains that a section should be included in the bill which informs parents of the result of any investigation.
347	Hunt	Responds to committee's question that if there are conflicts with collective bargaining agreements, bill could be amended.
374	Chair Luke	Asks Legislative Counsel if there's anything in the bill that would prohibit the DOE from providing uniform rules across the state.
384	Hunt	Responds that definition of sexual harassment might have to be redefined by the DOE.
TAPE 75, A		
004	Chair Luke	Asks committee for further discussion.
014	Rep. Thompson	Comments that he is not in favor of the bill and would prefer that the Department of Education adopt the policies.
016	Rep. Jenson	Comments that the Legislature can never write a policy that will eradicate all hate behavior. Explains that he is uncomfortable with including teacher-to-student, and student-to-student harassment in the same policy.
078	Rep. Beyer	Asks Legislative Counsel if bill is passed, what would be changed from current law.
		Responds that bill directs Department of Education to adopt a policy; at present, Department of Education is not directed to do so. School

	Hunt	districts that already have a policy, would be required to change the policy to conform with state policy.
101	Rep. Sunseri	MOTION: Moves HB 2979 to the floor with a DO PASS recommendation.
	Chair Luke	Comments that it is bothersome that two witnesses did not spend much time with Rep. Milne to make bill acceptable to their organizations. Comments that he would like to see a policy in place that protects the accused and also informs the accuser of the result of the complaint.
		VOTE: 5-2 AYE: 5 - Beyer, Deckert, Starr, Sunseri, Luke NAY: 2 - Jenson, Thompson
	Chair Luke	The motion CARRIES. REP. MILNE will lead discussion on the floor.
131	Chair Luke	Closes work session on HB 2979. Opens public hearing on HB 2005.
		<u>HB 2005 - PUBLIC HEARING</u>
	Chair Luke	Asks staff to explain the bill.
	Boehringer	Explains that current law suggests that a school district may hire certain personnel. This bill changes the "may" to a "shall."
152	Scott Corwin	Director of Legislation, for Speaker Lynn Lundquist, explains Speaker introduced HB 2005 at the request of a constituent.
	Robert Batty	Superintendent, Grant Co. Education Service District (ESD), testifies in favor of HB 2005 (EXHIBIT C).
234	Rep. Sunseri	Asks if this bill would preclude using volunteer administrators who are not licensed educators but have done a good job.
	Batty	Responds that it would and probably would be a disadvantage to his

		ESD.
	Rep. Beyer	Asks how would language in the bill negatively affect Grant Co. ESD.
288	Batty	Responds there is difficulty with immunity as to management of the school. The intent is to manage the school by individuals already on the faculty and not by personnel who are trained to manage.
	Chair Luke	Recesses the committee so that interested parties may confer. Reconvenes meeting and comments that sponsors of the bill have decided HB 2005 is not needed. Closes public hearing on HB 2005. Opens public hearing on HB 3031.
<u>HB 3031 - PUBLIC HEARING</u>		
356	Chair Luke	Asks staff to explain the bill.
	Boehringer	Explains the bill regarding the Certificate of Advanced Mastery (CAM) and the -1, -2, -3 and -4 amendments (EXHIBIT D).
397	Cindy Hunt	Clarifies amendments further.
TAPE 74, B		
004	Hunt	Continues testimony.
021	Chair Luke	Clarifies two years' timeline as specified in -1 amendments. Comments that it is not the Chair's intention to move this bill today.
042	Rep. Beyer	Asks what is the definition of resources in this instance.
	Hunt	Responds that the term resources is broader than just funds. It could include information from Department of Education, training for personnel, etc. Comments that the DOE is given rule-writing authority, and at the time they write the rules they will be looking at resources available.
068	Jean Thorne	Governor's Office, testifies that the Governor supports conceptual amendments submitted by the DOE. Comments the combination of all amendments are supported.

083	Mimi Bushman	Oregon Business Council, testifies and comments that she served on the committee to help develop CAM. Explains the Oregon Business Council is a group of 43 Chief Executive Officers from larger companies in the state (EXHIBIT F).
152	Wendy Hawkins	Education Relations Manager, INTEL, makes presentation regarding CAM and how communication is fundamental to INTEL's success (reading, writing, math, science = the basics). In response to Chair's questions, responds they prefer committee keep original timelines, or "stay the course."
268	Hawkins	Continues presentation (EXHIBIT F). Comments that she supports conceptual amendments.
	Don Broon	Director of Management Training and Development, Providence Health System, testifies in favor of HB 3031 and the conceptual amendments.
TAPE 75, B		
002	Broon	Continues testimony.
043	Rep. Thompson	Comments that school-to-work opportunities are not being developed in the rural areas of the state. Comments that what has been designed advantages metropolitan areas and disadvantages rural areas.
058	Bushman	Responds and gives the example of Pendleton Grain Growers Co. who created a positive partnership with Pendleton School District.
072	Broon	Comments that hospitals and clinics are in outlying towns around the state and can provide school-to-work opportunities. Distance learning is a possibility.
098	Hawkins	Comments on apprentice programs in Germany where farmers are very active with school-to-work programs.
	Rep. Thompson	Comments that one of the administrators is here from his district and his school has only minimal, outdated computers. Asks for a solution.
	Hawkins	Explains STRUT program, which is Students Recycling Used Technology. Focus is to recycle computers statewide. Explains that

		INTEL has placed approximately 1000 computers in Washington County.
	Hawkins	Comments that INTEL contributed \$5.5 million last year for education.
	Chair Luke	Notes that Legislature recycles computers after each session.
177	Rep. Sunseri	Asks why start apprenticeships early in high school. Has concerns that broad basics should be acquired first.
234	Broon	Responds that in his area of expertise, the earlier the students are exposed to the world of work, the better.
	Chair Luke	Clarifies extending timelines.
	Bushman	Responds that the amendments have their support.
285	Boehringer	Introduces high school intern who is assisting committee this week.
	Helen Stocklin-Enright	Senior, North Marion High School, responds to committee's questions.
	Chair Luke	Asks student if she is aware of CIM or CAM.
	Stocklin-Enright	Responds that she isn't. Volunteering this week is a Senior Project. Guidelines for a Senior Project specify that it had to be something the student had never done before and was possibly interested as a career. Comments some other students volunteered at hospitals.
	Stocklin-Enright	Responds to committee's questions that Sophomore year might be a good time to take advantage of all the opportunities offered in the high school. Freshman year could be used as a time to adjust to the changes.
	Chair Luke	Explains the committee's calendar. On Wednesday, April 2, committee will be holding a second hearing for the CAM. Committee might hold an additional 4:00 p.m. meeting on a different day
370	Fallie Calder	Legislative Representative, Oregon School Boards Association (OSBA), supports HB 3031 conceptual amendments with some changes

		(EXHIBIT G).
TAPE 76, A		
004	Calder	Continues testimony. Comments that there is a need to have standards and rules well in place before implementing them.
	Chair Luke	Asks whether OSBA would have any objection to returning next session and going through this process again.
033	Calder	Responds there would be no problem, but would prefer no more changes to timeline or content.
	Chair Luke	Explains the Department of Education has to answer all questions regarding cost of the CAM before Legislature can act to fund it.
041	Mary Simione	Principal, Capital Center High School, testifies in favor of HB 3031 (EXHIBIT H).
113	Wilma Wells	Legislative Assistant, Confederation of School Administrators testifies regarding HB 3031 (EXHIBIT I).
	Arthur Anderson	Willamina School District, Superintendent, testifies regarding HB 3031 (EXHIBIT J) and supports amendments.
137	Rep. Thompson	Asks for status of school district.
	Anderson	Responds Willamina is a relatively poor district that is taxing itself just to keep doors open. Has been implementing and upgrading curriculum. Comments there's not enough money to provide technology for students. Budget has a \$106,000 deficit. Asking for grants whenever they can.
172	Rep. Thompson	Comments on tour he took of the school district. The high school has a hole in the roof with rain coming in. The Technology room has old Apple computers. The up to date computer could not be used by all students because it was a special funding purchase and usage is dictated by funding source.
	Anderson	Responds that staff has been providing excellent educational opportunities for students under difficult circumstances. Geographical

		boundaries do not permit many school-to-work opportunities.
	Rep. Deckert	Asks if increasing funding per pupil would enable district to effect CAM.
	Anderson	Responds he is not sure if that would be sufficient. Comments that the roof repairs alone total \$250,000. His approach to CIM and CAM is that they will instruct students the best way they know how and then show Legislature how CIM and CAM will be fulfilled. Has no funding to build new programs around CAM.
262	Chair Luke	Explains that per pupil expense is one issue but obtaining grants for technology and for capital expenditures are also important.
292	Rep. Sunseri	Comments that rather than raise the per student funding, it might be beneficial for the Legislature to create a block grant for technology or capital expenditures.
	Anderson	Comments that all school districts are "scrambling" for funds. Explains that he cut \$40,000 out of textbook adoption budget for next year in a school district that is growing. Comments school districts cannot be expected to produce effective programs when per student funding keeps getting cut by the Legislature.
	Rep. Thompson	Comments that he is fearful that an opportunity for education is being created down the "I-5 corridor" and is leaving the rest of the states' students in need.
331	Chair Luke	Explains that he and Rep. Thompson reviewed this issue last session and asked DOE how implementation was going to take place not only in the metropolitan areas but in the rural parts of the state.
	Anderson	Comments that he would like to invite committee to visit Willamina school district.
	Chair Luke	Comments regarding the City of Sisters who did not have a local Internet connection. The school district provided it for the town, received equipment for schools' use, and are now running the Internet connection for the town.
	Wells	Comments that COSA prefers the same amendments that OSBA described.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2979, written testimony, Wilma Wells, 1 pg

B - HB 2979, written materials, Sharon Rao, 2 pp

C - HB 2005, written testimony, Robert Batty, 1 pg

D - HB 3031, proposed amendments, staff, 4 pp

E - HB 3031, written material, Mimi Bushman, 13 pp

F - HB 3031, written material, Wendy Hawkins, 17 pp

G - HB 3031, written testimony, Fallie Calder, 1 pg

H - HB 3031, written materials, Mary Simione, 4 pp

I - HB 3031, written testimony, Wilma Wells, 1 pg

J - HB 3031, written testimony, Arthur Anderson, 1 pg