

HOUSE COMMITTEE ON EDUCATION

April 16, 1997 Hearing Room E

07:45 A.M. Tapes 102 - 105

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 - Public Hearing

HB 2637 - Work Session

HB 2701 - Public Hearing

HB 3351 - 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 102, A		
004	Chair Luke	Calls meeting to order at 7:45 a.m. Opens public hearing on HB 2569.

HB 2569 - PUBLIC HEARING		
006	Rep. Ron Sunseri	Represents district 22, testifies in favor of HB 2569. Explains the issues of family and student privacy which prohibits certain testing without prior parental consent. Bill addresses the misuse of private data. (Submits testimony and materials from Mick Ewer) (EXHIBIT A) . ¹ (
059	Jan Meekcoms	Parent, testifies in favor of HB 2569 (EXHIBIT B) . ² (Testifies regarding several student tests given in school that were "inappropriate." Discusses Rand High School Student Survey.
140	Meekcoms	Continues testimony. Testifies that students should be permitted to opt out of any test the parent deems inappropriate.
184	Norm Fox	Principal, Garden Way Christian Academy, speaks as a private citizen. Testifies in favor of HB 2569. Explains his interaction with families who have opted out of the public school system due to intrusion in family's private life.
	Fox	Responds to committee's questions that his school is in Eugene and students are low-to-middle income.
270	Gayna Flake	Parent, testifies against HB 2569. Explains the state interagency shared-information system will house a detailed, genealogical profile of students. Comments any school can put any information into a child's or family's file without parental notice.
333	Rep. Thompson	Explains his reason for asking question of what income level school was. Comments he has concerns when information cannot be determined from students that teacher may need.
370	Fox	Comments that he prefers information to be sought from parents and not students.
	Rep. Thompson	Asks questions regarding child abuse by parent in school. Comments that there are situations that develop and sometimes that notification to those parents may cause a danger to child.
TAPE 103, A(

003	Fox	Continues responding.
011	Flake	Gives input regarding reporting child abuse to authorities rather than parents.
	Laurie Wimmer	Government Relations Representative, Oregon Education Association (OEA), testifies against HB 2569. Comments if child needs written permission from parent to release information, when parent is the abuser, it would present a dangerous situation. Comments bill is redundant (EXHIBIT C) . ³ (
043	Grant Higginson, M.D.	State Health Officer, Oregon Health Division, testifies against HB 2569 as written. Limits the Health Division in conducting student surveys which contain useful information for public planning (EXHIBIT D) . ⁴ (Comments there currently are laws which protect privacy issue. Discusses "Youth Risk Behavior Report."
131	Higginson	Continues testimony. Agrees parents should be notified but comments bill goes beyond that.
	Rep. Sunseri	Asks if bill would limit or prevent health classes in public schools as written.
	Higginson	Responds that it would not.
	Rep. Sunseri	Asks why parental consent form would become burdensome to complete and burdensome to whom.
180	Higginson	Responds that when active consent is required, the parental consent forms that are returned to school, is a small percentage of those distributed. Explains it is an administrative burden to the school so school may opt out of conducting surveys altogether.
194	Rep. Sunseri	Responds that there are a large number of parents who do not want to participate in certain tests or surveys.
	Higginson	Explains disagreement. Comments the majority support surveys but whether or not they sign consent forms is a different thing.
	Rep. Sunseri	Asks if health division is treating students based on these tests.

	Higginson	Responds that medical treatment is not given based on response given on tests. The bill states, "any evaluation or treatment" means active, parental consent is needed. That provision would invalidate the general consent form which is signed when student enters school.
230	Rep. Thompson	Asks hypothetical question regarding student threatening suicide and if health office is required to obtain parental consent before student could receive treatment.
	Higginson	Responds yes, the way he understands the bill.
240	Wilma Wells	Legislative Assistant, Confederation of School Administrators, testifies against HB 2569 (EXHIBIT E). ⁵ (
	Rep. Sunseri	Asks if it would be an emergency if a child is contemplating suicide.
338	Higginson	Responds it depends on situation; needs to be evaluated.
	Chair Luke	Comments committee will be not hearing SB 184 today due to an early floor session.
368	Deborah Knapp	Parent, testifies in favor of HB 2569 (EXHIBIT F). ⁶ (
TAPE 102, B		
004	Knapp	Continues testimony. Comments she complained to school board about testing or surveying student without parental notification. She comments she received no response.
054	Patricia Smith	Member, Oregon Citizens Alliance and parent, testifies against HB 2569 (EXHIBIT G). [7](Comments Federal Protection Act is useless in practical application. Testifies that a state law is required to ensure educators are held accountable.
148	Smith	Continues testimony.
234	Mark Siegel	Citizen, testifies in favor of HB 2569.
	Jim Green	Legislative Representative, Oregon School Boards Association, testifies against HB 2569 (EXHIBIT H).

327	Rep. Sunseri	Asks why does Oregon have so many tests which violate safeguards as the examples presented here demonstrate.
352	Green	Responds parents have the right to look at what schools are using as tests or surveys.
	Rep. Sunseri	Responds there are parents here who stated they are not being told. Asks how can parents determine if tests are given with federal money.
	Green	Responds he can't answer that.
394	Judy Miller	Assistant Superintendent, Department of Education (ODE), testifies against HB 2569 (EXHIBIT I). [8](
TAPE 103, B		
008	Miller	Continues testimony. Comments when you craft state laws that override federal laws you create confusion.
011	Rep. Thompson	Asks how would passage of this law affect the ability of teachers to perform.
	Green	Responds that with regard to assessments, it is objectionable. Shares an experience with finance class he took as an elementary student in which he used his family budget as an example.
043	Rep. Thompson	Asks what is the definition of "evaluation" in legal terms.
	Green	Responds that in defining words, lawyers apply the standard that "someone has to use best common sense and ask how would a reasonable person interpret" the phrase or word.
066	Marsha Ackerlund	Parent, testifies in favor of HB 2569.
195	Ackerlund	Continues testimony.
196	Karen Elliott	Parent, testifies in favor of HB 2569.

226	Carol Petrone	Parent, testifies in favor of HB 2569 (EXHIBIT J). ⁹ (Comments this kind of law is needed more than ever with technology and computerized information being gathered.
319	Rep. Deckert	Comments that if some of these surveys were being conducted in his district, Beaverton parents would get involved with the school board.
	Petrone	Responds that is an "idealistic viewpoint," but most parents do not know about it. Comments bill specifies parents' permission is needed.
	Chair Luke	Closes public hearing on HB 2569. Opens work session on HB 2637.

HB 2637 - WORK SESSION

	Chair Luke	Asks staff to explain bill and the -4 amendments (EXHIBIT K). [10] (
	Bryan Boehringer	Committee Administrator, explains the bill permits the creation of an individual education savings account with an authorized trustee.
382	Andy Clark	Associate Director of Government Relations, Office of the Chancellor, responds he has no objection to the -4 amendments.
	Phil Bentley	Policy Advisor, Office of State Treasurer, responds he has no objection to the -4 amendments.
	Chair Luke	Asks committee to note amendments. Closes work session on HB 2637. Opens public hearing on HB 2701 and HB 3351.

HB 2701, HB 3351 - PUBLIC HEARING TAPE 104, A

015	Rep. Starr	Represents district 3, testifies regarding HB 2701.
020	Rep. Sunseri	Comments on California's reading scores.
025	Rep. Thompson	Comments it seems like micro-management of school curriculum.

	Rep. Starr	Responds that it is micro-management and the "reason is obvious: poor readers."
049	Rep. Thompson	Comments that it is possible that it's lack of money and large class sizes rather than techniques for teaching reading.
056	Norm Fox	Principal, testifies in favor of the two phonics bills, HB 2701 and HB 3351. Comments that in his educational career he has never had a parent declare a child could not read because they were not taught phonics. But he recommends that schools be given a choice.
104	Verlene Hartung	Teacher, testifies in favor of HB 2701. Asks to read suggested amendment into the record from Myrna McCulloch. [11] (Refers to information from the Riggs Institute (EXHIBIT L).
199	Chair Luke	Declares record will be kept open for receipt of additional testimony.
222	Dale Feik	Teacher, testifies in favor of the two phonics bills. Refers to text "Becoming a Nation of Readers." Expresses concerns about legislative instructional methodology (EXHIBIT M). ¹² (
295	Bonnie Grossen, Ph.D.	Researcher, University of Oregon, testifies in favor of the two phonics bills, HB 2701 and HB 3351 (EXHIBIT N) but recommends an amendment to HB 2701.
358	Sen. Marilyn Shannon	Represents Senate district 15, testifies in favor of HB 2701. Recommends students in Oregon be tested against students across the U.S. and not just within Oregon.
TAPE 105, A		
005	Grossen	Continues testimony.
038	Rep. Thompson	Explains that he is worried about state mandating that one method is correct over another.
	Grossen	Responds she agrees. Proposed two years ago that state look at schools to determine the high performing schools and use them as beacons, but the state does not want to do that.
	Rep. Sunseri	Comments neither of the bills mandates phonics only; indicate phonics be

included.

- 062 Rep. Starr Comments that he appreciates the amendments. Asks for a written copy from Dr. Grossen.
- 079 Tricia Bosak Government Relations Consultant, represents Oregon Education Association (OEA), testifies against HB 2701 (**EXHIBIT O**).¹³([\[14\]](#)) (Has no problem with phonics, but against state mandating curriculum.
- Diane Thelen Teacher, testifies against HB 2701. Comments best decision for teaching students should be decided by parent and teacher. Decision about curriculum must be made by those closest to the schools.
- 141 James Sager Teacher, testifies against HB 2701.
- Chair Luke Closes public hearing on HB 2701. Adjourns meeting at 10:30 a.m.

Submitted By, Reviewed By,

Joan Diaz, Bryan Boehringer,

Administrative Support Administrator

EXHIBIT SUMMARY

¹(**A - HB 2569, written testimony, Mick Ewer, 26 pp**

²(**B - HB 2569, written testimony, Jan Meekcoms, 28 pp**

³(**C - HB 2569, written testimony, Laurie Wimmer, 2 pp**

⁴(**D - HB 2569, written testimony, Grant Higginson, 3 pp**

⁵(**E - HB 2569, written testimony, Wilma Wells, 1 pg**

⁶(**F - HB 2569, written testimony, Deborah Knapp, 21 pp**

[\[7\]](#)(**G - HB 2569, written materials, Patricia Smith, 51 pp**

(**H- HB 2569, written testimony, Jim Green, 36 pp**

[\[8\]](#)(**I - HB 2569, written testimony, Judy Miller 4 pp**

⁹(**J - HB 2569, written testimony, Carol Petrone, 2 pp**

[\[10\]](#)(**K - HB 2637, proposed amendments, staff, 7 pp**

[\[11\]](#)(**L - HB 2701, written testimony, Verlene Hartung, 6 pp**

¹²(**M - HB 2701, written testimony, Dale Feik, 14 pp**

¹³(**N - HB 2701, written materials, Bonnie Grossen, 2 pp**

[\[14\]](#)O - HB 2701, written testimony, Tricia Bosak, 1 pg

P - HB 2569, submitted testimony, Marcia Latta, 1 pg

Q - HB 2701, submitted testimony, Ronald Gandy, ?? pp