

—

**SENATE COMMITTEE ON BUSINESS, LAW, AND GOVERNMENT**

**March 10, 1997 Hearing Room 50**

**1:00 p.m. Tapes 90 - 93**

**MEMBERS PRESENT:**

**Sen. Neil Bryant, Chair**

**Sen. Randy Miller, Vice-Chair**

**Sen. Kate Brown**

**Sen. Gene Derfler**

**Sen. Randy Leonard**

**Sen. David Nelson**

**STAFF PRESENT:**

**Jan Nordlund, Administrator**

**Donna Arens, Administrative Support**

**MEASURES HEARD:**

**SB 650 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 90, A</b>		
004	Chair Bryant	Opens meeting at 1:10 p.m. and opens public hearing on SB 650.
<b><u>SB 650</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
010	Chair Bryant	Explains SB 650.
050	Norma Paulus	Superintendent of Public Instruction. Discusses public education as it is perceived by various groups in the state and funding. Points out President Clinton has put an emphasis on education.
100	Paulus	Discusses the problems of the bargaining system. Gives an example of the difficulty of teaching math since it is in a field which is continually expanding and upgrading.
150	Paulus	Comments that the average age of teachers is increasing. States about 10% of math teachers are not certified for the specific subject.
200	Paulus	Explains that in Portland last year younger teachers were laid off so the older teachers could get raises. Explains technology is updated but the older teachers have less instruction in it than the younger teachers.
250	Paulus	States staff development does not meet the needs of the schools. States the school boards and administrators must have more flexibility to meet the higher standards.
290	Craig Rossler	Silverton School District. Supports SB 650 as it eliminates permanent teacher contracts and begins renewable three-year contracts.
340	Rossler	States change is necessary and he will do his best to ensure the changes are made fairly and reasonably.
390	Rossler	Discusses teacher evaluations and how they would change under SB 650. Changes would allow competency to be a greater factor than seniority in retaining teachers.
<b>TAPE 91, A</b>		
024	Paulus	Discusses proposed changes to Teacher Standards and Practices Commission.
073	Rep. Mike Lehman	House District 47. Opposes SB 650 as a whole. Discusses the fair dismissal process and explains SB 650 would get rid of good and bad teachers.
123	Rep. Lehman	Cites an example of a good teacher who could be dismissed under a three-year renewable contract.

154	Chair Bryant	Comments on the protection of teachers.
168	Rep. Lehman	States that evaluation process could be sped up.
180	Sen. Derfler	Asks who should take over the disciplinary action.
189	Rep. Lehman	States reluctance to go to statewide collective bargaining.
212	Sen. Brown	Asks about computers in alternative schools.
216	Rep. Lehman	Describes the computers.
230	Chair Bryant	Asks if a bill introduced by Paulus would effect SB 650.
237	Paulus	States that making her position appointed would make the position more visible and accountable.
258	Chair Bryant	Asks about scenarios between principals and teachers.
262	Rosslar	Comments on decent treatment of employees.
300	Paulus	Comments on Rep. Lehman's testimony about the evaluation system.
314	Sen. Derfler	Asks if other industries offer limited contracts.
320	Rosslar	Describes possible fears people may have for the new system.
364	Sen. Brown	Asks about the Education Reform Act.
368	Paulus	Discusses the standards. Comments that all students should have access to Advanced Placement courses.
<b>TAPE 90, B</b>		
004	Sen. Brown	Asks about the average pupil spending and asks about shorter school weeks and longer school days as is proposed in some areas of the state.
018	Paulus	Does not know statistics on spending and states the Department of Education does not support the idea of fewer school days.
054	Sen. Brown	States she has talked to students who have complained because they do not have computers to work with.
039	Paulus	Responds that not all districts choose to put their money into the computers. Expresses teachers and students need to advance in knowledge of technology, but money for technology is a problem statewide.
066	Sen. Brown	Asks about legal problems with the current contracts.
070	Paulus	Expresses belief that contracts probably cannot be interrupted.
069	Sen. Leonard	Asks for clarification of testimony.
081	Paulus	Discusses the need of getting younger students ready to learn, so that the teacher is not in a surrogate parent role and discusses funding.  States the bargaining system has made the situation worse.
113	Paulus	States that teachers are not paid enough, but that superintendents, principals, and teachers who are ineffective should be removed from the system.
120	Sen. Leonard	Asks about wages, bargaining and teachers.
125	Paulus	Details problems with the bargaining process.

140	Sen. Leonard	Questions money for current text books versus money for teachers.
160	Paulus	States her repeated requests for money for education.
173	Sen. Nelson	Asks about tenure effect on staffing.
180	Paulus	Explains teachers should shift to the areas which are their specialties.
220	Ozzie Rose	Confederation of Oregon School Administrators (COSA). Presents <b>EXHIBIT A</b> in opposition to parts of SB 650. Lists recommendations to SB 650.
270	Rose	Continues testimony. Discusses adequate performance, licensed teachers, and continued professional development.
320	Rose	Discusses training programs.
345	Sen. Brown	Asks about removal of materials from teachers' personnel files.
366	Rose	Rephrases his testimony.
375	Sen. Leonard	Asks about "inadequate performance" referred to in Rose's testimony. Asks about renewing contracts.
385	Rose	States renewals ought to be an issue every year, and people should be informed if contracts will or will not be renewed by May of each year.
400	Sen. Leonard	Asks questions to clarify terminology in Rose's testimony.
<b>TAPE 91, B</b>		
006	Rose	Clarifies terminology.
044	Sen. Brown	Asks about permanent contracts and legal problems which may occur if they are discontinued due to SB 650.
050	Chair Bryant	Explains the legislature has a right to say what is in the collective bargaining contract.
056		Discussion of permanent contracts.
085	Sen. Derfler	Comments on the students' needs.
100	Wes Smith	Superintendent, Newberg School District. Supports SB 650. Discusses teachers and students and the role of superintendents.
150	Smith	States we ought to strive to keep and appreciate Oregon's good teachers instead of concentrating on the bad ones.  Discusses tenure.  Expresses concern for economic downsizing.
200	Smith	Explains greater accountability should be in effect for principals.
245	Sen. Leonard	Asks about tenure and rotation.
251	Smith	Explains each year all teachers would be considered for a three-year contract
274	Sen. Leonard	Asks what percentage of teachers in a recent strike would have been renewed if they had to be under a three-year contract system.
288	Smith	Explains checks could be done under those circumstances.

304	Sen. Derfler	Asks about teacher incentives for improving their abilities.
314	Smith	Comments on the time and energy of constantly trying to improve teachers.
360	Sen. Derfler	Asks if students are damaged by having teachers who are not highly skilled in their teaching fields.
364	Smith	States it could hurt the students. Suggests creating a good position for teachers. Comments on large class sizes and keeping teachers accountable.
<b>TAPE 92, A</b>		
015	Sen. Derfler	Asks about funding.
017	Smith	States that SB 650 is a part of the solution.
021	Sen. Brown	Discusses page 3, section 5, and asks about teacher evaluations from classroom observation.
028	Smith	Discusses evaluations.
040	Rose	Talks about the dismissal process.
047	Sen. Brown	Asks about school funding and if under SB 650 the schools will be more accountable.
052	Smith	Responds schools would be more accountable within the system.
073	Rose	Comments that the interest in SB 650 does not arise because of money.
100	Dianne Harr	President Elect, Oregon School Boards Association (OSBA), Multnomah County. Supports SB 650. Discusses restructuring of the education system and schools. Notes that in her district there is less available money than a few years ago.
150	Harr	States there are more students and fewer classrooms.  Discusses bilingual issues in the district.  Explains when layoffs are done by seniority only, there are no options for which teachers are retained. States teachers are preferred if they are open to changes and teamwork.
200	Harr	Discusses cuts in staff development which would include technological training.
235	Chair Bryant	Asks about costs of staff development and number of inservice days.
250	Harr	States the cost of staff development varies, and was about \$100,000 last year. Discusses inservice days.
260	Sen. Brown	Asks about the uses of inservice days.
263	Harr	Explains the inservice days and their uses. Discusses tenure.
312	Chris Dudley	Executive Director, OSBA. Presents <b>EXHIBIT B</b> and <b>EXHIBIT C</b> in support of SB 650. Discusses tenure.
343	Sen. Brown	Asks if public perception of tenure is a problem.
352	Dudley	Restates tenure is a public perception problem.

366	Sen. Brown	Asks if the public thinks it is impossible to fire a teacher.
374	Dudley	States that the public may have that perception because it is difficult and expensive to get rid of marginal teachers.
387	Sen. Brown	Asks if the process is a problem.
392	Dudley	States the process is not a problem, but there needs to be relief on the standards of proof. Supports the changes in SB 650 which allow a school board to prove a teacher inadequate for service.
<b>TAPE 93,A</b>		
010	Dudley	Continues testimony. Compares business sector with the education sector.
027	Harr	States it is necessary to push educators towards learning the new standards in their fields.
036	Dudley	Discusses step increases which occur regardless of quality of service. States SB 650 is not a drastic change.
077	Dudley	Comments on the power of Oregon Education Association (OEA) in the state.
108	John Whitty	Attorney, Crook Deschutes Educational Service District. Supports SB 650. Discusses tenure and possible dismissals within the first three years.
158	Whitty	Discusses the many reasons listed which cannot be considered grounds for firing an educator.
186	Whitty	States it still would not be an easy process to eliminate bad teachers if SB 650 passed. States he will submit materials.
191	Chair Bryant	Asks about non-renewal and if it would be necessary to list the reasons for a dismissal.
196	Whitty	Does not believe there is a legal requirement for a reason to be given for dismissal of a teacher.
212	Chair Bryant	Asks if it would be a good idea for the board to be required to list a reason for dismissal.
215	Whitty	Explains stating the reasons for dismissal would be reasonable.
222	Barbara Miller	Board member, Sandy High School. Supports SB 650. Explains trying to reduce mediocrity is difficult through the bargaining process. Discusses tenure and layoff procedures as they relate to the recent Sandy strike.
272	Miller	States there are many difficulties with the dwindling resources. Downsizing is necessary with less resources, but due to tenure, teachers who shouldn't still be teaching remain.  States the recent strike was very disruptive and that not being able to retain excellent staff due to tenure hurts the quality of education.
337	Chair Bryant	Asks about the settlement in Sandy.
346	Nancy	Attorney. States there are enormous protections which have been built

	Hungerford	up by protective bargaining agreements.
400	Hungerford	Discusses probationary staff.
<b>TAPE 92, B</b>		
046	Chair Bryant	Asks how long the process is for a dismissal.
048	Hungerford	States grievances are filed immediately which increases time and money. States an example of lengthy hearings.
090	Bruce Adams	President, OEA, Portland, Oregon. Presents <b>EXHIBIT D</b> in opposition to SB 650.
140	Adams	Continues presenting testimony. States that he likes the approach in HB 3320.
190	Adams	Continues testimony and submits Art Abrams' testimony for the record <b>EXHIBIT E</b> .
237	Chair Bryant	Comments on collaborating and a collective bargaining task force formed in 1993. Asks about HB 3320.
290	Adams	Describes HB 3320.
321	Chair Bryant	Asks about section 9.
323	Adams	States that representation would not be available.
371	Chair Bryant	Comments on performance evaluations.
373	Adams	Prefers statewide standards set at state levels because they do not change so much from area to area.
380		Discussion of the makeup of the commission and continuing education for educators.
<b>TAPE 93, B</b>		
001	Sen. Derfler	Comments on upgrading teacher skills.
015	Adams	States educators will leave the profession if they are not good educators.
049	Sen. Derfler	Asks about arbitration.
051	Adams	Explains the arbitration process.
060	Sen. Derfler	Asks about three-year contracts.
070	Adams	States he does not like the idea of a three-year rolling contract. Explains he supports basic training for the fundamentals.
101	Sen. Derfler	Asks why we should not consider performance instead of just longevity.
110	Adams	Cites an example of seniority being reasonable.
123	Sen. Miller	Asks about HB 3320 and asks for a restatement of Adams' views.
130	Adams	Agrees some people need to move out of the profession.
152	Sen. Miller	Asks about loss of enthusiasm as it pertains to dismissals. Asks about opinions on the Education Reform Act (ERA).
162	Adams	States OEA is divided on the aspects of the ERA.

186	Sen. Miller	Comments on and asks about required professional development.
204	Adams	States there are inconsistencies in the training.
218	Chair Bryant	Closes public hearing on SB 650 and adjourns meeting at 4:30 p.m.

**Submitted By, Reviewed By,**

**Donna Arens, Jan Nordlund,**

**Administrative Support Administrator**

**Transcribed By,**

**Jennifer Peck,**

**Administrative Support**

-

**EXHIBIT SUMMARY**

**A - SB 650, written testimony, Ozzie Rose, 2 pp**

**B - SB 650, written testimony, Chris Dudley, 6 pp**

**C - SB 650, news article, Chris Dudley, 2 pp**

**D - SB 650, written testimony, Bruce Adams, 4 pp**

**E - SB 650, submitted testimony, Art Abrams, 4 pp**



---