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**SENATE COMMITTEE ON EDUCATION**

**May 19, 1997 Hearing Room 343**

**3:00 P.M. Tapes 111 - 113**

**MEMBERS PRESENT:**

**Sen. Tom Hartung, Chair**

**Sen. Marylin Shannon, Vice-Chair**

**Sen. Ken Baker**

**Sen. Susan Castillo**

**Sen. Gary George**

**Sen. Cliff Trow**

**MEMBER EXCUSED:**

**None.**

**STAFF PRESENT:**

**Jan McComb, Administrator**

**Shirley Spendal, Administrative Support**

**MEASURE/ISSUES HEARD:**

**HB 2031 - Public Hearing and Work Session**

**HB 3083 - Public Hearing and Work Session**

**SB 1073 - Work Session**

**HB 2805 - Work Session**

**SB 918 - Work Session**

**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 111, A</b>		
003	Chair Hartung	Opens hearing, 3:05 p.m. Opens public hearing, HB 3083.
<b><u>HB 3083-A - PUBLIC HEARING</u></b>		
005	Rep. Charles Starr	District 3. Supports bill. Discusses effect of bill.
020	Gary Conkling	Beaverton School District. Supports bill. Submits ( <b>EXHIBIT A</b> ).
		( discusses sending message to students' parents, guardians
		( discusses requiring counseling, requiring payment of portion of alternative education programs
		( special education children exempted
052	Sen. Baker	Discusses students' rights to free education.
063	Conkling	Discusses costs for school district. Bill intended to be signal.
079	Sen. Baker	Asks about language of bill.
092	Sen. Castillo	Asks if need state law to do this.
112	Sen. Shannon	Does not support bill.
114	Chair Hartung	Asks what happens when parents cannot afford alternative education.
144	Sen. Trow	Asks if school districts deal with this already. Asks if parents cannot be found or if single parent.
166	Wilma Green	Confederation of Oregon School Administrators. Neutral on bill.
169	Jim Green	Oregon School Boards. Supports bill.
179	Superintendent Mack Clark	Beaverton School District. Discusses teachers not wanting disruptive students in class. Discusses finding another place for students at additional cost. Discusses bill being tool.
194	Sen. Shannon	Questions, discussion regarding expelling children.
233	Sen. Trow	Asks about enforcing mechanism.
251	Sen. George	Asks if bill would be deterrent.
264	Chair Hartung	Sees bill as tool. Discusses getting parental involvement.

267	Laurie Wimmer	Oregon Education Association, Government Relations Consultant. Support disciplinary measures that give districts tools needed to give appropriate discipline. Discusses parental involvement.
285	Sen. Shannon	Asks what will charge single mom for alternative education.
291	Chair Hartung	Discusses department statistics. Closes public hearing, HB 3083; opens work session, SB 3083.
<b><u>HB 3083-A - WORK SESSION</u></b>		
297	<b>Chair</b>	<b>MOTION: Moves HB 3083-A to the floor with a DO PASS recommendation.</b>
302	Sen. Trow	Comments on supporting bill.
303		<b>VOTE: 5-1</b>
		<b>AYE: 5-Baker, Castillo, George, Trow, Hartung</b>
		<b>NAY: 1-Shannon</b>
305	<b>Chair Hartung</b>	<b>The motion CARRIES.</b>
		<b>Chair Hartung will lead discussion on the floor.</b> Closes work session, HB 3083-A; opens public hearing, HB 2031.
<b><u>TAPE 112, A</u></b>		
<b><u>HB 2031 - PUBLIC HEARING</u></b>		
007	Kathy Silke	Collections Director, Oregon State Scholarship Commission.
		Discusses department. Discusses statistics of borrowers, what they owe. Discusses process.
048	Sen. Trow	Asks how many have been garnished. Questions regarding method of garnishment, need for garnishment.
093	Sen. Shannon	Asks about others attending school if not repaid. Asks if garnish state income tax returns.
104	Sen. Trow	Asks about helping with employment.
117	Cathy Pollino	Audit Administrator, Secretary of State's Audit Division.
		Supports bill. Submits ( <b>EXHIBIT C</b> ). Discusses Oregon Audits Division audit in 1992. Discusses process. Discusses statistics. Discusses what access to employment records could do.
157	Sen. Trow	Asks about amending laws.
165	Chair Hartung	Question regarding why didn't consider this bill with garnishment bill.
167	Kathy Silke	Discusses history of legislation.
180	Chair Hartung	Discusses fiscal impact. Asks how Scholarship Commission funded. Asks what ballot measure 30 is about.
208	Chair Hartung	Closes public hearing, HB 2031; opens work session, HB 2031.

<b><u>HB 2031 - WORK SESSION</u></b>		
212	Sen. Shannon	<b>MOTION: Moves HB 2031 to the floor with a DO PASS recommendation.</b>
213		<b>VOTE: In a roll call vote, all members present vote Aye.</b>
		<b>EXCUSED: 1-Baker</b>
216	Chair Hartung	<b>The motion CARRIES.</b>
		<b>Sen. Shannon to will lead discussion on the floor.</b> Closes work session, HB 2031; opens work session, SB 1073.
<b><u>SB 1073 - WORK SESSION</u></b>		
227	Wilma Wells	Confederation of Oregon School Administrators. Opposes bill. Submits ( <b>EXHIBIT D</b> ). Three reasons-unfunded mandates, sets local school district policy, constitutes negotiations on class size by legislature. Discusses "inclusion model," children being placed in classrooms with regular classroom teachers using special education teacher as back-up consultation. Discusses children with higher needs in self-contained classrooms of 16 or so. Discusses other staff needed for special education children. Discusses federal funds of \$400.
275	Wells	Discusses statistics for state funding.
281	Sen. Shannon	Asks what the case load limit should be.
287	Wilma Wells	Discusses special education teachers being in addition to regular teachers.
<b><u>TAPE 111, B</u></b>		
003	Sen. Trow	Discusses effect of bill, amendment.
028	Sen. Shannon	Discusses double expenditure, no accountability.
038	Jim Green	Oregon School Boards Association. Case load should be discussed at local level. Discusses definition of teacher to include school psychologist. Discusses school funding, funding being capped at 11 percent of population of school.
080	Green	Discusses some children being more expensive. Discusses getting \$412 a child from federal government or four percent. Discusses factors for school districts. Discusses Oregon not categorizing money.
117	Laurie Wimmer	Oregon Education Association, Government Relations Consultant. Difficult issue. Discusses other needs, adequate funding. Better handled at local level. Discusses recognizing as problem. Discusses not fixing program to rob another.
150	Chair Hartung	Asks about handicapped learner endorsement.
167	Sen. Trow	Discusses being problem that needs solving. Discusses helping classroom teacher also.

212	Greg Zerzan	Oregon Association of Children and Adults with Learning Disabilities. Discusses -2 amendments ( <b>EXHIBIT E</b> ), to be implemented over six year period. Submits, discusses ( <b>EXHIBIT F</b> ), statistics. Discusses taking step to comply with reasonable limit.
267	Sen. Trow	Asks about amendments saying 30 children.
276	David Voves	Superintendent, Dallas School District. Opposes bill. Submits ( <b>EXHIBIT G</b> ). Discusses his personal professional history. Discusses IEP program determining case size. Discusses flaw in intent of mandating case loads - different students need different types of services.
<b>TAPE 112, B</b>		
002	Voves	Discusses educational rights of all students.
011	Margaret Nichols	Superintendent, Eugene Public Schools. Opposes bill. Submits ( <b>EXHIBIT H</b> ). Discusses her personal history as special education teacher. Discusses special education teacher case loads in her district.
		( staffing, program operation responsibility of local school district
059	Nichols	( limiting case loads will have major financial impact on local school districts - discusses statistics
		( proposal overly broad - does not distinguish between teachers or students with disabilities that they serve
096	Nichols	( discusses Federal Individuals With Disabilities Act
105	Sen. Trow	Asks what will happen to try to solve problem.
128	Nichols	Discusses teachers referring students to special education. Discusses problem so complicated need to tackle as total issue. Discusses children dropping between "cracks."
155	Sen. Shannon	Asks about putting students in special education.
177	Voves	Comments on adequate funding for all students.
		Ted Seaman's testimony submitted into record ( <b>EXHIBIT I</b> ).
183	<b>Chair Hartung</b>	<b>MOTION: Moves to ADOPT 1073-2 amendments dated 5/19/97 (EXHIBIT E).</b>
185	<b>Chair Hartung</b>	<b>VOTE: Hearing no objection, declares the motion CARRIED.</b>
188	Sen. Trow	Discusses real problem for teachers.
194	Sen. Castillo	Discusses being important issue.
203	Sen. George	Discusses school psychologist issue.
210	Jim Green	Oregon School Boards Association. Discusses who teacher definition could include.
227	Sen. Shannon	Discusses how money is being spent at schools.
234	<b>Sen. Trow</b>	<b>MOTION: Moves SB 1073 to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 3-3</b>
		<b>AYE: 3-George, Shannon, Trow</b>

		<b>NAY: 3-Baker, Castillo, Hartung</b>
239	<b>Chair Hartung</b>	<b>The motion FAILS. Closes work session, SB 1073; opens work session, HB 2805.</b>
<b><u>HB 2805 - WORK SESSION</u></b>		
245	<b>Sen. Baker</b>	<b>MOTION: Moves to TABLE HB 2805.</b>
249		<b>VOTE: 4-1</b>
		<b>AYE: 4-Baker, Castillo, Trow, Hartung</b>
		<b>NAY: 1-George</b>
259	<b>Chair Hartung</b>	<b>The motion CARRIES. Closes work session, HB 2805; opens work session, SB 918.</b>
<b><u>SB 918 - WORK SESSION</u></b>		
256	Sen. George	Discusses Sen. Yih's amendment changing "may" to "shall."
260	<b>Sen. George</b>	<b>MOTION: Moves to ADOPT 918-1 amendments dated 4/21/97 (EXHIBIT J).</b>
263	<b>Chair Hartung</b>	<b>VOTE: Hearing no objection, declares the motion CARRIED.</b>
264	Sen. George	Do not want the -2 amendments.
265	<b>Sen. George</b>	<b>MOTION: Moves SB 918 to the floor with a DO PASS AS AMENDED recommendation.</b>
275	Judy Patterson	Department of Education. Opposes bill on basis does duplicate. State Board took action giving local districts ability to grant high school credit for courses taken prior to grade 9.
295	Wilma Wells	Confederation of Oregon School Administrators. Opposes bill for same reason as Department of Education.
<b>TAPE 113, A</b>		
005	Sen. Shannon	Discusses children needing boost from state when take course.
015	Fallie Calder	Oregon School Board Administration. Discusses superintendents sharing rules with school board members. Discusses rules being new. Discusses sponsor should go to local school board now.
033	Chair Hartung	Asks what is happening now.
036	Patterson	Discusses board action in April, minutes would have gone out to school districts, boards, superintendents.
046	Sen. Shannon	Asks if forbidden before rule change made.
049	Calder	States opposed to legislation.
052	<b>Sen. Baker</b>	<b>MOTION: Moves to TABLE SB 918.</b>
054		<b>VOTE: 2-4</b>
		<b>AYE: 2-Baker, Hartung</b>

		<b>NAY: 4-Castillo, George, Shannon, Trow</b>
067	Sen. Shannon	Discusses passing bill, bringing back if needed.
068	<b>Sen. Shannon</b>	<b>MOTION: Moves SB 918 to the floor with a DO PASS recommendation.</b>
070	Sen. Trow	Discusses voting no as bill not needed.
071		<b>VOTE: 2-4</b>
		<b>AYE: 2-George, Shannon</b>
		<b>NAY: 4-Baker, Castillo, Trow, Hartung</b>
079	<b>Chair Hartung</b>	<b>The motion FAILS. Adjourns, 5:10 p.m.</b>

Submitted By, Reviewed By,

Shirley Spendal, Jan McComb,

Administrative Support Administrator

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**EXHIBIT SUMMARY**

**A - HB 3083, Testimony, Gary Conkling, 1 pg.**

**B - HB 2031, Testimony, Kathy Silke, 3 pg.**

**C - HB 2031, Testimony, Cathy Pollino, 2 pg.**

**D - SB 1073, Testimony, Wilma Wells, 2 pg.**

**E - SB 1073, -2 Amendments, Greg Zerzan, 1 pg.**

**F - SB 1073, Handout, Greg Zerzan, 1 pg.**

**G - SB 1073, Testimony, David Voves, 1 pg.**

**H - SB 1073, Testimony, Margaret Nichols, 2 pg.**

**I - SB 1073, Testimony, Ted Seaman, 2 pg.**

**J - SB 918, -1 Amendments, Sen. Yih, 1 pg.**

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