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**SENATE COMMITTEE ON EDUCATION**

**January 17, 1997 Hearing Room 343**

**3:00 P.M. Tapes 3 -4**

**MEMBERS PRESENT:**

**Sen. Tom Hartung, Chair**

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

**Sen. Ken Baker**

**Sen. Gary George**

**Sen. Cliff Trow**

**Sen. Susan Castillo**

**MEMBER EXCUSED: None**

**STAFF PRESENT:**

**Jan McComb, Administrator**

**Shirley Spendal, Administrative Support**

**MEASURE/ISSUES HEARD:**

**Public hearing on Charter Schools**

**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 3, A		

**005 Chair Hartung Called meeting to order 3:04 p.m. Will start as a subcommittee in taking testimony. Will start with anyone more than one hundred miles away. Practice to make tapes of hearings and members that are not present listen to tapes.**

**014 Cliff Case Siletz Tribal Counsel.**

**Case Set in as Siletz Tribal Counsel have put in for a grant, hoping to lead to tribal charter school in Siletz. Asks for guidance.**

**027 Chair Hartung "Do you have a tribal elementary school now?"**

**Case "No, we have the Siletz Middle School in Siletz." Part of Lincoln County School District.**

**030 Chair Hartung Tells him how to accomplish setting a charter school.**

**036 Jan McComb,**

**Committee**

**Administrator Leon Fuhrman is here if he wants to complete process.**

**037 Chair Hartung Asks Fuhrman to speak to Case.**

**038 Case Biggest concern is the trust land and getting financial aid.**

**041 Chair Hartung Asks where elementary school students go now.**

**Case Siletz Middle School.**

**Chair Hartung Grades 1 through 8?**

**Case Yes, but interested in 1 through 12. Not only for tribal children but for Siletz kids instead of sending them to Toledo High School.**

**Sen. George Grande Ronde tribe has asked also. Indicates he would like this part of the charter bill.**

**054 Chair Hartung Don't have bill yet; that could be added to it. First he should talk with Leon Fuhrman. Asks when work session is.**

**057 McComb Not next week, but the following week.**

**058 Chair Hartung Clarifies Siletz trust lands down along the Siletz River, Bay.**

**059 Case Yes, have parcel singled out hoping be able to put educational facility on.**

**064 Bruce Adams President of the Oregon Education Association. Also, teacher on leave from Beaverton School District. (EXHIBIT A.)**

070 Adams Discusses charter schools as positive or negative force. OEA supports reform within the public school with provisions. OEA has established criteria. Wants to emphasize five:

( number of charters allowed

( atandards for professional staff

( employment issues

( non-discrimination and equal educational opportunities

( funding.

102 Chair Hartung Asks for status, Bend charter school law suit.

Adams Does not have update. That school set up by parents for 41 children. They billed it as private school from the beginning. OEA concerned skimmed or pulled their 41 students out. Fact they view themselves as private school also an issue.

131 Sen. Shannon When a student is deemed difficult to educate, there is a formula where extra money comes with those students. Discusses monies staying with other school. Feels problem referred to is well covered because of those extra monies.

141 Adams Not opposed to charter school specializing in special students and getting that extra money. Discusses taking cross-section of regular students.

146 Sen. Shannon Are parents penalized if there is a limit on the charter schools?

155 Adams Feels in reality not a big issue with number. Wants to make sure there isn't a "charter school mill somewhere." Does not think that it is intent.

166 Sen. Shannon Questions "no negative impact" on regular public school program. Whole purpose of charter schools is competition and does not know how you can guarantee success of your "competition and still try and succeed yourself."

171 Adams Gives example of negative impact. Charter schools may spend all their monies half-way through school year and public schools may have to absorb students back into regular program. Need to try to eliminate the potential for negative impact wherever possible.

181 Sen. Castillo Asks about waiver issue.

184 Adams Whole point is to allow them to get waiver. Allow to have reasonable waivers to allow them to operate differently.

190 Sen. Trow Indicates Adams making strong case; which is right, as thinks there should be licensed teachers teaching in charter schools. Ought to be licensed like other professionals.

197 Adams *Education Week* gave Oregon a C in teacher category based on we have a number of teachers teaching in areas for which they have no certificate. Important to have license but also to allow flexibility.

204 Sen. Baker Thinks idea about start up funds critical. Thinks they have a good concern about teachers. Asks about teachers going to charter schools and coming back without penalties.

216 Sen. Adams This is one of most contentious questions when talking about charter Getting away from dealing with public employees "in collective way" is a very bad idea.

225 Dan Johnson Representing Salem-Keizer Schools. In charge of special projects for the district. Also on part-time leave from Portland State University. Supports LC511 (**EXHIBIT B**).

241 Johnson Has several proposals currently in process. Three have received planning grants; another in implementation. Also fifth one in relationship with Chemawa. Essential to limit sponsors. More efficient to grant waivers by exception rather than blanket waiver.

266 Johnson Schools should be subject to public meetings law. Encourage consideration of time lines. Limit the charter school access to State School Fund by funding by contract with local sponsoring board.

**TAPE 4, A**

006 Sen. Baker How many charters in Salem-Keizer?

007 Johnson None at this time. Local group is at implementation stage; two in process. Have private school, Abiqua, but not charter.

014 Sen. Baker Superintendent Paulus thought there was a structure for charter schools - do you think if that exists it is workable or do you need a new set of rules?

019 Johnson Circumstances emerging here becoming more unique; feels legislation directly addressing charter schools be in best interests.

023 Sen. Trow Asks why think every school board equal and should be able to charter schools.

032 Sen. Trow Do you think there ought to be level of approval above school boards, recognizing the fact that not every school board equal?

035 Johnson Discusses possibility of appeal process. Discusses relationship of charter school to community if denied by local board.

042 Sen. Trow Asks about controversy coming to school boards.

045 Johnson School boards should be accountable. Discusses some seeing as real threat. Feels local school board best forum to respond.

053 Sen. Trow Asks if think local school board should be able to opt out of school reform legislation.

054 Johnson No.

055 Sen. Trow What about establishing charter schools that have regional basis rather than school district basis?

059 Johnson Hope legislation would support it. Cites example, thinks should be some flexibility to move beyond boundaries of local district.

066 Sen. Shannon Parrish is not a charter school?

069 Johnson Parrish has received a \$5,000 planning grant.

071 Sen. Shannon Represents rural areas. Cites example. Do you think in this bill we should make it a right for parents to organize or it should all be on the school board?

082 Johnson Still need accountability factor. We vote on school board members. Not sure about politics of that.

088 Sen. Shannon Asked if there is one school district in Oregon or country where the national standardized test scores have improved.

096 Johnson Can't speak to that. Key issue, assessment when public funds are going out. That to him is the critical issue.

104 Sen. Shannon Been told it is impossible to get assessments without CIM and CAM.

106 Sen. Baker Asks what kind of models could you use - what could be done to put a mechanism in place saying how could we work for it.

118 Johnson Not sure how with legislation. In part person directed.

126 Sen. Baker Some people have good communication skills but those that do not - could be destructive to kids.

129 Johnson Not sure what put in legislation to provide that resource.

131 Sen. Baker Asks if need appeal process. Work through those issues.

133 Johnson Key issue.

134 Chair Hartung Have you looked through charter laws in other 25 states?

137 Johnson Several pieces.

138 Chair Hartung Asked him to read through American Federation of Teachers booklet. Give unbiased report at work session.

140 Molly Bordonaro Small business owner in Portland. Product of Portland Public School district. Worked 5 years as legislative director for the American Legislative Exchange Council, organization of state legislatures. Has had opportunity to develop model charter school legislation ,work with other states. Submits (**EXHIBIT C**).

157 Bordonaro Encourages committee to bring in outside experts or people from other states. Lot to learn from other states. Cites example of California charter school she visited.



175 Sen. Trow Was that a public school?

176 Bordonaro Yes. Continues example in poor inner-city area. Wanted to improve test scores and give opportunity to students.

189 Bordonaro Feels avenue for alternative schools in place in Oregon. However, restrictive. Cites Portland example (Village School in SE Portland).

209 Bordonaro Wants public education improved. Advocating charter schools. Gives benchmarks needed:

( need multiple avenues to get a charter school, plus appeal  
process

( fiscal autonomy

( accountability

( deregulation

( open enrollment

239 Sen. Trow Discusses Arizona experiments with charter schools. Likes open enrollment. Asks if suggesting existing private schools can become charter schools?

249 Bordonaro Yes.

252 Sen. Trow Not meaning religiously-based private schools.

253 Bordonaro No.

254 Sen. Trow What if selective in membership?

255 Bordonaro Believes this needs to be made against law. Mentioning Arizona believes essential to bring in a charter school expert. Majority worked successfully.

266 Sen. Trow Has it been in place long enough to give a good track record.

268 Bordonaro Arizona bill passed 1993.

271 Mack Clark Beaverton School District. Representing the Beaverton School District where am Assistant Superintendent. Supports charter contract school concept. Submits (**EXHIBIT D**).

279 Clark Specifically support charter school legislation that promotes development of creativity, alternatives, options.

### **TAPE 3, B**

005 Clark ( Support idea any charter school should look at individual school site.

( Support local school board as final decision-maker in approval process.

( Charter school legislation held accountable.

( Support a charter school bill which is non-sectarian.

( Accountability and evaluation.

( Application and orientation comprehensive in scope,

comprehensive in program, admit all students, non-discriminatory.

( Legislation should provide enough detail to provide clarity of

what to be about and expectations are.

( Local school board authorization, re-authorization, termination.

( Recognize increased administration burden for local school district.

039 Clark Believe local school district has responsibility if turned down request, to spell out what issues are associated and provide opportunity for charter school to address those issues and come back. Believe local school board has some oversight responsibility. LC 511 excellent framework.

054 Sen. George Mentions tribes representative, questions representing histories, traditions, religion, would that be acceptable?

059 Clark Feels would have difficulty with that in terms of a school district.

066 Sen. Shannon Her understanding that the Indians have a constitutional right to teach their religion publicly.

072 Tom Holt From Beaverton. Concerned parent. Public Affairs, Public Policy Research. Submits **(EXHIBIT E)**.

082 Holt Does not believe public school system will serve my children well.

Inquired about Beaverton's kindergarten and first grade curriculums; felt clear information not available, inquiry not welcome.

086 Holt Feels any school district's incentive to treat its work force and state as primary clients, not parents. Independent charter schools change school district incentives so parents are foremost clients, guarantees continuing innovation.

096 Holt Thinks charter legislation should include:

( freedom to seek sponsors other than local school board or state

( must be expeditious, simple appeal mechanism if charter denied, challenged

( freedom from regulation

( total freedom to set curriculum content as long can show

accreditation

( no limitation on numbers of charters or numbers of schools

involved

118 Holt Current law or LC 511 meet these criteria taking opposite approach. Do not create charter schools encumbered by existing regulation, power structure. True charter schools remove that burden - there will be dozens of models.

145 Rebecca Black Executive Director of Oregon Outreach Incorporated, a non-profit organization located in Portland.

151 Black Here to discuss lack of equity in funding private schools, alternative schools in Oregon. Discusses 80-20 formula. In their program they average \$2,800 per student rather than the \$6,000 allocated per student in Portland School District. Has one teacher for every five students. Have year-around students. Certified teachers. Children of poverty, teen parents, children impacted by drugs and abuse. Have child care, mental health counseling, drug and alcohol counseling. Providing at one-third.

201 Black Supports charter schools regarding lack of equity. Studied school system in New Zealand who were faced with many of these problems and went to total charter system. Students now have higher academic skills. Dollars lessened, quality went up. With innovation and creativity we can go beyond that. Urge to look closely at how funding exists, where those dollars are going. New Zealand eliminated middle level. Talks about requirement going through local boards be only one of avenues - should not be only avenue.

233 Black Cites study finding most charter school serving disadvantaged students. Largest problem resistance of local boards. Urge look closely at who is able to grant a charter and to bring in people who have studied the systems in other states.

**TAPE 4, B**

001 Henri Schaffler Product of Portland Public Schools; small business personnel management consultant, parent of five children. Been involved in various legislation regarding charter schools this past year.

005 Schaffler Supports charter schools. Gives experiences as parent. Believes charter schools could make us look at increasing effectiveness of monies we spend, challenge public schools we have. Could help improve parental involvement. Will increase options that parents have to help solve children's educational problems. Accountability. Deregulation - "laboratory nature."

047 Schaffler Oregon known as progressive state. Feels we should get on charter schools right away. We need to think what best for children.

069 Richard Meinhard Parent. Teacher, educator at University of Portland. Started consultant business. School evaluation surveys. 1991 proposed system of master schools to test out innovative programs. Supports charter schools (**EXHIBIT F**).

71 Meinhard Districts need tools of flexibility, need to be encouraged to innovate. Need to challenge districts. Nationally 10 good charter laws out of 25. 450 charter schools in nation; 5 closed for financial reasons, accountability, improper sponsorship. Look at how charter can be called into question and insure law has appeal provision. When find problems in charter school they are closed, which indicates bill working well.

126 Meinhard Underlying issue, accountability.

( LC 511 has harsh requirements. Comparable to public schools.

( Efficient cost, performance out of system.

( System not equitable now, e.g., tag students, at risk students.

( State needs to design self-improving system.

( State should lift "exclusive franchise" districts have. Make possible for someone else to offer education not under control of districts.

171 Meinhard State's interest in system as whole. Charters producing "ripple effects." States examples.

196 Meinhard What makes a good bill? Difference between pseudo-bill versus true charter school bill which removes control local districts have. Feels 511 pseudo-bill; however supports 511 saying districts need road map.

210 Chair Hartung Do you have amendments to LC 511? Mentioned work session.

213 Meinhard "Four killer problems" with 511: No multiple sponsors, no fiscal autonomy, no deregulation, appeal process.

230 Will Lampa Parent. Teach Alternative Program for Tigard-Tualatin School District. Here as voice for Oregon Association for Alternatives in Education. Opposes charter schools.

235 Lampa Not against legislation "exactly." Alternative schools doing same thing as charter schools.

Group been in existence approximately 12 years.

345 Chair Hartung Adjourns meeting at 4:47 p.m.

(Additional exhibit submitted by Chuck Carpenter, **EXHIBIT G.**)

Submitted By, Reviewed By,

Shirley Spendal, Jan McComb,

Administrative Support Administrator

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**EXHIBIT SUMMARY**

**A - Testimony, Bruce Adams, 3 pg.**

**B - Testimony, Dan Johnson, 3 pg.**

**C - Testimony, Molly Bordonaro, 1 pg.**

**D - Testimony, Mack Clark, 1 pg.**

**E - Testimony, Thomas Holt, 2 pg.**

**F - Testimony, Richard Meinhard, 2 pg.**

**G - Letter, Chuck Carpenter, 1 pg.**

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