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SENATE COMMITTEE ON EDUCATION

February 26, 1997 Hearing Room 343

3:00 P.M. Tapes 36 - 38

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:

Introduction of Legislative Concepts

SB 296 - Work Session

SB 363 - Work Session

SB 340 - Work Session

SB 628 - 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.

Tape/#	Speaker	Comments
Tape 36, A		
005	Chair Hartung	Opens hearing at 3:05 p.m.
<u>LEGISLATIVE CONCEPTS - INTRODUCTION</u>		
006	Chair Hartung	Discusses LC 2599 having to do with Board of Medical Examiners. Bill would be referred to this committee.
011	Chair Hartung	MOTION: Moves LC 2599, dated 2/25/97, BE INTRODUCED as a committee bill.
		VOTE: Hearing no objection, declares the motion CARRIED. (Introduced as SB 694.)
012	Chair Hartung	Discusses LC 3850, a reciprocity bill. Do not have final draft from work group.
016	Chair Hartung	MOTION: Moves LC 3850, dated 2/25/97, BE INTRODUCED as a committee bill.
		VOTE: Hearing no objection, declares the motion CARRIED. (Introduced as SB 695.) Opens work session on SB 296.
<u>SB 296 - WORK SESSION</u>		
031	Chair Hartung	Discusses public hearing.
034	Sen. Baker	Certain areas of state don't have school districts would have ESD's - amending law to conform practice.
035	Sen. Baker	MOTION: Moves SB 296 be sent to the floor with a DO PASS recommendation.
		VOTE: 4-0
		AYE: 4-Baker, Castillo, Shannon, Hartung
		NAY: 0
		EXCUSED: George, Trow

	Chair Hartung	The motion CARRIES. Opens work session on SB 363.
<u>SB 363 - WORK SESSION</u>		
041	Chair Hartung	Discusses public hearing on bill.
049	Sen. Baker	Comments on public testimony.
058	Sen. Baker	MOTION: Moves SB 363 be sent to the floor with a DO PASS recommendation.
060		VOTE: 4-0
		AYE: 4-Baker, Castillo, Shannon, Hartung
		NAY: 0
		EXCUSED: George, Trow
065	Chair Hartung	The motion CARRIES. Opens work session on SB 340.
<u>SB 340 - WORK SESSION</u>		
067	Chair Hartung	Discusses effect of bill. Discusses -1 amendments reduced from full funding to 50%. Would like to keep in front of Ways and Means because we need to coordinate with pre-kindergarten program.
079	Sen. Baker	MOTION: Moves to ADOPT 340-1 amendments dated 2/25/97 (EXHIBIT A).
081	Sen. Castillo	Questions about sponsor.
084	Chair Hartung	Spoke with Sen. Gordly; she is in favor of it.
086	Sen. Shannon	Are these new wages to come out of general fund?
089	McComb	Discusses figures in governor's enhancement budget.
094	Sen. Baker	Asks if 50% the current goal with 2004 goal for full. Are those same figures?
100	McComb	No. By 1999 up to 50% and moving up full two years.
104	Sen. Baker	Has problem with accelerating two years.
110	Chair Hartung	Will reschedule amended SB 340. Closes work session on SB 340.
	Chair Hartung	Sen. Castillo will lead discussion on floor for SB 296.
		Sen. George will lead discussion on floor for SB 363.
<u>SB 628 - WORK SESSION</u>		

124	Chair Hartung	Discusses strategy in putting bill together.
127	Beth Unverzagt	Represents Abiqua School. Discusses her qualifications.
		(four years ago applied to Salem Keizer to become charter school
		(56 students first year, won AOI Education Award
		(in fourth year with 76 students - have kids that love school
		(give national tests
		(have certified and uncertified teachers, use parents in classrooms
		(have been experiencing what charter schools are doing
180	Sen. Trow	Asks if have charter.
181	Unverzagt	Don't have charter. Private independent school. Tried to become a charter school or alternative ed school. Would endorse strong charter school bill - less restrictive, up to local school board, group of developers. Need guidelines, clarity to protect both parties. Purpose is to set high standards.
198	Chair Hartung	You don't get any public funds?
199	Unverzagt	Believes charter schools variety of models. Believes should limit school district charters. Discusses Hudson Institute report - problems nationwide are similar.
222	Sen. Trow	Questions about student tuitions, scholarship students.
227	Unverzagt	\$5,000 a year grades 1 through 7. Discusses scholarships, raising monies.
235	Sen. Trow	Question about certified teachers.
236	Unverzagt	Four certified teachers, one administrator 10 hours a week.
242	Sen. Shannon	Questions regarding sponsorship.
243	Unverzagt	Go to public school board first, but need multiple sponsors. Personal preference would be combination of people that understand education, business.
260	Chair Hartung	Asks opinion about going to local school board, then appeal to ESD, then appeal to local community college.
262	Unverzagt	Thinks problem - sets up conflict. Would have an elected board. Would like to see people in Higher Education. Would like to see variety of people oversee charter schools - appointed by governor or elected board. Discusses Arizona.
TAPE 37, A		
004	Unverzagt	Different states, different issues. Will offer another option to open up opportunities. Believes money should follow child.

033	Sen. Shannon	Question about state-wide assessments.
050	Steve Johnson	Associate Superintendent, Office of Special Education, Oregon Department of Education.
		(special education and disabled students served under three major pieces of federal legislation
		(issue of charter schools very gray area - not a great deal of federal direction in applying these laws
		(issues to consider include antidiscrimination, inclusion in charter school programs, general, special education services, funding, civil rights, protections, standards for teachers, transportation and administration
		(district's responsibility for students and to charter school should be considered
		(advise enter into agreements to clarify issues early-on
086	Chair Hartung	Asks if should be part of an application?
093	Cindy Hunt	Legislative Counsel.
		(special ed requirements cannot be waived
		(provisions should be made for special-ed students
		(discusses public school conversion
		(specify who is the resident school district responsible for providing all types of services, specify transportation
		(discusses funding - special education students double weight
		(dividing money for services may cause difficulties
130	Chair Hartung	Discusses handout (EXHIBIT B) from Education Week on special education.
135	Sen. George	Asks if every school site has special education children.
138	Johnson	Yes, for 1,199 - some have disabilities which do not require special education, but need special plan.
143	Sen. George	Question.
162	Sen. Shannon	Asks to call interested parties to testify.
173	Chair Hartung	Discusses order of bills.
186	Rob Kremer	Private citizen; does administrative work in education.
		(discusses researching charter schools
		(discusses components of strong law

		(true autonomy with 100 percent funding
234	Kremer	(discusses accountability, caps
245	Chair Hartung	Why haven't other states done what you tell us to do?
247	Kremer	Imbalance in power. Thinks Arizona has strongest. Have to define success. Where is accountability in public schools?
269	Chair Hartung	Discussion, does not see where charter schools successful.
TAPE 36, B		
002	Chair Hartung	Discusses having no caps.
007	Sen. George	Asks his experience in accessing committee.
008	Kramer	Discusses his experience.
010	Chair Hartung	Discusses his process - having work session on 18 sections.
038	Sen. Shannon	Comment.
042	Chair Hartung	Discusses process. Not true only heard from establishment.
052	Vicie English	Director of Brownsville Academy.
		(private alternative program contracts through school districts to educate children.
		(at end of road to get contract signed with school board
		(have waiting list 300 children; town 1,300
		(discusses school set-up, enrollment
		(receive 71% of funds; benchmark 80%
086	Chair Hartung	Your message is you want multiple sponsors?
087	English	Yes, discusses contract. Discusses test scores.
105	Sen. Shannon	Asks if realize her contract is at risk by being here.
111	English	Continues discussing her schools' services, options. Discusses contact with school board.
135	John Holbrook	Discusses local union terrorizing school board.
149	Chair Hartung	Asks if teachers certified.
155	English	Yes.

158	Sen. Castillo	Discusses school boards being elected - union scares people.
171	English	Discusses two children at her school - programs work.
189	Caryl Gertenrich	Charter schools are to schools what research and development are to business. Introduces Alan Boner. Submits (EXHIBIT C).
209	Alan Boner	(kind of school we're becoming probably doesn't fit your charter school as we are not getting any funds from district.
		(expect to be able to hire teachers, establish own curriculum; otherwise district providing facilities, paying the bills
		(not issued charter yet - deciding what to pay for services
		(not model we started out to pursue, but opportunity to provide kind of environment, curriculum hoped to provide
		(public school governed by board of governors responsible to the school board
247	Sen. Castillo	Asks if being done under current law.
250	Boner	Yes. Discusses capital costs, operating costs.
263	Sen. Shannon	Question.
272	Sen. George	Comments.
TAPE 37, B		
001	Boner	Discusses focused curriculum.
018	Henri Schauffler	Portland. Worked in small business 20 years
		(discusses having new ideas - try new possibilities
		(must have new opportunities to invigorate, improve system
		(must have maximum accountability; maximum freedom
062	Sen. Shannon	Question.
068	Chair Hartung	Asks about other states.
076	Sen. Trow	Asks what business he is in.
080	Chair Hartung	Discusses Section H of charter school bill review, Restrictions, Waivers, Protections.
103	Sen. Shannon	Discusses Associated Oregon Industries' bill.
116	Julie Brandis	Associated Oregon Industries. Do not have waiver process in bill. Hoping for a thorough application process rather than seeking a waiver. Looking for uncomplicated process.

125	Chair Hartung	Question.
132	Sen. Trow	Need to give legislative direction to this process. Need to say specifically what cannot be waived and leave rest up to process. Discusses AOI inconsistencies.
146	Brandis	Discusses AOI policies.
153	Sen. Trow	Discusses charter school starters using this program to opt out of state standards. Discusses reasons people want charter schools.
171	Brandis	Discusses types of waivers, amount of charter schools.
175	Committee	Discusses what to do with section.
195	Chair Hartung	Suggests taking Sen. Qutub's section and debate that. Discusses section on student admissions.
209	McComb	Compares bills.
226	Chair Hartung	Discusses creating own bill, using sections out of six. Discusses Sen. Qutub's bill.
236	Sen. Trow	Questions about admissions section and fees.
247	Sen. Shannon.	Discusses fees.
250	Chair Hartung	Discusses Section K, Employment Status of Public Employees in Charter Schools. Discusses using Sen. Qutub's bill.
265	Trow	Wants to flag issue - critical issue. Discusses Sen. Qutub's solution.
273	Chair Hartung	Discusses Section L - Authority for Guidelines, Regulations.
281	McComb	Compares bills.
TAPE 38, A		
001	McComb	Continues bill comparison.
016	Chair Hartung	Will use Rep. Carpenter's bill for this section. Discusses M, State Charter School Board.
023	Committee	Discussion.
029	Chair Hartung	Use Rep. Carpenter's section. Discusses Section N, School Year Length.
030	Committee	Discussion.
040	Chair Hartung	Will use Sen. Qutub's draft. Discusses Section O, Transportation.
046	Sen. Shannon	Discusses children having right to ride to school.
049	Sen. Trow	Comment.
050	Chair Hartung	Will use Sen. Qutub's draft. Discusses Section P, Funding.

058	Sen. Trow	Discusses, likes the AOI version.
070	Sen. Shannon	Comment. Discusses money following child.
082	Sen. Trow	Discussion. Thinks should go through school district as district has responsibility.
100	Chair Hartung	Will have discussion on that - put SB 451 in for initial discussion. Discussion on Caps section.
126	Sen Trow	Would like to use both Sen. Qutub and Rep. Johnston bills.
127	Chair Hartung	Agrees using both. Will himself discuss no caps at all. Discusses Criminal Records Check.
133	McComb	Discusses sections looking identical.
140	Chair Hartung	Discusses using AOI bill.
143	McComb	Asks for clarification of appeals process, clarification on sponsorship.
159	Chair Hartung	Discusses appeals process. Adjourns meeting at 5:22 p.m.

Submitted By, Reviewed By,

Shirley Spendal, Jan McComb,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - SB 340, -1 Amendment, staff, 1 pg.

B - Charter Schools, handout, staff, 3 pg.

C - Charter Schools, Draft Implementation Plan, Gertenrich, 16 pg.
