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SENATE COMMITTEE ON EDUCATION

March 14, 1997 Hearing Room 343

3:00 P.M. Tapes 50 - 52

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:

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 50, A		
001	Chair Hartung	Opens hearing at 3:08 p.m. Opens work session, SB 628.
<u>SB 628 - WORK SESSION</u>		
		Amendments for SB 628 distributed to committee: -3 Amendment (EXHIBIT A), -5 Amendment (EXHIBIT B), -6 Amendment (EXHIBIT C), -7 Amendment (EXHIBIT D), -8 Amendment (EXHIBIT E), -9 Amendment (EXHIBIT F).
011	Cindy Hunt	Legislative Counsel. States -3 amendments compiled based on work group's work from last Monday. Discusses how put together. Discusses Section 1, policy statement.
034	Sen. Shannon	Discusses -5, on page 1, delete lines 13, 14.
041	Chair Hartung	Line 13, you would take out "increased student achievement" and put in "improved student learning."
043	Sen. Castillo	Asks for explanation.
048	Richard Meinhard	Portland, Oregon. Discusses student achievement too narrow. About all kinds of student learning.
058	Sen. Castillo	Discusses, questions about change.
060	Meinhard	Discusses language. Discusses amendment changing item 7 to make intent to establish new form of accountability.
087	Cindy Hunt	Discusses marking -3 amendments.
091	Chair Hartung	Section 1, line 13, change to "increase student learning and achievement." Item 2, -5, increase choices of learning opportunities for students; -3 says increase graduation rate.
099	Sen. George	Would like included "graduation rate."
102	Meinhard	Discusses choice language.
109	Chair Hartung	In -3 change sub-2 to the sub-2 on line 4 of -5 - "increase choices of learning opportunities for students."
112	Sen. Castillo	Asks if we would delete "increase graduation rate of students."
113	Chair Hartung	Answers yes.

114	Sen. Castillo	Discusses reason for leaving graduation in.
123	Chair Hartung	Line 22, -3, "require the measurement of learning outcomes." Amendment is "establish a new form of accountability for schools."
136	Sen. Baker	Discusses liking -5 amendment language, line 6.
139	Chair Hartung	Asks for clarification of amendment language.
142	Meinhard	Discusses accountability.
161	Chair Hartung	Asks instead of "establish new forms," have "establish additional forms."
163	Committee	Discussion.
173	Chair Hartung	Page 2, line 6, after applicant insert "under sections 1 to 15 of this act." Asks for clarification.
176	Meinhard	Clarifies definition of public charter school which is important when start to allocate state development fund.
182	Hunt	Clarifies amendment.
188	Sen. Castillo	Question about deregulated or elementary school.
191	Hunt	Discusses effect of taking out word "deregulated."
199	Sen., Shannon	Take out deregulated.
200	Chair Hartung	Take out deregulated.
202	Hunt	Discusses having levels of sponsors. Discusses sponsors and appeals.
218	Sen. Trow	Questions about sponsors.
227	Hunt	Clarifies sponsors. In effect have three classes of sponsors.
239	Meinhard	Also have appeal process if district wants to challenge charter.
243	Trow	Asks if local school district board has a veto over any other sponsors.
245	Hunt	Answers no.
246	Sen. Shannon	Line 17, page 2, -5 amendments.
246	Sen. Baker	Discusses need to have community college in local area sponsoring.
265	Norma Paulus	Superintendent of Public Instruction.
270	Sen. Baker	Discusses amendment strikes language "in which community college is located." Problem is community college could be sponsor but not in same geographical area.
TAPE 51, A		
001	Paulus	It is a concern. Discusses change.

002	Sen. Shannon	Leave it the way it is.
006	Hunt	Page 3, lines 6-9, limitation on school districts.
019	Sen. Shannon	Thought we were going to have "unlimited."
020	Chair Hartung	Discusses not knowing impact on public schools..
024	Hunt	This does not place limit on number state-wide or on number a school district could sponsor within their boundaries.
027	Sen. Trow	Looking at number 3 of sponsors on -3. Does not believe department of education can make the decision - should say "the board of higher education at the request of a department of education of one of the state institution schools."
043	Chair Hartung	Discusses language - asks that language be worked out.
055	Sen. Baker	Page 2, line 13, is college of education more appropriate?
058	Sen. Trow	Discusses some calling them departments, some colleges.
063	Hunt	States you could say a "state institution of higher education with the approval of the state board of higher education." Could put department of education or college of education.
071	Chair Hartung	States good idea to list all.
073	Sen. Castillo	Question regarding "c" under Section 3.
083	Meinhard	Important for at risk schools.
093	Sen. Castillo	Questions regarding if sole purpose is to get public funds.
094	Committee	Discussion.
106	Chair Hartung	Predominance of opinion to leave way it is.
113	Hunt	Under sub-3, -9 amendment would insert on line 30 after "located" - asks Jim Green to clarify.
131	Jim Green	Oregon School Boards Association. Line 12 of -9 amendments. Discusses important to have date so local school board has time to spend to look at starting school following fall.
163	Chair Hartung	Asks for date.
167	Sen. Baker	Two different dates - 90 days from process application to act and then have to respond within 60 days.
172	Hunt	In the draft, once submit an application, sponsor has 90 days to respond and do a public hearing; also in draft have 120 days to approve or disapprove. Discusses dates.

181	Sen. Baker	Suggest use 180 days, look at draft Monday - have starting point to work from.
189	Meinhard	Discusses specifically adding in right of appeal.
194	Hunt	Page 3, after line 9, in -8 amendments, restriction on 10 percent of students.
208	Sen. Baker	States trying to put initial control so did not damage public school more than necessary.
211	Mike Sorensen.	Eagle Point School District. Concern trying to develop smaller, family-friendly community-organized schools which require reorganizing large number of students. Limitation hampers our ability to design kind of system wanted. Discusses having charter schools "in the works." Wants flexibility to create kinds of schools that meet our parents, students needs and "work off level playing field." Discusses receiving four charter school grants. Working on two more. Trying to recreate a new system that does what this bill designed to do.
235	Sen. Castillo	Asks if able to do under current law.
236	Sorensen	Applied for grants under charter school grant program. Discusses this legislation giving flexibility. Right now, all charters have to meet all regulations, guidelines.
240	Sen. Trow	Asks for clarification of what trying to do.
243	Sorensen	Discusses reasons for starting charter schools. Discusses fine arts school. Pieces of district want to break down into charter schools.
258	Sen. Baker	If had cooperative school board could say 10% of district, but if school board wanted to waive it could.
265	Jim Green	Discusses sponsors, creating unfair competition for local school board.
278	Sen. Shannon	Agrees. More freedom there is better the bill will be.
283	Jim Green	Discusses believing school board will not set up a charter school for failure or set up its own district for failure.
TAPE 50, B		
001	Sen. Trow	Asks about Eagle Point School. Discusses board decisions.
012	Sorensen	Trying to rebuild system that has failed.
022	Chair Hartung	Discusses Eagle Point being in different situation. Based on histories of charter schools, wants to proceed slower.
037	Sorensen	Discusses feeling hands tied.
060	Sen. Baker	Discusses concern with other districts. Does not believe bill will go forward if do not protect local school boards. Asks what prevents from doing Eugene model. With curriculum, could apply for waiver.
068	Sorensen	Want to look at different curriculum styles.
073	Sen. George	Comment.
	Sen.	

088	Shannon	Discusses giving school board a choice to waive.
097	Chair Hartung	Comment on failures of charter schools.
100	Green	If want to limit, look at -3, lines 6-9 - no school district shall have more than two public charter schools with maximum of so many students - that limits to any sponsor not just school board; -8 is only a limit on a locally elected school board.
114	Sorensen	Comments believes failure of his school district in not meeting adequately students' needs - just trying to meet in more aggressive means. Want the flexibility.
123	Sen. Trow	Would like limits.
124	Sen. Baker	Would like limits too. Discusses exploring this again.
134	Chair Hartung	Discusses Edison as forward looking - starting with 600 students.
142	Sen. Shannon	Discusses local control.
145	Sen. Trow	Questions regarding certificated teachers, collective bargaining.
160	Chair Hartung	Discusses making Eagle Point charter school district
169	Hunt	In -5 amendments, sub-3 and 4 of Section 3, lines 2 through 9 on page 3, are deleted.
181	Sen. Baker	Feels 2 through 5 important to keep language in.
182	Sen. Trow	Agrees.
183	Chair Hartung	Agrees.
184	Sen. Castillo	Agrees.
184	Hunt	Section 4, application process. In -5 amendments I deleted Section 4 out of -3 and it is in the -5 completely. Difference is many things in application are taken out and put into an addendum to application. Also additions to application. Discusses changes.
211	Sen. Trow	Comments essential information to be in agreement, not in addendum.
215	Meinhard	Clarifies when asking for application, a lot of things will not be decided. If lock into, will have to get charter modified.
227	Sen. Trow	Don't want things excluded from charter that are essential.
230	Jim Green	Comments a local school board cannot grant charter without governance structure in the charter.
242	Sen. Shannon	Discusses put it back in charter and put "proposed."
246	Sen. Trow	Sponsor has to be knowledgeable in these issues.
250	Meinhard	This language in SB 630.

260	Sen. Baker	From a school board standpoint, that is totally ridiculous.
		Public funds running through public school boards.
269	Chair Hartung	Leave in -3 as stated.
277	Hunt	-3 amendments, page 3, sub(e), line 25 after the semicolon, "including how comparisons made among all schools" would be taken out.
284	Sen. Baker	Someone else will do auditing.
287	Hunt	In addition to the application would be "a description of the target population of students the school designed to serve."
TAPE 51,B		
001	Hunt	That would be new. From -5 amendments to go on list of applications - be "t" on page 4.
015	Sen. Trow	That is fine.
016	Chair Hartung	That is the new "t" on page 4.
020	Hunt	Change to -3's , page 4, lines 7-8, paragraph "m" - take out "a description of" and take out "to be used regarding "the."
026	Chair Hartung	Asks committee - all right.
030	Hunt	Next change, lines 15-16, -3, "q," take out "a plan for."
038	Sen. Castillo	Question about "t." Asks about limiting access.
041	Hunt	Discusses language in draft saying open to all students.
047	Sen. Trow	Why not take "description" out and say the target population.
053	Sen. Castillo	Discusses concern on access issue.
083	Green	Discusses issue for OSBA also. Page 3, -9 amendments, line 17 to line 3 of final page of -9. Discusses discrimination language. Found statute that covers all institutions of state.
098	Sen. Shannon	Agrees to insert.
101	Sen. George	Comment on special needs group.
104	Sen. Baker	Comments going to retain target language and insert this.
112	Hunt	Discusses discrimination statute.
116	Chair Hartung	Will insert the discrimination statutes.
120	Hunt	Also insert reference to those statutes in list of statutes charter school could not waive. Back to -5, line 19, page 2, another addition would be arrangements for special education services. Special education dealt with elsewhere in the draft. Another addition the term of the charter. Under -3

		charter can be up to 5 years; under -5 charter can be 3 to 5 years.
144	Green	Discusses funds. School district may be reluctant to tie its hands for up to three years, as it has life of two years.
158	Meinhard	At risk providers needing stability.
164	Sen. Baker	Prefer up to five years to get flexibility to negotiate, not tied to minimum number. -3, page 7.
175	Hunt	-5, page 3, lines 22-23, paragraph "i," a description of any distinctive learning or teaching techniques to be used in the public charter school.
183	Sen. Trow	Let's put it in.
184	Hunt	Next to be added, in -3, page 4, lines 21-31 and page 5, proof of insurance. In -5 amendments those would be deleted; instead in application there would be plan for bonding or insuring.
197	Green	Discusses reason in -3's as came out of SB 290. Idea was with insurance amounts if you have existing public school building converting, make sure public asset protected. Should have replacement costs. Civil liability. If say will protect from civil liability, no problem.
215	Sen. Baker	Would like to keep the language in.
225	Meinhard	Question about needing separate policy.
227	Sen. Baker	Discusses charter starters not having application to insurance pool, buying clubs of the state, etc.
234	Green	Discusses any act or omission being covered. Comments if create a market, insurance companies will find way to create pool to cover charter schools.
253	Sen. Castillo	Question about public or private.
256	Sen. Baker	Questions if we are creating entity has ability to act as any institution of government in State of Oregon.
260	Sen. George	Comment.
270	Chair Hartung	Asks Jim Green to see what policy of school district is.
274	Cindy Hunt	-5, page 2, lines 22-29, paragraph "p" is an addition to application. This language taken from -3's in different location, page 5, -3's, lines 3-12. Does not know if it makes any difference which location it is at.
283	Chair Hartung	So the -3's state it properly. Okay, we will go on.
287	Cindy Hunt	Another change would be on -3, page 4, line 18. Planning process would be replaced by development.
TAPE 52,A		
001	Hunt	Line 18 would read "be involved in public charter school development."
007	Sen. Trow	Asks for clarification.
009	Meinhard	Discusses reasoning.

014	Chair Hartung	Planning and development.
016	Hunt	Have come to end of application list.
022	Chair Hartung	Adjourns meeting at 4:58 p.m.

Submitted By, Reviewed By,

Shirley Spendal, Jan McComb,

Administrative Support Administrator

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EXHIBIT SUMMARY

A - SB 628, -3 Amendment

B - SB 628, -5 Amendment

C - SB 628, -6 Amendment

D - SB 628, -7 Amendment

E - SB 628, -8 Amendment

F - SB 628, -9 Amendment
