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**SENATE COMMITTEE ON EDUCATION**

**March 26, 1997 Hearing Room 343**

**3:00 P.M. Tapes 66 - 67**

**MEMBERS PRESENT:**

**Sen. Tom Hartung, Chair**

**Sen. Marilyn 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 66, A</b>		
001	Chair Hartung	Opens hearing at 3:00 p.m.
<b><u>SB 628 - WORK SESSION</u></b>		
005	Chair Hartung	Discusses -17 amendments ( <b>EXHIBIT A</b> ), -19 amendments ( <b>EXHIBIT B</b> ). Discusses error on -17 amendment, page 12, line 18, one-half , not one-third of staff of charter school licensed teachers.
025	Sen. Baker	<b>MOTION: Moves to ADOPT SB 628-17 amendments with one change on line 12, line 18, where one-third is changed to one-half, dated 3/26/97 (EXHIBIT A).</b>
031	Chair Hartung	<b>VOTE: 4-2</b>
		<b>Aye: 4-Baker, George, Shannon, Hartung</b>
		<b>Nay: 2-Castillo, Trow</b>
034	Chair Hartung	<b>The motion is CARRIED.</b> Discusses -18 amendments ( <b>EXHIBIT C</b> ).
036	Sen. Baker	Discusses going through the Sen. George, Sen. Shannon proposed amendments with Committee Administrator Jan McComb. Discusses proposed amendments:
		( Page 10, -17's, line 27, insert after "district's" "or state's"
		( Page 12, -17's, line 14, delete "if the sponsor approves"
		( Page 14, -17's, line 20, delete "Department"; insert "State Board"
		( Page 14, -17's, line 24, delete "pilot"; insert "model"
079	Sen. Trow	Questions deleting "pilot."
094	Sen. Baker	Discusses being consistent.
096	Sen. Shannon	Discusses being good models for others to copy.
099	Chair Hartung	Discusses giving flexibility such as to utilize grant monies.
112	Sen. Baker	<b>MOTION: Moves to ADOPT SB 628-18 amendments dated 3/26/97 (EXHIBIT C).</b>
114	Chair Hartung	<b>VOTE: Hearing no objection, motion is CARRIED.</b> Discusses success of Oregon Health Sciences University.
147	Sen. Trow	Discusses difference between changing and starting new.
160	Jan	Committee Administrator. Discusses progress.

	McComb	
161	Sen. Shannon	Discusses -19 amendments concerning funding process.
171	Richard Meinhard	Discusses funding amendment. Submits ( <b>EXHIBIT D</b> ).
173	Sen. Baker	Questions if amendment addresses full funding.
177	Meinhard	Minus the sponsorship oversight costs.
178	Sen. Baker	States not interested in discussing issue as committee has settled on the 90%. Not willing to hear witnesses.
185	Sen. Shannon	Discusses understanding of funding. Discusses at risk funding.
202	Sen. Baker	Discusses amendment language.
214	Meinhard	Discusses -19 amendment funding statistics.
224	Cindy Hunt	Legislative Counsel. Page 13, -17's, funding section says the students in the public charter school shall be considered to be residents of the school district in which the charter school is located and then that school district will receive monies for those students out of state school fund. Discusses funding statistics.
250	Sen. Shannon	Questions regarding foster children.
264	Sen. Shannon	Questions who gets money for hot lunches.
265	Hunt	If get money for hot lunches under state school fund, 90% of that money passed to charter school. If get from some other source, money possibly treated differently.
279	Sen. Baker	Discusses negotiating those issues based on students you have.
285	Greg McMurdo	Discusses double weighting. States hot lunch monies not included, up to bargaining between district, charter school. Clarifies administrative costs, total close to 8%.
<b>TAPE 67, A</b>		
001	Sen. George	Comment on 10%.
005	McMurdo	States number of alternative schools at 80% level that will not want to become charter schools. Discusses SB 628-17's section dealing with federal funds and grants would exclude those entities from receiving any of those federal funds.
011	Chair Hartung	Asks for clarification.
012	McMurdo	Way funding section written, page 14. To correct that would be to reference in addition to public charter schools, alternative programs approved by the Department of Education under the statute referred to in SB 184. Otherwise will lose funding stream.

021	Chair Hartung	Can amend this bill. Asks if Brownsville disagrees.
024	Vicie English	Brownsville. Indicates no.
027	Hunt	Understands committee wants grant-loan program under Section 18 to be awarded to not just public charter schools but alternative education programs.
029	Chair Hartung	Asks if private and public alternative programs.
030	Hunt	States would reference statute which allows alternative education.
031	Sen. Baker	States conceptual amendment to Section 18.
		<b>MOTION: Moves to AMEND SB 628-17 amendments be amended in Section 18 to include "alternative schools, public and private."</b>
037	Hunt	Questions if your intent to treat an alternative education program just as you would treat a public charter school for purposes of Section 18.
039	Chair Hartung	States yes.
039	Hunt	States okay, we can do that. States would say alternative education program with reference to statutes.
043	Sen. Shannon	Asks if this is so alternative school could become charter or if so they could remain alternative school.
045	Chair Hartung	States means presently existing private or public alternative school can have the same benefits as public charter school plus be in position to receive federal grants.
055	Hunt	Clarifies amendment would only treat same as public charter school for purposes of access to grant and loan program.
065	Chair Hartung	<b>VOTE: Hearing no objection, the motion is CARRIED.</b>
070	Sen. Baker	Discusses charter starter negotiating for additional services.
080	Sen. Trow	Asks who negotiates the IEP.
081	Sen. Baker	The school district.
085	Ozzie Rose	Confederation of Oregon School Administrators. Addresses Exhibit D, states need to view numbers carefully.
100	Sen. Baker	Asks if going to move -19's.
102	Chair Hartung	States not going to adopt - everything taken care of.
103	Sen. Shannon	States said would only go through funding part.
106	Sen. Baker	Additional changes of -17's. Page 6, line 26, application process. Also Section 4, page 5, lines 13-15. Language duplicated. States could eliminate on page 6, line 26, that information as is adequately covered in Section 4.

121	Chair Hartung	Thought committee had discussed, found redundant, that would error on the side of redundancy.
125	Hunt	Page 5 refers to proposal; second one broader. If want broader technical assistance leave in language on page 6, take out language on page 5.
129	Sen. Baker	Would like to leave on page 5, do not make change. Page 7, lines 13-14. Asks if public records include student records.
136	Hunt	Section 9 says public records law shall apply to public charter schools. Could take out sentence on page 7, provisions in Section 9 would take care of it.
142	Jim Green	Oregon School Boards Association. Discusses Section 9 and guidelines with federal law.
148	Hunt	Page 7, line 13, after period delete rest of line, delete line 14. Take out and leave to Section 9 to deal with.
159	Sen. Trow	Discusses level of privacy. Discusses assessment test scores.
172	Sen. George	Page 7, lines 11-13, describes public charter schools shall report to sponsors, Department at least annually on the performance of the school and students.
178	<b>Sen. Baker</b>	<b>MOTION: Moves to AMEND SB 628-17 to remove on page 7, line 13, "all reports by the " and entire line 14 (EXHIBIT A).</b>
187	Sen. Trow	Questions what it will do.
188	Hunt	Discusses statutes, public records. Since public records law applies to public charter schools, reports are public records already, treated same as other public records.
199	<b>Chair Hartung</b>	<b>VOTE: Hearing no objection, the motion is CARRIED.</b>
201	Sen. Baker	Page 13, lines 9-11. Asks if transportation issue of negotiations. Does not think clear on language that not requiring charter starters to provide transportation., and that was an election on part of students, parents. Asks for intent and to clarify language.
217	McMurdo	Way he would read that. Says "may be provided." Could take section 14 out and not make any difference.
226	Hunt	Also issue raised if charter school required to provide transportation.
228	Sen. Baker	Asks what happens if charter school makes application to Department of Education for reimbursement of transportation expenses.
232	McMurdo	States only applies to school district that applies to us for 70% reimbursement.
234	Hunt	States correct. Public charter school would not have access to transportation cost funds. School district who may be providing transportation to charter school may be able to get reimbursed.
239	Sen. Baker	Could establish in legislative record no access to the funds. Page 13, line 25. Asks if have definition of resident school district.
244	Green	ORS 339.133 defines residency as where the parent of student resides.

252	Sen. Trow	Question about charter school not wanting to contract, asks if resident school district responsible.
260	Sen. Baker	States essentially handicapped child electing not to receive services. Does not believe services can be forced on them.
268	Vicie English	Private alternative program. Discusses parents of those children signed off on a form.
277	Chair Hartung	Asks if able to take care of IEP students in same manner as they were taken care of in public school.
278	Vicie English	Discusses program.
<b>TAPE 66, B</b>		
006	Chair Hartung	Asks if this bill becomes law, how it affects her school.
009	Vicie English	Will have more money to provide better services for children. Will go to charter school.
025	Sen. Baker	Page 11, section 10, lines 1-4. Page 15, lines 7-8. Discusses as being redundant.
031	Hunt	Discusses committee concern of grants, loan programs. Provisions in section 10 would probably cover section 18.
037	McMurdo	States agrees.
040	Sen. Baker	<b>MOTION. Moves to amend SB 628-17 by removing lines 17 and 18 on page 15 (EXHIBIT A).</b>
044	Chair Hartung	<b>VOTE: Hearing no objection, the motion is CARRIED.</b>
045	Sen. Shannon	<b>MOTION: Moves to send SB 628-17 to the floor with a DO PASS AS AMENDED recommendation (EXHIBIT A).</b>
051	Sen. Castillo	States concerns about bill.
057	Sen. Trow	Would like engrossed bill to send to the floor.
063	Chair Hartung	Asks if comfortable with conceptual amendments.
064	Hunt	States double check on system as compare with Jan McComb. States understands amendments. -20 amendments will be produced.
083		<b>VOTE: 4-2</b>
		<b>AYE: 4-Baker, George, Shannon, Hartung</b>
		<b>NAY: 2-Castillo, Trow</b>
086	Chair Hartung	<b>The motion is CARRIED.</b>
		<b>The chair will lead discussion on the floor.</b> Adjourns meeting at 4:11 p.m.

**Submitted By, Reviewed By,**

**Shirley Spendal, Jan McComb,**

**Administrative Support Administrator**

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**EXHIBIT SUMMARY**

**A - SB 628, -17 Amendments, Staff, 33 pg.**

**B - SB 628, -19 Amendments, Sen. Shannon, 8 pg.**

**C - SB 628, -18 Amendments, staff, 1 pg.**

**D - SB 628, Handout, Richard Meinhard, 3 pg.**

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