

SENATE COMMITTEE ON
EDUCATION

April 27, 1995 Hearing Room 343
8:00 A.M. Tape 118 - 120

MEMBERS PRESENT: Sen. Tom Hartung, Chair Sen. Ken Baker Sen. Shirley Gold
Sen. Cliff Trow

MEMBERS EXCUSED: Sen. Marylin Shannon

STAFF PRESENT: Fallie Calder, Committee Administrator Carolynn Gillson,
Committee Assistant

MEASURES HEARD:

HB 2100 - adds additional student member to OSSC, PAW
HB 2542 - Prohibits school districts from designating smoking area, PUB
HB 2828 - ests. tuition waiver pro". for members of Ore. Nat'l Guard, PAW
HB 2972 - creates procedure for annexing new territory to community college
diet., PAW
HB 3424 - exempts schools offering only degrees in theology and religious
occupations from certain statutes, PAW
HB 2182 - chgs vocational schools to career schools, PAW

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statements made during this session. Only text enclosed in quotation marks
report a speaker's exact words. For complete contents of the proceedings,
please refer to the tapes.

TAPE 118A

003 SEN. TOM HARTUNG, Chair: Calls meeting to order at 8:02 a.m.

PUBLIC HEARING ON HB 2828 Witnesses: Rep. Peter Courtney Major General
Raymond Reese Lt. Col. Michael Caldwell

007 REP. PETER COURTNEY: Testifies in support of HB 2828 which establishes a
tuition waiver program
for members of the Oregon National Guard. Provides written testimony (EXH.
A).

036 MAJOR GENERAL RAYMOND REESE: Explains the importance of the bill and how
it will help
recruit the right people into the program.

069 LT. COL. MICHAEL CALDWELL: This bill strengthens what the National Guard
can already do in
the statutes.

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SEN. TROW: How were the colleges selected?

REESE: Rationale is based on regional nature of their organization. >
Talks about their program at three locations. > Currently only a one
biennium appropriation.

CHAIR HARTUNG: What is the difference between the Guard, Reserve, ROTC and
regular Army?

REESE: Explains the differences in officer candidate programs.
> Appointed for a four-year term.
> Talks about the role of women in the National Guard.
> Talks about the 100 day contract. Ability to respond to emergency
disasters are well resourced.

200 REP. COURTNEY: Oregon National Guard has 33.1 percent available

positions filled with female

soldiers. They exceed the national average.

SEN. TROW: Is it your intention for this to be an ongoing program?

REESE: Hopes to come back during the 1997 session and demonstrate the success of the program and

possibly expand it. Narrow need driven situation now.

SEN. TROW: Have you done a demographic study to see where your National Guard folks go to

school?

WOSC in CALDWELL: Guards primarily attend OSU and U of O. Getting more students at

Monmouth.

WORK SESSION ON HB 2828

MOTION: Sen. Trow moves HB 2828 to the floor with a do pass recommendation.

MOTION PASSES: In a roll call vote, the motion passes with all members present voting

AYE.

Excused: Sen. Shannon Carrier: Sen. Trow

PUBLIC HEARING ON HB 3424 Witnesses: Rep. John Minnis Ken Malmin, Portland Bible College Cam Preus-Braly, Office of Educational Policy and Planning (OEPP) Gary Andeen, Oregon Independent College Assoc. (OICA)

303 REP. JOHN MINNIS: Explains the bill amends existing statutes to except schools of theology offering baccalaureate degrees from certain statutes.

314 KEN MALMIN, Portland Bible College: Reviews information on fact sheet and reviews history on the issue (EXH. B). Feels the exemption is appropriate when it comes to regulating schools that train ministers of religion.

SEN. TROW: What statutes are you being exempted from?

430 CAM PREUS-BRALY, Director, OEPP: The four-part test that is currently in place for a post baccalaureate is also used to include baccalaureate degrees.

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> Provides copy of letter sent to Rep. Minnis concerning promulgation of rules (EXH. C).

REP. MINNIS: Refers to letter from OSSHE in support of HB 3424 (EXH. D).

TAPE 119A (NOTE: TAPE MALFUNCTION: TAPE 19A OVERLAPS TAPE 18A UNTIL COUNTER #299)

299 GARY ANDEEN, OICA: Testifies in support of HB 3424. > Represents 18 credited nonprofit institutions including three graduate schools of theology. > Does not represent a number of undergraduate institutions.

WORK SESSION ON HB 3424

MOTION: Sen. Baker moves HB 3424 to the floor with a do pass recommendation.

MOTION PASSES: In a roll call vote, the motion passes with all members present voting AYE.

Excused: Sen. Shannon Carrier: Sen. Gold

PUBLIC HEARING ON HB 2100

Witnesses: Doug Collins, Oregon State Scholarship Commission (OSSC)

360 DOUG COLLINS, OSSC: Testifies on bill that adds one more student member to the Commission. > No fiscal impact.

WORK SESSION ON HB 2100

MOTION: Sen. Trow moves HB 2100 to the floor with a do pass recommendation.
MOTION PASSES: In a roll call vote, the motion passes with all members present voting AYE. Excused: Sen. Shannon Carrier: Sen. Trow

TAPE 118B

PUBLIC HEARING ON HB 2542

002 CHAIR HARTUNG: No one is signed up to testify on the bill.

WORK SESSION ON HB 2542

MOTION: Sen. Baker moves HB 2542 to the floor with a do pass recommendation.

015 SEN. GOLD: Talks about problems experienced in the Portland School District.

SEN. TROW: This bill could cause some real problems. Plans to vote no. > Further discussion and decision to set bill over and invite people to testify.

MOTION WITHDRAWN: Sen. Baker withdraws his earlier motion.

PUBLIC HEARING ON HB 2972

Witnesses: Harvey Bennett, Rogue Community College

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Debbie Lincoln, Oregon Community College Services (OSSC)

Rep. Bob Repine

090 HARVEY BENNETT, Rogue Community College: Reviews written testimony concerning annexation

of Jackson County into the Rogue Community College District (EXH. E).

188 > Reviews what the -1 amendment does (EXH. F).

SEN. TROW: What is the precedent for having the state pay for the election?

205 DEBBIE LINCOLN, OCCS: State is required to pay for an election if a new district were to be created.

> Talks about the -1 amendment. Refers to SB 296 that is a companion bill.

284 REP. BOB REPINE, Dist. 49: It's been a long process of bringing a community together to offer

opportunities to an adjoining county. Bill is framework of how the relationship will exist between

Josephine and Jackson county.

306 SEN. TROW: Questions the language on p. 3, lines 9-12 since once Legislature cannot bind another

Legislature to do anything.

REP. REPINE: Explains where the language comes from.

PUBLIC HEARING ON HB 2182

Witnesses: Jim Markee, Board of Barbers and Hairdressers

Greg McMurdo, Department of Education

(ODE)

Susan Wilson, Health Division

Brenda Hoxsey

Gordon Scarborough

363 JIM MARKEE, Board of Barbers and Hairdressers and Oregon Barber and
Beauty School
Assoc.

Reviews background on where the bill comes from and on merging of the Board
of Barbers and the
Board of Hairdressers.

TAPE 119B

011 MARKEE: Talks about the only remaining barber college where students can
graduate and get a
license as a hairdresser with only 1350 hours of instruction. Students at
other schools are required to
take an 1800 hour course.

> HB 2182 remedies that situation as well as providing a procedure for
out-of-state barbers to get
licensed in Oregon. Reviews new language on p. 8 and 9 of the bill.

SEN. TROW: Would the Board give the same examination to both barbers and
hairdressers and would

they be equally trained to pass the examination?

MARKEE: There would be two exams.

105 GREG McMURDO, ODE: Bill also cleans up the language in the statutes on
private vocational schools

including changing vocational schools to career schools. Makes no change in
what the schools are.

> Refers to changes the House made in HB 2181A and questions some of them.

> Does not apply to degree granting schools.

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SEN. BAKER: Would like clarification on the language in Sec. 19.

157 SUSAN WILSON, Administrator, Health Division Licensing Boards and
Programs: A

determination

is made by ODE on an individual basis on whether their education qualifies
them to take the Oregon
exam.

It is in administrative rule.

> Talks about a two-year ad-hoc committee that met to address problems of a
merged license. Their
recommendation improves Ch. 345. Provides written testimony supporting the
bill (EXH. G).

192 BRENDA HOXSEY, Chair of Committee: Provides written testimony in support
of the bill (EXH. H).

SEN. BAKER: How many hours of education do other states require for this
profession?

HOXSEY: Number is consistent across the nation.

216 GORDON SCARBROUGH, Moler Barber College: Believes the bill is not what
the ad-hoc committee agreed upon. Reviews written testimony in opposition
to the bill (EXH. I). > Faced with half of the income and the same amount
of hours to administer it. > Bill results in less education and more hours.

286 SEN. TROW: If you now have 1350 hours and the bill calls for 1350 hours,
where is

hardship?

SCARBROUGH: Explains he will lose some of his black students because they
will not learn the chemical processes necessary to work on black hair. They

will have to go to a college of hair design.

358 MARKEE: Explains how the bill is permissive in terms of what can be done
at Moler Barber College.
Don't know how the bill can be judged to be unfair.
> Chemical training is not included in the 1350 hours. The definition of
barbering under the
licensing law
does not include the use of those chemicals. That would be the difference
between a barber and a
hairstylist.

TAPE 120A

WORK SESSION ON HB 2182A

MOTION: Sen. Baker moves HB 2182A to the floor with a do pass
recommendation.

MOTION PASSES: In a roll call vote, the motion passes with all members
present voting
AYE.

Excused: Sen. Shannon Carrier: Sen. Trow

WORK SESSION ON HB 2972

017 SEN. TROW: Feels the language on p. 2, line 9 is very confusing.
CINDY HUNT, Legislative Counsel: Can't obligate a future Legislature to
appropriate money. The
Legislature would need an additional appropriations bill.
> Suggests deleting (3) and it should be a policy statement that the state
would pay for the election.

070 LINCOLN: Ch. 341 has language that requires the state to pay for any
election when a new district is formed. The statute has been silent when a
county annexes.

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SENATE EDUCATION April 27, 1995 - Page 6 > Further discussion on drafting
new language.

121 CHAIR HARTUNG: Adjourns meeting at 9:55a.m.

Reviewed and submitted by,

..
Carolynn
Gillson
Committee
Assistant

EXHIBIT SUMMARY:

A	HB 2828A	Rep. Courtney	1 page
B	HB 3424 Malmin		1 pages
C	HB 3424 OEPP		2 pages
D	HB 3424 OSSHE		1 page
E	HB 2972 Rogue C.C.		8 pages
F	HB 2972-1	Committee staff	1 page
G	HB 2182A	Health Div.	4 pages
H	HB 2182A	Hoxsey	4 pages
I	HB 2182A	Moler Barber College	2 pages

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SENATE COMMITTEE ON
EDUCATION

April 27, 1995 Hearing Room 343
5:00 P.M. Tapes 121 - 124

MEMBERS PRESENT:

Sen. Tom Hartung, Chair
Sen. Ken Baker
Sen. Shirley Gold
Sen. Cliff Trow

MEMBER EXCUSED:

Sen. Marilyn Shannon

STAFF PRESENT:

Fallie Calder, Committee Administrator
Carolynn Gillson, Committee Assistant

MEASURES HEARD:

HB 2991 - modifies provisions ret to Ore. Educational Act for 21st Cent.,
WRK

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statements made during this session. Only text enclosed in notation marks
report a speaker's exact words. For complete contents of the proceedings,
please refer to the tapes.

TAPE 121A

005 SEN. TOM HARTUNG, Chair: Calls meeting to order at 5:00 p m
WORK SESSION ON HB 2991

MOTION: Sen Trow moves to adopt the -A50 amendment that contains all the
amendments adopted by the committee so far (EXH. A) MOTION ADOPTED: There
are no objections

024 JOANNE FLINT, ODE: Concerned about fiscal impact with where the -A29
amendments (see EXH.

E, 4-20) are at in HB 2991A. ODE, OSB A and OEA agree on where to move the
amendments

033 VICKIE TOTTEN, OSB A: Reviews changes proposed for the -A29 amendment
(EXH.

B).

MOTION: Sen Gold moves to delete (5) (a) and (b) on p 3 of the -A50
amendment and those concepts be moved to amend ORS 329 690 and (c)-(f) on p
3 and 4 be used to amend ORS 329 075 on p 9 after line 9 MOTION ADOPTED:
There are no objections

090 CINDY HUNT, Legislative Counsel: Suggests putting ORS 329 690 on p 33
after

line 9.

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096 TOTTEN: Suggests rearranging the Tektronic amendment that was adopted
(see EXH. D, 4-25a).

> Entire amendment is on p. 8, lines 1-13 in the -A50. Suggests moving
first sentence into local goals

section on p. 11, Sec. 12 after line 2.

> Delete second sentence because it adds a new school counsel duty.

> Move third sentence to local goal section and suggests the local
improvement plans include the

districts

and school building's short and long-term plans for staff development.

> Move rest of line 10 to Sec. 15 on p. 13, ORS 329.125. Add new (4) on
line 11.

MOTION: Sen. Trow moves to adopt the amendments as outlined to the -A40

Tektronix

amendment.

MOTION ADOPTED: There are no objections.

198 HUNT: First amendment proposed in a memo from Sen. Shannon (EXH. C)
would go on p. 12, line 21
of the -A50 amendment.

TOTTEN: No mention of a national assessment program in the -A50 amendment.
Every draft from the
beginning has taken that language out.

SEN. TROW: Are we involved in any National Assessment programs?

255 WAYNE NEUBERGER, ODE: Participated in National Assessment Program in
1990. Don't need
legislation to participate. Primary cost is time. Makes sense to do it
periodically.

SEN. TROW: Encourages doing a national assessment but not include it in the
law.

298 HUNT: Item 2 from Sen. Shannon would go on p. 16, line 10 and deletes
prenatal care.

SEN. GOLD: Original language that the House did not touch.

SEN. BAKER: Agrees with deleting the language. > Further discussion.

361 REP. LYNN SNODGRASS, Dist. 10: Refers to the -A33 amendments (see EXH.
C, 4-20) and points

out areas where she feels the Senate committee has made improvements. Notes
areas of concern:

> CIM and CAM - difficult to overcome the methodology. Continues subjective
standards. Mandates

a teaching philosophy that will inhibit some teachers. Continues to have
transitional outcome-based
education in it.

470 > Cost is crucial concern and has-not been dealt with in the Senate.

> Including services in Sec. 6 (p. 7 in -50) will be an additional cost.

TAPE 121B (NOTE: DUE TO TAPE MALFUNCTION, SEQUENCE OF TAPES IS AS SHOWN)

002 REP. SNODGRASS: Continues to list cost concerns in Sec. X and 9. > Sec.
19 and 20 - removed disclaimer as funds become available (p. 16, line 8).

SEN. GOLD: Section in statute that is not being amended has a total
disclaimer on fiscal impacts in the bill.

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109 REP. SNODGRASS: Goes on to Sec. 27 (p. 22, lines 20-24) - feasibility
studies are cost factors.

> Sec. 31 (p. 33, lines 20-22) - puts cost back onto the school district.

> Sec. 46 (p. 40, line 21-31) - costly to ODE.

> Need to treat reform like business treats a new venture. Need to know
where resources are coming
from and in which area they will be spent.

219 > Explains how important local control is. Refers to Sec. 11, 6 and 14.

> Talks about shifting decision making to ODE. Refers to Sec. 9, ORS

329.075.

318 > Highlights more areas of concern under decision making - Sec. 11, 14,
and 19.

SEN. BAKER: Which areas would you assign to the state and which ones to
local districts?

REP. SNODGRASS: Not prepared with complete list. Don't think the state
needs to set all the

standards
in every area. Too much of everything being taught in the classroom. Shift
less responsibility from
teachers.

> Sec. 25 - academic standards - hopes it can be done in the 95-96
timeline.

> Sec. 27 - feasibility studies - do some of them on local level.

> Sec. 32 - assessments - likes language from Dr. Bonnie Grossen (p. 25).

417 > Feels direction of bill is back to Salem from local districts. Wants
to give local control back. > Need to recognize CAM and CIM continue
outcome-based concerns.

TAPE 122A

035 SEN. TROW: Not doing this to reincorporate outcome-based education.
Knows outcomes,

performance,
skills and knowledge are important. Shares concerns on cost.

REP. SN O D G R ASS: CIM and CAM have had four years of bad press and it
will be difficult to
overcome.

> Intent is academics, content and reform.

096 SEN. BAKER: Goes back to item 2 of Sen. Shannon's memorandum (see EXH.
C) and talks about

deleting prenatal care on p. 16, line 10, Sec. 19 in the -50 amendment (see
EXH. A).

SEN. TROW: Does this mean programs for early childhood education which
discuss prenatal care or

provide prenatal care?

FLINT: Programs that include topics on prenatal care and parenting
education. Not necessarily stand
alone programs.

> Further discussion on what prenatal includes.

165 FLINT: Believes parenting education programs are included.

> Discussion continues on the wording.

SEN. GOLD: Language came out of the 1989-90 interim and the 1991
Legislature and it was very
deliberate.

237 FLINT: Explains the statement means it is the policy of this state at
the earliest possible time to
implement

programs for early childhood education and one part of the curriculum would
be prenatal care and

parenting education. Implement child-parent centers and Oregon
Prekindergarten Programs.

> Discussion continues on what the wording means.

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326 SEN. BAKER: Did the House repeal the learning centers language?

FLINT: Learning centers were amended back into the bill - p. 41.

TOTTEN: Can legally not have the words in there and not change the legal
function of the programs.

425 SEN. BAKER: Suggests removing "including prenatal care, parenting
education and parent-child
centers" on line 10.

SEN. GOLD: Suggests dividing Sec. 19 into parts, but objects to removal of
the words.

464 TOTTEN: Will come up with some language.
> Further discussion.

TAPE 123A

049 HUNT: Reviews Sen. Shannon's -49 amendment (EXH. D) which would replace
lines 5-7 on p. 35 in the
-50 amendment concerning site councils.

075 SEN. GOLD: Reviews language in her -A51 amendment (EXH. E) concerning
site councils.

> Discussion on site council members.

SEN. GOLD: Continues reviewing the -A51 amendment explaining how members
shall be selected.

182 SEN. BAKER: Suggests rewording language in (c) on page 2 of the -51
amendment.

TOTTEN: It ought to be all school employees. Want parents of students
attending that school. > Discussion on language continues.

HUNT: Suggests adding on p. 1, line 18 of the -51 amendment after "parents"
insert "shall be parents

who are not employees of the school.

> On p. 2, line 6 delete "teachers or class)fied", on line 7 delete "at
the" and insert "attending" after
students.

> On line 6 delete "who are not teachers or class)fied employees of the
school".

273 CHAIR HARTUNG: Talks about how site councils work in the Beaverton
School District.

> Further discussion of parent involvement and teachers on the councils.

351 MOTION: Sen. Gold moves to adopt -A51 amendment as amended.

Sen. Baker objects.

MOTION ADOPTED: In a roll call vote, the motion passes with Sen. Baker
voting No.

Excused: Sen. Shannon

375 FLINT: Error in Section 46, p. 40, line 24 - change to interim
committees.

> On p. 25, Sec. 32, line 3 - remove words "and schools that" on line 6,
add word "who".

> Put "and" after standards on line 5.

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TAPE 124A

028 SEN. BAKER: Are we assessing students or the system?

FLINT: Assures the assessment system is tied to content standards.

NEUBERGER: Assessment system is for all students. > Further discussion
concerning the language.

087 SEN. TROW: On line 5 change "assess" to "measure" and change "that" to
"who" on line 6.

MOTION: Sen. Trow moves to adopt the amendments discussed to the -A50
amendment. MOTION ADOPTED: There are no objections.

127 TOTTEN: Reviews proposed changes in Sec. 19, p. 16 of the -A50.
Identifies elements by program.

SEN. TROW: Suggests some wording.

180 HUNT: Reviews Sen. Trow's wording.

MOTION: Sen. Trow moves to adopt the reviewed language. MOTION ADOPTED:
There are no objections.

200 SEN. GOLD: Identifies areas she has problems with.

> On p. 5, lines 18 & 19 - wonders why language concerning the arts was
deleted.

/

FLINT: Identifying the arts under the standards.

SEN. GOLD: On p. 6, line 14 - would like to see "learn" inserted after CAM.

> Not using word "content" with performance on lines 26 and 27.

315 SEN. TROW: Recommends "to achieve the highest standards of academic
content and performance".

SEN. GOLD: Refers to p. 7, lines 30-31. Like to see sentence end after word
"possible".

SEN. TROW: Suggests inserting word "shall" and change "level" to "levels".

MOTION: Sen. Gold moves the changes discussed. MOTION ADOPTED: There are no
objections.

390 SEN. GOLD: Refers to line 18, on p. 8 concerning the extended school
year. Suggests adding word "advisability". > Discussion on intent of
language.

TAPE 123B

019 SEN. GOLD: Suggests language on line 31.

TOTTEN: Suggests adding word "hours".

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SENATE EDUCATION April 27, 1995 - Page 6 > Further discussion concerning
extended school year.

075 SEN. TROW: Suggests eliminating Sec. 7 except for the policy statement
in first sentence on line
15.

081 TOTTEN: Explains where the 45 days came from.

SEN. TROW: Suggests adding "that may add as many as 45 days...".

SEN. GOLD: P. 11, line 1 - put in word "encouragement".

TOTTEN: Tektronix amendment did that.

SEN. GOLD: P. 21, questions language on lines 11 & 12.

SEN. BAKER: Same concern on p. 5, line 5 and 6. Have not talked about the
language deleted by the House on characteristics a public school system
should have.

171 CHAIR HARTUNG: Suggests putting some of the language back
in.

FLINT: Explains why the language is the way it is - areas ODE can test in
terms of performance. Recognize importance of areas removed in (4).
Cautious about areas ODE is going to test on.

SEN. TROW: Should not let test drive what your are teaching.

TOTTEN: Refers to statutory cross references on p. 20, lines 2728.

NEUBERGER: Talks about assessment. Difficult to isolate thinking and assess it. > Discussion on how word "thinking" is used.

290 FLINT: Refers to p. 21 (3) and explains the language intent.
> Could have addressed several concerns and misunderstandings on the House side.

> Further discussion on assessment and measurement of thinking critically.
397 SEN. GOLD: Talks about school districts entering into partnerships -
what about entering
into

partnerships with public employers?

TOTTEN: They fall into other groups. Firmly embedded in school-to-work programs.

TAPE 124B

014 SEN. BAKER: On p. 5, line 11 (6) - the arts doesn't seem to fit in the list.
> Suggests bringing it back in line 18 and eliminate it at 13 and elsewhere.

FLINT: Explains what arts education includes.

SEN. BAKER: Seems contradictory to do this.

HUNT: Could include the arts in definitions section.

> Further discussion and decision to leave language alone.

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123 SEN. BAKER: P. 15, lines 1-3, - feels family values and welfare to the child are contradictory terms.

> Further discussion.

183 SEN. TROW: Suggests "services should be designed to support and strengthen the welfare of the child and the family."

212 SEN. BAKER: Where in the bill does it say we are going to compare us to other states? How can you

compare a system in isolation?

NEUBERGER: Talks about the National Assessment of Education Progress, which is the only assessment

that provides state level data that would allow you to compare the performance of your state to others.

Have not participated every time it is done because of logistics and cost.

MOTION: Chair Hartung moves to adopt the amendments discussed for the -A5 0.

MOTION ADOPTED: There are no objections.

326 CHAIR HARTUNG: Adjourns meeting at 8:20 p.m.

Reviewed and submitted by,

Carolynn Gills Committee Assistant

EXHIBIT SUMMARY:

A	HB 2991A	Committee staff	51 pages
B	HB 2991A	OSB A	2 pages
C	HB 2991A	Sen. Shannon	1 page
D	HB 2991A	Sen. Shannon	1 page
E	HB 2991A	Sen. Gold	2 pages

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