

SENATE COMMITTEE ON
EDUCATION

Hearing Room
Tapes - 31

MEMBERS PRESENT:

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

STAFF PRESENT:

Fallie Calder, Committee Administrator
Carolynn Gillson, Committee Assistant

ISSUES CONSIDERED

MEASURES HEARD: Education reform

Child Care

SB 102 relating to education programs for hospitalized children, PPW

These minutes contain materials which paraphrase and/or summarize
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 A

005 SEN. TOM HARTUNG, Chair: Calls the meeting to order at 8:05 a.m.

EDUCATION REFORM

Invited Testimony: Dr. Joseph Petterle

019 JOSEPH PETTERLE, Ed.D.: Reviews his background in education.

> Explains how he took over a troubled high school in Sacramento,
California to pilot a school change process.

> Reviews information in handout titled Proactive Discipline-Creating a
Schoolwide behavior Management System that Works (EXH. A).

> Created environment where teachers can teach and children can learn.

> Started program in over 300 high schools around the country.

> Site must be empowered to make changes and redirect resources.

> Need onsite leadership to make the tough decisions and staff ready and
willing to make changes.

> Schools where the right environment was not put into place did not
achieve the desired results.

187 SEN. KEN BAKER: How do you identify bad schools?

PETTERLE: Start with the results - look at transcripts, test scores and
college admission of seniors. How many of the students are successful at
the end of four years? What is their success ratio?

> All students can learn in the right environment.

261 SEN. BAKER: How do we measure attitudes?

PETTERLE: The right kind of attitudes are taught by a good staff. Good
attitudes are based on the outcomes the children have been able to achieve.

291 SEN. CLIFF TROW: What you say is common sense but the question is how can you create the right environment in the schools? What are the impediments?

PETTERLE: Need to clear the slate and start from ground zero - decide what you want to achieve. Then create a system that is so good to be a part of that kids don't want to be left out. Rules and regulations, policies and procedures and consequences for students need to be all designed so they are not a drain on what you want to do for kids. Build incentive by putting together a system that works efficiently, automatically, and makes sense. Kids on the borderline will want to be included with the group of kids who are getting all the benefits.

387 CHAIR HARTUNG: Would like to return more responsibility to local school boards. What did your school board do when you turned this high school around?

PETTERLE: Real answer is empowering the schools by giving them the funding. Untie the hands of the sites and the school boards in terms of prerogatives as to how they spend the money.

TAPE 31A

CHILD CARE

Invited Testimony: Janice Elliott, Employment Department
Richard Stolley, Child Care Action Campaign

029 JANICE ELLIOT, Employment Department, Child Care Division: Explains Richard Stolley is in Oregon as a result of a grant the state has received from the Child Care Action Campaign to support their work in building partnerships between the many early childhood entities.

044 RICHARD B. STOLLEY, a professional journalist and President, Board of Directors, Child Care Action Campaign: Reviews information from his written testimony (EXH. B) concerning the Child Care Action Campaign.

> Talks about the achievements Oregon has had in child care.
> Quality child care is crucial to achieve each of the country's urgent domestic goals.
> Refers to benchmarks identified by the Oregon Progress Board.
> Continues to review his testimony concerning the importance of child care

and explains how affordability is a significant issue.

Public Hearing on SB 102

Witnesses: Karen Brazeau, Department of Education
Dr. John Paisley, Emanuel Children's Hospital
Sandy Molloy, Emanuel Children's Hospital
Bob Crebo, Portland Public Schools
Rose Bond, Portland Public Schools
Christine Moore, Beaverton School District

Witnesses: Robert Roy, Children's Farm Home in Corvallis
(cont.) Wilma Wells, Confederation of Oregon School Districts (COSA)
Jim Carlson, Oregon Health Care Association
Anne Cabral, Shriner's Hospital in Portland
Bill Wellard, Oregon Association of Treatment Centers
Lois Davis, Oregon Health Sciences University (OHSU)
Steven Kafoury, Alliance for Children's Programs

384 KAREN BRAZEAU, Department of Education: Refers to the 1994 Status Report on Special Education Services in Oregon (EXH. D).

> Explains how in the 1970s the Department of Education and local school districts started providing services for the special education kids using state money (EXH. D).

> Reviews background information on p. 59 of the report concerning private agency education programs.

TAPE 30B

020 BRAZEAU: Defines treatment facility and refers to list on p. 60 in report.

> In 1984, funds for the educational program were moved from the Department of Human Resources to the Department of Education.

> One-half of the program is funded by DHR through private care agencies, and the education component is funded through DOE with contracts with local

school districts where the kids live.

> Talks about the problems of trying to keep the two parts of the program together.

> Explains why DOE wants to transfer the costs of the programs to local school districts as provided in SB 102.

> Notes the Governor's proposed budget continues funding for the program.

123 SEN. TROW: Seems as though the real reason for the DOE to do this is fiscal.

BRAZEAU: It was the instigating reason but it is much more complex than a simple funding problem.

SEN. TROW: These are kids with substantial problems and they need special treatment. With budget cuts in every school district, these kids are not likely to get the kind of education and treatment we are legally responsible for providing.

BRAZEAU: SB 102 will not change the funding for the treatment. There is a concern on behalf of the treatment providers if funding goes directly to school districts instead of to the DOE, they would not be able to get the amount of money necessary to serve the kids from the school district.

> Further discussion concerning the need for long-term solutions for how the state operates the programs.

202 SEN. BAKER: If we were to do this, small school districts may be sued rather than the state and have large legal fees as a result.

BRAZEAU: You are right and that is one of the reasons school districts want to see the responsibility retained at the state level.

224 DR. JOHN PAISLEY, pediatrician from Emanuel Hospital: Opposes the bill because having onsite teachers is very important for hospitalized children.

Current system works well. Provides for smoother transition when the children go home.

> Taught over 700 students from all over the state last year, with 120 missing an average of 12 school days because of their hospitalization.

> Not realistic that the Portland School District might want to fund education for out-of-district children.

294 SANDY MOLLOY, nurse manager at Emanuel Children's Hospital: Reads two letters concerning the education provided to students in hospitals and opposing the bill (EXH. E).

> Important to make sure kids in the hospital have sound minds as well as sound bodies.

380 BOB CREBO, administrator with Portland Public Schools: In charge of the hospital programs in Portland. Opposes SB 102 because the students come from all over the state and from out-of-state. It is an open entrance open

exit program that does not fit well with a fixed funding formula approach.

> Reviews data on the hospital programs in Portland Public Schools including the funding cut (EXH. F) if the bill passes.

410 ROSE BOND, administrator with Portland Public Schools: Supervises 9 contract programs within Portland Public School boundaries. Notes the programs also serve children who are wards of the state for a variety of reasons.

> Refers to handout (EXH. G) showing the counties where the kids were made wards of the court.

> Over last 5 years, 37 percent of the students in contract programs originated from Portland Public Schools.

> Feels the statutes repealed by SB 102 will be programmatic as well as fiscal.

> Talks about the immediate fiscal consequences and refers to second part of her handout.

TAPE 31B

032 BOND: Continues to talk about the fiscal consequences of the bill.

> Repealing the law will make it unclear whether the initial placement was for education or treatment.

> Legislation on the books now provides a structure for DHR, DOE and private agencies to work together cooperatively.

> Explains how this population of kids is very mobile and repealing the statutes will lead to more problem.

> Opposes SB 102.

080 CHRISTINE MOORE, administrator for special education, Beaverton School District. TROW: Reviews written testimony (EXH. H) explaining they oppose SB 102 because it seeks to shift responsibility for overseeing and paying the cost of education from the state to local school districts for children

who are hospitalized in long-term or treatment facilities.

> Illustrates the consequences of the change by talking about two treatment programs the Beaverton School District would have to fund.

106 ROBERT ROY, executive director, Children's Farm Home in Corvallis: Appearing on behalf of 14 members of the Oregon Alliance for Children's Programs that provide a school setting for severely emotionally disturbed children.

> Reviews his written testimony explaining why they oppose the bill (EXH. I).

> Talks about the children his organization serves.

146 WILMA WELLS, COSA: Believes there needs to be a long-term vision.

> Feels the DOE is better equipped to work around DHR issues.

> Explains there are school districts in Eastern and Southern Oregon that were unable to come and testify on the bill.

> Talks about the difficulties some school districts and Education Service Districts (ESD) would have in educating children in these programs.

191 JIM CARLSON, Oregon Health Care Association: Represents a number of long-term care facilities throughout the state. Opposes the bill because of the effect it may have on the children who receive services in long-term

care facilities. Unfair to penalize those local school districts where a facility or program happens to be located. Serving the kids is a statewide

obligation.

212 ANNE CABRAL, Shriners Hospital in Portland: Reviews written testimony explaining why they are opposed to SB 102 (EXH. J).

> Education during a hospital stay contributes significantly to a child's well being.

239 BILL WELLARD, Oregon Association of Treatment Centers (DART programs): DART programs are psychiatric day treatment facilities for severely

emotionally handicapped kids. Education is important component of their programs. Shifting the financial responsibility and liability to local school districts would endanger the quality of education. Don't see a need

for the bill since funding is provided for in the Governor's budget.
Opposes the bill.

277 LOIS DAVIS, OHSU: Talks about two programs affected by the bill.
Difficult for the children if the law is changed. Opposes the bill.

305 STEVEN KAFOURY, Alliance for Children's Programs: Youth care programs are not on the list of programs funded by the state. These programs get their money from local school districts which are often not willing to share their resources. Don't want to expand those problems to other programs.

> Legislature needs to address the kids in youth care programs. Not meeting the legal requirements of individual education programs (ieps) these kids have.

> Not one new residential facility has been funded by the Legislature in the last 12 years.

> Forcing programs to turn away more and more children.

Fiscal analysis on SB 102 provided by the Legislative Fiscal Office (LFO) (EXH. K).

WORK SESSION ON SB 102

385 MOTION: Sen. Baker moves to table SB 102.

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

Introduction of Committee Bill

420 CHAIR HARTUNG: Reads the summary of LC 3030 and LC 3031 (EXH. L).

MOTION: Sen. Hartung moves to introduce LC 3030

MOTION ADOPTED: There are no objections.

MOTION: Sen. Hartung moves to introduce LC 3031.

MOTION ADOPTED: There are no objections.

461 CHAIR HARTUNG: Adjourns meeting at 10:00 a.m.

Reviewed and submitted by,

Carolynn Gillson, Assistant

EXHIBIT SUMMARY

A	--	Education reform	Dr. Joseph Petterle	9 pages
B	--	Child Care	Child CareAction Campaign	7 pages
C	--	Child Care	Child Care Action Campaign	6 pages
D	--	SB 102	Department of Education	158 pages
E	--	SB 102	Emanuel Children's Hospital	2 pages
F	--	SB 102	Portland Public Schools	1 page
G	--	SB 102	Portland Public Schools	3 pages
H	--	SB 102	Beaverton Schools	2 pages
I	--	SB 102	Ore. Alliance of Childrens Prog.	1 page
J	--	SB 102	Shriners Hospital	2 pages
K	--	SB 102	Legislative Fiscal	1 page
L	--	Intro. of Com. Bills	Committee staff	7 pages