

SENATE COMMITTEE ON
EDUCATION

Hearing Room
Tapes - 63

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

MEASURES HEARD:

SB 101 - consider students in Juvenile Corrections Education Prog. for
purposes of State School Fund distribution. PUB
SB 103 - transfers TSPC to within DOE, PAW
SB 105 - specifies when change of spec. ed placement occurs if child is
suspended, PAW
HB 2236 - makes technical changes in community college law, PAW

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 meeting to order at 8:06 a.m.

PUBLIC HEARING ON SB 101

Witnesses: Rick Hill, Juvenile Corrections, CSD
Ozzie Rose, Confederation of School Administrators (COSA)

012 RICK HILL, Assistant Administrator, Juvenile Corrections, CSD: Reviews
testimony in support of SB 101 because education is critical for young
offenders as they reenter the community (EXH. A).

SEN. TROW: Who worked out the formula for the funding?

HILL: These kids would fit under the same formula they would fit under in
public schools.

SEN. BAKER: What is the ADM now for IEP kids?

072 OZZIE ROSE, COSA: It is 2.0.

PUBLIC HEARING ON SB 103

Witnesses: Nancy Oft Rose
Joseph Benningoff, Confederation of School Administrators (COSA)
Katherine Tippens Wiper, TSPC

David Myton, TSPC
Paul Zastrow, Hood River

080 NANCY OFT ROSE, teacher: Reviews testimony in opposition to SB 103 and urges the committee to keep TSPC as a self-supporting board independent of ODE (EXH. B).

184 JOSEPH BENNINGHOFF, COSA: Urges committee to reject SB 103 and leave TSPC as it is.

> Reviews information on three functions of TSPC - licensing, program approval and discipline (EXH. C).

SEN. TROW: Is there some problem between the DOE and TSPC in aligning teacher licensing requirements with school improvement efforts?

BENNINGHOFF: Has not seen a problem but if there is a problem, the framework in statute provides for resolution.

347 KATHERINE TIPPENS WIPER, Commissioner, TSPC: Reviews testimony in opposition of SB 103 (EXH. D) and covering the background on formation of TSPC, agency organization, funding and relationship to the OSB E and Superintendent.

TAPE 62A

009 WIPER: Continues her testimony concerning TSPC involvement with school improvement and reviews the purpose of TSPC.

SEN. TROW: Do you know of any problems that have arisen with regard to the independent actions of OSB E and TSPC with regards to school reform?

WIPER: Has not realized any problems and has not seen any resistance to school reform.

SEN. BAKER: Is the number of TSPC members in statute?

092 DAVID MYTON, Executive Secretary, TSPC: It is in statute and the Governor is open to appoint anyone who has been employed for at least five years in education.

> Reviews the makeup of the TSPC members.

SEN. TROW: Under this bill, would the superintendent have to appoint the same mix of people?

MYTON: Bill only amends part of the TSPC statutes and does not address the composition of TSPC.

145 PAUL ZASTROW, teacher from Hood River: Testifies in opposition of SB 103.

> Should give TSPC the respect and statute it deserves.
> Maintain what is properly working.
> Proven it's worth.
> Autonomous and independent.
> Questions the need for the legislation.

PUBLIC HEARING ON SB 101

Witnesses: Ted Kulongowski, Department of Justice

204 TED KULONGOWSKI, Oregon Attorney General: Testifies in support of SB 101.

> Talks about education at training schools.
> Task Force on Juvenile Justice believed other elements needed to be in the education program. Designed a system to provide three broad concepts -

education, job skills training, and leverage the private sector to provide jobs. Objective was to give kids opportunity to be independent and working.

> Talks about the Job Corp Training Program in Troutdale and gives the example of taking kids who draw graffiti on walls and training them in graphic art.

> Critical for kids in the juvenile progrms to have education.

281 SEN. GOLD: Is this essentially the money used for education at MacLaren and Hillcrest?

KULONGOWSKI: Yes. Did not get full funding in 1993.

PUBLIC HEARING ON SB 103

Witnesses: Don Shore, Oregon Education Association (OEA)
John Tenny, Oregon Association for Colleges of Teacher Education (OCATE)
Joanne Flint, Oregon Department of Education (DOE)

304 DON SHORE, OEA: Testifies against SB 103.

> Not heard any concerns at OSB E meetings regarding TSPC. Points out under the bill OSB E would not be making the appointments but the DOE staff would which is a concern.

332 JOHN TENNY, OACTE: Talks about working with TSPC.

> Reviews background on teacher education reform.

> TSPC is the link between the reform and the public schools

> Philosophy and collaboration of TSPC has allowed that to happen.

> Puzzled by need to change.

394 JOANNE FLINT, ODE: Speaking on behalf of Superintendent Paulus.

> Reviews concerns regarding operation of TSPC: alignment of certification with needs of schools; accreditation in higher education and aligning that with the needs of schools; improved accountability practices - holding teachers to higher standards.

> Found the process seems to get bogged down in TSPC meetings. Seems to be reluctance to expand or open up certification based on the personal experiences of TSPC members.

> Restrictive certification rules, beliefs and attitudes of Commission as they work to maintain status quo.

> What is the constituency of TSPC - teachers who are currently practicing, or the students and parents in Oregon?

TAPE 61B

030 SEN. SHANNON: You seem to be alluding to having more people in classrooms who are not as well trained. Maybe there should be two standards for teachers to cover the people who the DOE wants in the classroom because of reform and they don't have a teaching background.

FLINT: Alternative certification opportunities should be expanded.

CHAIR HARTUNG: When you were principal at Dayton High School, what was your experience with TSPC?

FLINT: Only can speak to the licensure and renewal procedures which is an activity that could be addressed effectively and efficiently under the direction of DOE.

SEN. TROW: Have you articulated the problems to TSPC?

FLINT: Expressed our concerns during Commission and subcommittee meetings and indicated our frustration. Have also expressed concerns to Dave Myton of TSPC.

SEN. TROW: OSB E already has ability to review and change administrative rules for TSPC.

FLINT: Not familiar with whether the OSB E has reviewed those rules.

Testimony concerning SB 103 was submitted by OOEPP (EXH. E) and by OSPA (EXH. F).

WORK SESSION ON SB 103

086 SEN. BAKER: Talks about his experience with TSPC as a school board member. Currently there is a balanced approach and will look at how they articulate with school reform issues as they are implemented.

MOTION: Sen. Baker moves to table SB 103.

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

PUBLIC HEARING ON SB 101

Witnesses: Timothy Travis, Juvenile Rights Project
Ozzie Rose, Confederation of School Administrators (COSA)
Karen Brazeau, Department of Education (DOE)
Greg McMurdo, DOE
Jim Green, Oregon School Boards Assoc. (OSB A)

115 TIMOTHY TRAVIS, Juvenile Rights Project: ROProneness. TROW: A nonprofit law firm in Portland that represents abused, neglected and delinquent children in Multnomah County Juvenile Court.

> Talks about shortcomings in the CSD foster care system.

> Believes their clients at MacLaren are legally entitled to what the bill provides.

144 OZZIE ROSE, COSA: Testifies in opposition to the bill because COSA is against taking money out of the State School Fund. Passing a state-funded program onto district resources.

> Ought to put money to pay for the program upfront into the State School Fund. Suggests sending the bill to Ways and Means.

SEN. GOLD: No provision in the bill for transferring money designated in the Governor's budget for this program into the State School Fund.

ROSE: If this bill passes the way it is, it would take about \$25 per student from every school district in the state to fund education for this group of kids.

SEN. GOLD: There are two issues - one is distribution and the other is how much and where from.

> Supports bill but wants it done right.

216 SEN. SHANNON: Don't see the need to take away from students who are following the rules.

ROSE: Most of these kids probably qualify for special education benefits.

Quarreling with the general practice of shifting programs without funding.

The \$14 million in the Governor's budget funds all but 22 kids in the program.

260 SEN. TROW: Don't see anything wrong with doing the same for these students as is done for the others.

- > Education is crucial for these kids in order to be successful.
- > Do need to let people know how much it would cost.

SEN. GOLD: Perhaps we should consider an amendment to transfer the money in the Governor's budget to the State School Fund. Suggests the Senate Government Finance & Tax Policy committee borrow the bill and give some advice.

- > Need to consider more permanent funding for this program.

371 KAREN BRAZEAU, DOE: Reviews history regarding educating kids in correctional facilities.

- > Explains why the programs were transferred for CSD to DOE.
- > Talks about the funding of the program.
- > Longer kids stay in the program the more effective it is.

SEN. TROW: Was the program funded last biennium with a grant to aid or out of the State School Fund.

BRAZEAU: Funded first year in CSD Grant to AID program and transferred to DOE where accessing State School Funds started. There was an agreement to limit the costs to the State School Fund to \$1 million.

TAPE 62B

035 BRAZEAU: Total cost of program in existence now and with the planned expansion under Measure 11 would be about \$13 million dollars. That amount

includes \$10 million spent this biennium on the existing population. Need about \$4.3 million in General Fund money for kids coming in under Measure 11.

> Current funding mechanism sunsets this year. Bill will provide funding mechanism and would account for \$14 million in Governor's budget.

SEN. BAKER: Refers to Revenue Impact statement (EXH. G).

072 GREG McMURDO, DOE: Don't intend to keep the \$14 million and then in addition claim them under the State School Fund.

> The bill should go to Ways and Means. The programs were never placed under a formula before but this bill would do that.

BRAZEAU: If the kids are incarcerated now, they are part of the DOE budget. If they attended public school, funding is generated under the State School Fund.

101 JIM GREEN, OSB A: Concerned the population will continue to grow and will take more out of the State School Fund.

PUBLIC HEARING ON SB 105

Witnesses: Karen Brazeau, Department of Education (DOE)

149 BRAZEAU: Refers to -1 amendment (EXH. H) and explains the primary reason for the bill is so the statutes will comply with federal law.

- > School districts must continue to provide the kids with an education.
- > Reviews what the -1 amendment does including some technical housekeeping changes in the statute.

WORK SESSION ON SB 105

232 MOTION: Sen. Baker moves to adopt the SB 105-1 amendment.

MOTION ADOPTED: There are no objections.

MOTION: Sen. Baker moves SB 105 to the floor as amended 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 2236

Witnesses: Karen Garst, Oregon Community College Assoc.
David Myton, Teachers Standards and Practices Commission (TSPC)
Bob Duehmig, Oregon Federation of Teachers, Education Health Professionals
Elizabeth Goulard, Clackamas Community College

238 KAREN GARST, OCCA: Reviews the -4 amendments that meet with the needs of all the interested parties (EXH. I).

411 SEN. BAKER: In Sec. 39, p. 3, line 16 -18 of the -4 amendment, will teaching licenses be required for community college faculty who work at a site away from the public school?

GARST: Legislative intent is to include whatever sites K-12 teachers work at.

TAPE 63A

008 SEN. TROW: Is this a satisfactory way to resolve this?

DAVID MYTON, TSPC: Believes the statute is clear. Community College instructors who teach in high schools are to be licensed under ORS 342.173.

Talks about four exceptions for licensing community college instructors who teach in high schools.

> Amendments do resolve the concerns that existed.

> Feels the Commission members at their next meeting will find the amendment acceptable.

080 BOB DUEHMIG, OFTEHP: Supports the -4 amendments.

086 ELIZABETH GOULARD, Clackamas Community College: Supports the -4 amendments.

WORK SESSION ON HB 2236A

094 MOTION: Sen. Hartung moves to adopt the -4 amendments to HB 2236A.

MOTION ADOPTED: There are no objections.

MOTION: Sen. Trow moves HB 2236A as amended to the floor with a do pass recommendation.

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

Carrier: Sen. Trow

105 CHAIR HARTUNG: Adjourns meeting at 10:05 a.m.

Submitted and reviewed by

Carolynn Gillson
Committee Assistant

EXHIBIT SUMMARY:

A	SB 101	CSD	1 page
B	SB 103	Nancy Oft Rose	1 page
C	SB 103	COSA	2 pages
D	SB 103	TSPC	4 pages
E	SB 103	OEPP	1 page
F	SB 103	OSPA	2 pages
G	SB 101	LRO	2 pages
H	SB 105	DOE	4 pages
I	HB 2236 OCCA		6 pages