

SENATE COMMITTEE ON
EDUCATION

April 18, 1995 Hearing Room B
8:00 A.M. Tapes 100 - 103

MEMBERS PRESENT:

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

STAFF PRESENT:

Fallie Calder, Committee Administrator
Carolynn Gillson, Committee Assistant

MEASURES HEARD:

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

These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in annotation marks
report a speaker's exact words. For complete contents of the proceedings,
please refer to the tapes.

TAPE 100A

005 SEN. TOM HARTUNG, Chair: Calls meeting to order at 8:03 a.m
WORK SESSION ON HB 2991A

024 VICKIE TOTTON, OSB A: Continues to go through the OSB A -A28 proposed
amendment (see EXH.

A & B, 4-13-95A) and refers to page 12, Sec 27 of HB 2991A concerning
assessment of both the CIM
and the CAM

051 SEN. CLIFF TROW: Suggests adding on line 40 "the knowledge, skills, and
academic content

necessary
to achieve the standards"

TOTTEN: Not objecting to criterion reference testing, just don't want to
lock the Department into one

type
of assessment

066 SEN. MARILYN SHANNON: No difference between outcome-based education and
performance-

based
education Giving ODE license to continue developing outcome-based education
assessments Would

like
to see "successful outcome-based assessment" added

085 SEN. KEN BAKER: What did the House try to do when they referred to
criteria referenced assessment?

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SEN. SHANNON: How much do performance based assessments cost now?

TOTTEN: Made some investment to work with people on a national level to
perfect our testing system. There was a clear and direct appropriation last
session to help us do that. > Goes on to lines 41-43, p. 12. > Reviews
changes proposed for p. 13, completing statutory references, setting high
standards of achievement in the content areas and clearly letting parents
know about the progress students are making.

167 SEN. BAKER: Missing knowledge of the course content or something else on
line 12, p.

13.

SEN. SHANNON: Suggests deleting results and inserting requirements on line 12. >Further discussion.

TOTTEN: Continues talking about changes in (4) and (5) in Sec. 28 on p. 13 of HB 2991A concerning school districts being accountable for how children achieve the requirement.

241 SEN. SHIRLEY GOLD: Dealing with serious differences among kids.
> Further discussion on the language.

SEN. SHANNON: Will there be allowances so school districts can choose to have strong academic standards and not outcome-based assessment and still receive state money?
SEN. BAKER: Question is whether the education is standard or substandard is not addressed in this bill.
SEN. GOLD: This section does not define the standards.

SEN. TROW: Concerned about assessing to standards and making the standards the minimum. Wants to make sure kids are achieving or exceeding the standards.

352 TOTTEN: Appropriate section to address how all the children achieve the standard. Will work on language.

380 CINDY HUNT, Legislative Counsel: Talks about amendments drafted to address how children with special needs can meet the standards.

> Further discussion on meeting standards.

TOTTEN: Suggests making it a convertible achievement and not a place to stop achieving.
SEN. TROW: Shouldn't get in the way of trying to get kids up to that standard.

TOTTEN: Talks about changes on lines 13 and 21, p. 13 of HB 2991A.
> Further discussion on attaining or achieving the standard.

TAPE 101A

035 TOTTEN: Still have public school choice for kids who do not achieve the standard.

SEN. BAKER: Language sends the wrong message. Suggests looking at other options.

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SEN. TROW: Make it clear there are alternative programs.

TOTTEN: Public school choice is least desirable to OSB A.

CHAIR HARTUNG: Talks about process committee will follow.

SEN. TROW: It is impossible to frame something to meet everyone's criticism. > Further discussion.

165 SEN. GOLD: There are several sections of the original statute that HB 2991 repeals. Are we going to get advice from OSB A and others on those?
> Further discussion on how the committee will proceed.

202 TOTTEN: Goes on to Sec. 28 concerning a discipline plan. Language possibly belongs in another bill.
> Unclear about the annual report to the Department.
> Explains where the concern comes from.

SEN. GOLD: Refers to language deleted in Sec. 33 of HB 2991A.

TOTTEN: Sec. 33 is part of the 21st Century Schools Program, which was the 1989 waiver program for school improvement projects. Deleting the language because there could be a misconception these are the things that have to be done in order to get a waiver. Happy with current law.

HUNT: Getting rid of the list does not hurt anything.

302 TOTTEN: Goes on to p. 18, Sec. 35 concerning the 21st Century Schools Advisory Committee. Suggests naming it an Oregon 21st Century Schools Advisory Committee. It is the review panel of grants and waivers that come into ODE from school districts. It is also the working group to help do voluntary implementation of Goals 2000.
> OSB A suggests naming the grant programs in the statute.
> There are other grant programs administered by ODE and OSB E not named in the statute so the

language should be "shall include but not be limited to".

398 > Talks about OSB A recommended changes for site counsels in Sec. 37, p. 18-19 - supports making school counsels mandatory and make the composition discretionary.
> Explains why OSB A supports a majority of school people on the counsel and parent involvement.

TAPE 100B

003 TOTTEN: Reviews proposed language for p. 18-19.

SEN. TROW: On lines 13 - 16 would like the language to say parents shall be nominated by representative parent groups from the community and then selected by the school board.

SEN. SHANNON: Why can't the local school committee select their own? > Further discussion by committee members.

TOTTEN: Language expanded to include the expertise of other licensed staff.

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CHAIR HARTUNG: Would like to send out message we are returning as much control as possible to local elected school boards.

090 SEN. GOLD: Original concept of site counsels was for the operation of the school and management was up to the principal and the school board. If the counsel is to be an instrument of the school board, it is a different concept than what was in the original HB 3565. Is this an advisory committee to the principal and the school board? > Further discussion by committee members.

181 TOTTEN: Talks about the Attorney General's position that school counsels are an arm of the school board and subject to open meetings law. Legislature intended for interest groups to have valid input and select their representatives.
> Suggests keeping the three mandatory duties from HB 3565 and maintain the integrity of how

school counsels are selected.

> Continues to review the recommended changes from OSB A.

305 > Repeal ORS 329.705 concerning local school committees.

HUNT: Chose to repeal ORS 329.705 and enact Sec. 37 in lieu there of

SEN. GOLD: Talks about proposing amendments concerning ORS 329.705.

407 CHAIR HARTUNG: Requests a chart from ODE on the area where they differ from
OSB A.

JOANN FLINT, ODE: Primary differences are in the composition of the counsel - essential to maintain school counsels. Not more than half of the members shall be teachers and not more than half of the members should be parents. Suggests parents be selected by members of the 21st Century School Council and approved by the school district board.

TAPE 101B

040 HUNT: That section is addressed in the ODE -A31 amendments (see EXH. A, 4-13-95 pm) on p. 12,
line
23-31 and p. 13, lines 1-19.

TOTTEN: Reviews language and changes for Sec. 38, p. 19 - 21 in HB 2991A concerning workforce development strategies. Notes on line 20 it should read certificates of mastery.

100 > Reviews language in Sec. 39 concerning the CAM and work-related experience. Would like clearer connection with ORS 329.475.

SEN. SHANNON: Strongly believes it should be tried and tested in a model school before it is exported and mandated across the state.

TOTTEN: While ODE works on that design so it can report to the 1997 Legislature, OSB A suggests

leaving evolution of local school-to-work programs on their own. There is no statewide implementation of CAM right now.

200 > Concerned about having an identified six-strand program for every single school district.

Community college system does not serve every school district and they are a necessary partner to accomplish this.

> Believe the pilot programs will drive revolution of the statewide model.

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SEN. TROW: Concerned there is no reference to the college prep part of the CAM.

TOTTEN: Refers to language in Sec. 26, p. 12, lines 7 and 8 concerning post-secondary academic pursuits.

> Further discussion on having an enhanced college prep program.

297 TOTTEN: Is it your policy intent to have two years of study after the CIM regardless of whether it is preparatory or professional technical?

SEN. TROW: Wants to make sure all kids get good academic preparation.

FLINT: Have extensive college preparation program identified in rules currently.

> Further discussion by committee members.

355 TOTTEN: Reviews Sec. 40, p. 21, - suggests restoring current ORS 329.900 and not amend it.
> Could leave Sec. 41 as current law or delete outcomes and insert achievement.
> Sec. 42, p. 24-25 - leave current law. School districts can have their own learning centers
> Sec. 43, p. 25 - changes in HB 2991A makes the language clear we are still providing a free appropriate public education to eligible persons until the age of 21.
> Sec. 44, p. 26 - reconciles with removal of Distinguished Oregon Educators statute.

TAPE 102A

050 SEN. TROW: Just because we cannot find the funding, doesn't mean we ought eliminate the program.

055 TOTTEN: OSB A does not recommend any changes to p. 27 in HB 2991A.

SEN. GOLD: Talks about the definitions on p. 27. Concerned if young children, services and family are used and no longer defined.

HUNT: ORS 329.125 contains the three definitions and was repealed in the House. > Will draft amendment for Sen. Gold.

146 TO I 1 EN: Refers to Sec. 46 and 47. Reviews the statutes repealed in Sec. 48. OSB A suggests restoring ORS 329.685 which is a policy statement.
SEN. BAKER: Refers to ORS 329.505 - has the performance based assessment language been incorporated elsewhere?
TOTTEN: Language is in Sec. 27.
SEN. BAKER: Talks about endorsements on p. 12.
TOTTEN: Addressed that on p. 18-19 on p. 12.
> ORS 329.753 - committee wants Distinguished Oregon Educators statute rewritten to be discretionary and not mandatory.
> ORS 329.860 concerns learning centers - if it is repealed it does not stop school districts from having them. Would like to make the language clearer.

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> Completes review of repealed statutes.

239 SEN. GOLD: Legislature has provided money for professional development.

TOTTEN: OSB A would support a goal statement toward funding staff development.

260 CHAIR HARTUNG: Adopt concepts of the -A28 amendments and get new legislative draft.

MOTION: Sen. Trow moves to adopt the working draft. MOTION ADOPTED: In a roll call vote, the motion passes with Sen. Shannon voting No.

SEN. TROW: Asks for a statement from ODE on the college prep program.

TOTTEN: Talks about list of definitions. Will be included in working draft.

320 CHAIR HARTUNG: Look at all remaining amendments on Thursday evening. >
Refers to copies of repealed sections in HB 2991A (EXH. A).

SEN. BAKER: Suggests looking at keeping ORS 329.860 concerning learning centers.

SEN. TROW: Would like to keep some of the language in ORS 329.685. >
Further discussion on deleted statutes.

TAPE 103A

042 SEN. GOLD: Refers to p. 8 of HB 2991A and goes through the -A10 amendment requested by the Oregon Head Start Assoc. concerning eligibility for Oregon prekindergarten programs (EXH. B).

078 MARK NELSON, Oregon Head Start Assoc.: Covering 29 percent of the eligible children under the current budget. Believes each 10 percent increase would be approximately \$15 million from the general fund or increased federally funding.
> Governor's budget has \$21.7 million for the Oregon Prekindergarten program which is then coupled with federal head start dollars.
> About 24,000 potential eligible children. Serving approximately 6,000 now.

> Full funding would be extended to 2004
SEN. TROW: May be possible to fully fund the program before 2004. Suggests indicating in the

amendment the state's goal is to fund the program as soon as possible.
SEN. GOLD: Recommends removing words "as funds become available" but the

-A19 amendment

speaks to what the goal is. If funds are not available, there is not an obligation on the part of the state.
> Further discussion.

175 SEN. SHANNON: Funding higher education is a higher priority.

SEN. GOLD: The Legislature determined in 1987 there is a worth to this program that pays off throughout the school career. Rather not have as funds become available. Will have new language drafted into the working draft.

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255 HUNT: Refers to p. 19 of HB 2991A, and explains the -A27 amendments change how

classified employees are selected for school site committees. Possible to put it into the working draft.

SEN. BAKER: Adopting amendments specifying classified employees at the school site is a

more restrictive model.

> Further discussion.

MOTION: Chair Hartung moves to adopt the -A27 amendments into the working draft.

MOTION ADOPTED: There are no objections.

345 Testimony opposing HB 2991A submitted by Jean DeVoll-Donaldson (EXH. D).
 CHAIR HARTUNG: Adjourns meeting at 10:45 a.m.

Reviewed and submitted by,

Carolynn Gillson
Committee Assistant

EXHIBIT SUMMARY:

A HB 2991A	Committee staff	9 pages	
B HB 2991A	Oregon Head Start		1 page
C HB 2991A	Committee staff	1 page	
D HB 2991A	Jean DeVoll-Donaldson		3 pages

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SENATE COMMITTEE ON
EDUCATION

April 18, 1995 Hearing Room 343
5:00 P.M. Tapes 104 - 105

MEMBERS PRESENT:

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

MEMBER EXCUSED:

Sen. Ken Baker

STAFF PRESENT:

Fallie Calder, Committee Administrator
Carolynn Gillson, Committee Assistant

MEASURES HEARD:

HB 2991A - modifies Ore. Educational Act for the 21st Century, WRK

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TAPE 104A

005 SEN. TOM HARTUNG, Chair: Calls meeting to order at 5 10 a m
WORK SESSION ON HB 2991A

010 SEN. MARYLIN SHANNON: Talks about a 12-28-94 Kentucky Supreme Court ruling that site

councils have authority over the local school boards.

> Refers to her -A36 amendment and the handengrossed version (EXH. A).

028 MICK EWERS, teacher, North Clackamas School District: Begins a review of the changes the -A36

amendment make to HB 2991A.

SEN. SHANNON: Would like words "participatory democracy" put back in on line 16, p 2.

SEN. TROW: Explains why he agrees

EWERS Continues with proposed changes for p 2 of HB 2991A

> Reviews changes on p 3

CINDY HUNT, Legislative Counsel: Explains why the word indorsement is spelled with an "i".

EWERS Continues with changes on p 3, line 10, striking the early childhood programs Should the

state be establishing the programs or should it be a local option?

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SEN. GOLD: In deleting that, you are deleting a currently operating program.

EWERS: We still have the Head Start program.

153 > Restores "professional technical" and strikes "career" on line 13.

> Deletes section referring to representatives from the education and business community.

> Reviews changes on p. 4.

SEN. TROW: Why do you want to get away from the career language?

EWERS: Professional technical more clearly defines what kinds of programs we are describing.

> Strike "or college preparatory" on line 44.

> Refers to definition of standards on p. 4a.

> Reviews changes on p. 5 and 6.

248 SEN. GOLD: Reviews background on the Oregon Progress Board benchmarks referred to on line 13, p. 6.

272 SEN. SHANNON: Has the Legislature ever adopted the benchmarks?

SEN. TROW: Legislature authorized the Progress Board in statute and gave it the task of developing benchmarks and they report to us on those benchmarks. The Legislature monitors the benchmarks and accepts them.

HUNT: Oregon Progress Board sunsets on July 1, 1995. There is a bill to continue the Board. Benchmarks are a note to the statutes.

357 DEBBIE WYATT, Legislative Assistant: Notes that Sec. 15 on p. 11 in the -A36 amendments (ORS 329.145) adds back in the definitions of family and young children. It was inadvertently left out of the hand-drafted version.

EWERS: Reviews changes on p. 7.
419 SEN. TROW: Why did you strike lines 12-14?

EWERS: Because of the controversy of integrating social services at the school site.

SEN. TROW: Here the word "integration" is referring to racial integration. You don't want us to think you are not conscious of the fact there are racial differences and a need for diversity.

445 EWERS: Definitely not.
> Refers to deletion of "welfare of the child" on line 18. Welfare of the child should not supersede family values. The language sets a precedent.
> Deletes Sec. 14 because it establishes the State Commission on Children and Families within the school setting. Should leave that to another social service program rather than including it in this bill.

TAPE 105A

040 SEN. SHANNON: Understands the House Children and Families Committee is addressing the issue.

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EWERS: Don't remember work groups discussing some of the things in Sec. 14.

CHAIR HARTUNG: The work group meetings resulted in the - 1 amendments.

SEN. TROW: If you take Sec. 14 out of your amendment, then the words "developmentally appropriate" will remain in existing statute language.

078 EWERS: Reviews language on p. 8.

SEN. TROW: Does this mean you don't want any state early childhood program but just the existing Head Start program?

EWERS: Concerned with funding. The definition of "at-risk" allows for the state to exceed the federal guidelines.

SEN. GOLD: Oregon Prekindergarten Program currently operates under the federal poverty level.

EWERS: Deletes Sec. 16 and 17.

SEN. TROW: When a section is deleted from HB 2991A, does it mean it is gone entirely from the statute?

HUNT: It is repealed totally from the law.

129 EWERS: Reviews language to be deleted in Sec. 18.

SEN. GOLD: How is the ODE to administer K-3 as required under Oregon law?

EWERS: Will have to rethink that one section.

SEN. TROW: Early childhood program is based on federal law and federal funding and cannot be turned over to local school districts to administer. ODE has to administer it.

168 EWERS: Reviews deletions on p. 9, Sec. 18.

SEN. GOLD: Early Childhood Improvement Program is the required grades K-3 and early childhood education refers to 3 to 4 year olds.

EWERS: Reviews deletions in Sec. 19, 20, and 21 on page 910.

235 SEN. SHANNON: Refers to line 26 on p. 10, and wonders why more than four subjects are not

mentioned.

EWERS: Seeking to not make too many changes. Would prefer including geography, history and

other subjects.

> Refers to deletion of Sec. 23 which calls for the ODE to study feasibility of standards and assessments at grades 2,4,6,8,10 and 12 on p. 11.

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275 CHAIR HARTUNG: Adjourns the meeting at 6p.m.

Reviewed and submitted by,

Carolynn Gil on

Committee Assistant

EXHIBIT SUMMARY:

A HB 2991A Sen. Shannon and MickEwers 81 pages

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