

HOUSE COMMITTEE ON\* EDUCATION

June 22, 1993          Hearing Room E 1:30 p.m.      Tapes 102 - 103

MEMBERS PRESENT:    Rep. Carolyn Oakley, Chair Rep. Jim Whitty, Vice-Chair  
Rep. John Meek Rep. Patti Milne Rep. John Schoon Rep. Larry Sowa Rep.  
Sharon Wylie

STAFF PRESENT:                  Linda Sample Brown, Committee Administrator  
Carolynn Gillson, Committee Assistant

MEASURES CONSIDERED:                  SB 26B - Defines purpose of ESDs, PUB SB  
934A - Req's blind student to received IEPs, PAW HB 2095 - Sets std.  
for admis. of underage children to Kindergarten, WRK SB 898A -  
Expands early intervention services to include individualized family  
service plans, PUB

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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. [--- Unable To Translate Graphic  
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TAPE 102, SIDE A

004      REP. CAROLYN OAKLEY, Chair:    Calls meeting to order at 1:40 p.m.

Public Hearing on SB 26B Rep. Denny Jones Joyce Benjamin, Department of  
Education (DOE) Bruce Anderson, Crook County School District Rep. Ray  
Baum Edward Jensen, Wallowa Public Schools David Smyth, Wallowa ESD  
Jonathan Hill, Lake ESD Betty Jo Elder, Lake County Senior Citizens

024 REP. DENNY JONES, District 60: Presents the SB 26-B19  
amendment that separates Lake and Klamath counties into separate ESD  
districts (EXH. A).

CHAIR OAKLEY:    Does Klamath county agree to this?

REP. JONES: Frank Ellis, superintendent of Klamath County School  
District, said it was acceptable to them.

053      REP. LARRY SOWA:    Why do they need an ESD in Klamath county?

REP. JONES: Under SB 26, the DOE would like all school districts to  
have an ESD and ESDS will have more duties. There would only be one  
Board between Lake and Klamath counties.

095      JOYCE BENJAMIN, associate superintendent, DOE: The bill  
attempts to reorganize ESDs which are regional units of government. >  
Gives a section-by-section overview of the bill (EXH. B). > Provides  
copies of the Report of the Task Force on Education Service  
Districts (EXH. C) for background information.

340 REP. JOHN SCHOON: How are ESD superintendents appointed, and what  
happens to excess employes when ESDs merge?

BENJAMIN: The new board of directors would have authority to terminate the contract of a superintendent. Other provisions of the law that applies to governmental units would make clear that the new regional ESD board would be able to select its own superintendent. Employment contracts would be continued for other employees.

REP. SCHOON: Who would audit the ESD and will the ESD be more or less responsible to the boards it serves?

BENJAMIN: Auditing is taken care of by local government budget law. The DOE reviews district audits. Getting a handle on the situation will be easier with fewer ESDs. In the newly merged ESDs, a 2/3rds vote on resolutions is required by effected school districts and those districts must represent a majority of the children. It is required by statute that resolutions be submitted to local boards for approval.

REP. SCHOON: Talks about problems in the Polk ESD.

435 BENJAMIN: Talks about the ESD budgeting process.

TAPE 103, SIDE A

023 REP. MEEK: Was there any discussion in just eliminating the tax bases on these mergers?

BENJAMIN: Reviews the process used by the task force to determine that an effort should be made to preserve the tax bases for the ESDs because some kind of regional service districts are necessary.

056 REP. JOHN MEEK: What was the rationale to keep ESDs?

BENJAMIN: In Oregon, we have a long history of local control. The task force and OSB E were trying to keep local boards involved in selecting services through the resolution process. It seemed wise to maintain the local tax authority because of Measure 5.

REP. MEEK: What is intent of the DOE in funding ESDs without a tax base?

BENJAMIN: We have only seen the Klamath county proposal today. There is a real problem in establishing a new tax base for an ESD when only two school districts will exist after a merger. The reason to merge Klamath with Lake county was to extend the Lake county tax base into Klamath county. 136 BRUCE ANDERSON, superintendent, Crook County School District: Explains how an ESD was vital in other counties he has served in. > Explains that Crook county has to contract with Deschutes ESD for services and pay for it through their general fund levy. > When this bill passes, we will have about 19 cents per \$1,000 worth of taxing authority in our county and the other two counties. It would amount to approximately \$150,000 and \$200,000. > Bill would give them equal access to services and bring them closer to equity. > Next year, we will still be \$300 per student below the state average. District is growing 4 to 5 percent a year.

193 REP. MEEK: Are you assuming the state is going to give you the same or more money next year?

ANDERSON: Assumes amount would still be within the limitation. It is an equity issue.

REP. MEEK: I am trying to figure out what school district is going to be subsidizing this.

ANDERSON: Another issue is we will have representation at the ESD level.

254 REP. RAY BAUM, District 58: Talks about taking Wallowa county out of the consolidation with Union, Grant and Baker. Refers to the SB 26-B17 amendment (EXH. D).

285 EDWARD JENSEN, superintendent, Wallowa Public Schools: Reviews his testimony urging the committee not to pass SB 26B or if it does, amend Section 3 and allow Wallowa County to stand alone as a regional ESD (EXH. E).

393 DAVID SMYTH, Wallowa ESD: Reviews his testimony in opposition of SB 26B unless Section 3 is amended so the Wallowa ESD is excluded from the bill (EXH. F).

TAPE 102, SIDE B

005 SMYTH: The further away we are from the coordination provided by an ESD the weaker we will be in providing services. We would like to retain the control as well as the levy resources. > 25 total employes, 10 part-time, and 1421 students.

046 JONATHAN HILL, superintendent, Lake County ESD: This bill will give my agency a 622 percent increase in revenue and I want to be cut out of the deal. > Reviews his testimony which urges the committee to study the fiscal impact of SB 26B before voting the bill out (EXH. G). Explains information on the charts attached to his testimony. > This bill is a policy change that reshapes the ESDs creating higher annexation costs and merger costs. > Spending \$15 to \$18 million to do what we are already doing. > 22 total employes, 14 full-time and 1489 student. Eighty-six percent are funded by other funds.

169 BETTY JO ELDER, director of Lake County Senior Citizens: Explains why Klamath and Lake counties should not be combined as they do not have as much in common as Lake & Harney counties. > Refers to information in handout concerning the size of Lake and Klamath counties (EXH. H).

Public Hearing on SB 934A Carla McQuillan, National Federation of the Blind of Oregon (NFB) Maureen Otis, Department of Education (DOE) Wilma Wells, Confederation of School Administrators (COSA)

298 CARLA McQUILLAN, president, NFB of Oregon: Provides information from the Oregon Textbook & Media Center and on braille competency testing (EXH. I).

318 MAUREEN OTIS, DOE: The DOE supports the bill with the SB 934-A3 amendment (EXH. J).

> Fiscal analysis on the bill (EXH. K) and testimony from TSPC in support of the bill (EXH. L).

OTIS: We have 80 students in Oregon who are Braille users. > Explains how the bill will save the state money. > Fifty-one textbook publishers have already signed agreements to provide this service.

392 WILMA WELLS, COSA: The publishers will furnish us with a

diskette, the regional program will provide the textbooks and the braille will not have to be done by hand.

McQUILLAN: Talks about the costs of the diskettes.

CHAIR OAKLEY: Did publishers commit they would not tack on another charge since diskettes are provided and not books?

McQUILLAN: The Americans with Disabilities Act (ADA) is going to require publishers to provide this service anyway. National publishers have agreed they are going to do this.

TAPE 103, SIDE B

011 OTIS: Most of the cost will come through the American Printing House for the Blind. DOE has an allotment per child through the printing house.

CHAIR OAKLEY: Will this bill increase the costs of all textbooks used in the classroom?

McQUILLAN: The books are already produced on diskettes. It is just a matter of copying the diskette.

WELLS: The DOE plans to include lines 3-16 on page 2 of the bill in their administrative rules.

McQUILLAN: Does not object to amendments.

Work Session on SB 934A

062 MOTION: Rep. Meek moves to adopt the SB 934-A3 amendments. > There are no objections.

MOTION: Rep. Meek moves SB 934A as amended to the floor with a do pass recommendation.

VOTE: In a roll call vote, the motion carries with all members voting AYE. Carrier: Rep. Wylie

Work Session on HB 2095

092 CHAIR OAKLEY: Talks about committee's intentions for the bill and the TAG program.

REP. MEEK: I believe the committee adopted the HB 2095-6 amendment (see EXH. M, 5-25).

166 CHAIR OAKLEY: Reviews directive to DOE concerning interim work on TAG program (EXH. M). > Fiscal analysis provided on HB 2095-1 (EXH. N).

206 MOTION: Rep. Meek moves to suspend the committee rules in order to reconsider HB 2095. > There are no objections. MOTION: Rep. Meek moves to rescind from the HB 2095-6 amendments adopted on May 25. > There are no objections. MOTION: Rep. Meek moves to adopt the HB 2095-1 amendment (see EXH. E, 4-6). > There are no objections. MOTION: Rep. Meek moves HB 2095 as amended to the floor with do pass recommendation. VOTE: In a roll call vote, the motion carries with all members voting AYE. Carrier: Rep. Meek and Rep. Oakley

Public Hearing on SB 898A Karen Brazeau, Department of Education (DOE)  
Kathryn Weit, Families as Leaders

258 KAREN BRAZEAU, DOE: Explains that the bill will bring Oregon into compliance with federal mandates so federal funding is not lost.

280 KATHRYN WEIT, Families as Leaders: The SB 898-A2 amendments are mostly technical adjustments (EXH. O) including the addition of an emergency clause. > DOE, OSB A and COSA went through the bill with a representative from the federal Office of Special Education to make sure it meets their requirements.

403 CHAIR OAKLEY: Who provides transportation for the children in the program?

BRAZEAU: The school districts are responsible for providing the transportation to pre-school children with disabilities according to their iep's. > Goes into more detail concerning transportation.

439 CHAIR OAKLEY: Adjourns meeting at 3:30 p.m.

Reviewed and submitted by:

Carolynn Gillson Assistant

EXHIBIT LOG: A - SB 26-B19 amendment - Rep. Denny Jones - 1 page B - Testimony on SB 26B - DOE - 4 pages C - Testimony on SB 26B - DOE - 70 pages D - SB 26-B17 amendment - Rep. Ray Baum - 1 page E - Testimony on SB 26B - Wallowa Public Schools - 4 pages F - Testimony on SB 26B - Wallowa ESD - 2 pages G - Testimony on SB 26B - Lake ESD - 8 pages H - Testimony on SB 26B - Lake County Senior Citizens - 19 pages I - Testimony on SB 934A - NFB of Oregon - 13 pages J - SB 934-A3 amendment - committee staff - 1 page K - Legislative Fiscal on SB 934-A3 - LFO - 1 page L - Testimony on SB 934A - TSPC - 2 pages M - Testimony on HB 2095 - House Education Committee - 1 page N - Legislative Fiscal on HB 2095-1 - LFO - 1 page O - SB 898-A2 amendment - DOE - 1 page