

HOUSE COMMITTEE ON EDUCATION

February 9, 1993 Hearing Room E 1:30 p.m. Tapes 10 - 11

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: HB 2571 - Personal income tax deduction
for time spent as classroom volunteer, PUB HB 2091 - Deletes
criminal penalty for failure to send child to school, PUB HB
2468 - One-way transportation for kindergarten students,
PUB [--- Unable To Translate Graphic ---]

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 10, SIDE A

004 REP. CAROLYN OAKLEY, Chair: Calls meeting to order at 1:35 p.m.
Rep. Schoon is delayed.

Public Hearing on HB 2571 Witnesses: Regina Muter, Oregon City
School District Jan McCaffrey, Oregon Parent Teacher Association (OPTA)
Ed Edwards, Oregon School Employees Association (OSEA) Karen Farmer,
Central Oregon School District Sandra Grzeskowiak, Corvallis School
District Rep. Ron Adams, District 27

017 REGINA MUTER, teacher in Oregon City School District: Reviews
her written testimony explaining why she is in support of HB 2571
(EXHIBIT A).

CHAIR OAKLEY: Do you feel your colleagues are as excited about this as
you are?

MUTER: I have shared my idea at meetings in different school districts
and have found it to be very worthwhile. > Continues her testimony
listing the ways to use volunteers within a classroom that add value
to education.

CHAIR OAKLEY: Who would keep track of the hours?

MUTER: When parent volunteers come into a school they log-in and when
they leave they log-out for security reasons. The school personnel the
volunteer works with would keep track of their hours and do evaluations.
119 REP. JOHN MEEK: How many volunteers are there?

MUTER: I don't have that information. Some districts encourage it more
than others. It would probably be in proportion to student
population within school districts. Ten percent of the students
have a parent who is volunteering.

149 REP. PATTI MILNE: Maybe this incentive will encourage more

parents to be involved in the classroom. The allowable number of hours from 10 to 300 covers a wide range. Is the time based on the calendar year or the school year?

MUTER: It is based on the calendar year because of taxes. Most people who volunteer put in about 10 to 15 hours a week.

REP. MILNE: Would chaperoning dances or working on school fund raisers be applicable to this?

MUTER: It would only be classroom time.

199 REP. LARRY SOWA: Is it your intent with this bill to grant a tax credit to a parent who volunteers but only works with their own child?

MUTER: That is not my intent at all. Volunteers generally do not work with their own child.

REP. SOWA: We are in the Measure 5 era. If this bill costs a significant amount of money down the road, would you be willing to trade this program for classroom teachers or other programs?

MUTER: Unfortunately in our district we are going to have fewer administrators and teachers next year because we have no programs left to cut.

235 REP. JIM WHITTY: Does any volunteer qualify in any type of K-12 classroom?

MUTER: This would encourage people to volunteer in schools that usually don't have volunteers.

REP. WHITTY: In order for this bill to compensate volunteers, they must have a taxable income in the state or else it is not worth anything. Suppose someone has no income, is married and fills a joint return. Is the credit on their spouse's income?

MUTER: Yes.

REP. WHITTY: If a single person who has no other income except social security volunteers, they would get no financial benefit. There will be two classes of volunteers - those who get no financial benefit and the others who can. Is that true?

315 Ms. Muter responded by nodding.

REP. SHARON WYLIE: How would this work for potential worker's compensation claims or liability?

MUTER: Rep. Adams will address that question.

321 REP. MILNE: Could you explain the language on page 2, lines 42-45?

MUTER: If certified teachers working off a substitute list volunteer during the classroom hours, they cannot use volunteer hours if they are substituting for a certified person.

342 JAN McCAFFREY, Vice President of Oregon Parent Teacher Association: Reviews her written testimony in support of HB 2571 and

explaining the importance of volunteer service to public schools
(EXHIBIT B).

TAPE 11, SIDE A

020 REP. WHITTY: At what number of hours does a person cease to be a
volunteer?

McCAFFREY: Parents need to make choices based on what is best for
their families and their children. Those choices may include giving up a
few hours of paid employment in order to volunteer in the classroom.

049 REP. SOWA: Part of HB 3565 is to get parents into the
classroom. Do you think parents should be given tax credits in order
accomplish the education reform act?

McCAFFREY: I do believe in order to provide an equal opportunity for
all volunteers, the tax credit option needs to be made available to
some.

080 ED EDWARDS, OSEA: Reviews his written testimony in opposition of
HB 257 1 and explaining that the bill has nothing to do with children,
but rather with taxes (EXHIBIT C).

165 KAREN FARMER, volunteer from Central School district: I am
really concerned about volunteers in the schools because of training
issues and legal issues.

REP. MILNE: What do we do to make sure people are appropriate to
be volunteers and are trained?

FARMER: I believe in volunteers in schools. The problem with the
tax incentive is that people will be volunteering for the monetary
benefit and not because they care about kids.

212 SANDRA GRZESKOWIAK, special education assistant and teacher
in Corvallis School District: My concern is with volunteers working with
special education students and not having access to important
confidential information on the students in order to be more effective.

255 EDWARDS: Explains why confidentiality is important in special
education. Volunteers would not be given the information and would not
be able to be as effective without it.

REP. MEEK: Talks about the costs of doing background checks on
volunteers and having people serve so many hours a quarter before they
are eligible for a tax credit.

360 REP. MILNE: It is important that teachers know who will be there
and when. I don't believe it needs to be by contract. Evaluation of
volunteers would be an additional burden for teachers. There are many
ways to make sure everyone is providing a valuable service without
requiring agreements and reports.

402 REP. WYLIE: Would all people on the school grounds have the same
requirements for reporting suspected child abuse or is it only
teachers and counselors? Most of my questions should be addressed to
legal counsel.

445 REP. SOWA: Are your groups in favor of background checks or

are you just concerned about the costs?

TAPE 10, SIDE B

019 EDWARDS: OSEA has a problem with the cost factor for criminal background checks.

REP. WHITTY: The potential impact on the state's revenue is between \$200 and \$400 million dollars. The \$6 million background check is a drop in the bucket.

070 REP. RON ADAMS, District 27: Provides testimony in support of HB 2571 (EXHIBIT D). > Outlines the factors about HB 2571 that seem especially important to him: incentive, predictability, impact of adult to student ratio and incidental benefits to parents, seniors and students. > Volunteers would actually be working for 36 cents per hour by the time you take the deduction against 9 percent which is the maximum income tax you could be avoiding. > If the expense of the background check becomes too great, it could be shared by the individual. If there is expense to administration, then the minimum per tax year might be too low. > Refers to page 3, line 21-23, and talks about worker's compensation and the contract. > If special education in the bill presents a problem, I presume it could be left out of the bill. Classroom help is what we are most concerned with.

177 REP. WHITTY: This is a credit on their tax not their income.

REP. ADAMS: The bill language is that it grants a deduction from their state income tax.

203 REP. SCHOON: Refers to language on page 2, section 35, which indicates the deduction is from computed taxable income. It appears to be a deduction and not a credit.

REP. ADAMS: A credit was certainly our intent and there is room for misinterpretation.

Public Hearing on HB 2091 Witnesses: Rep. Liz VanLeeuwen, District 37 Greg McMurdo, Department of Education (DOE) Marvin Evans, Confederation of School Administrators (COSA)

225 REP. LIZ VanLEEUVEN: This bill deletes the criminal penalty for failure to send your child to school. > Current law has not been enforced because of the penalty. > Refers to HB 2757 which would sanction those who are receiving public assistance if they are not sending their children to school.

292 GREG McMURDO, DOE: Notes that compliance with ORS 339.035 should be added on line 7. > A violation of Oregon's compulsory attendance laws has been an unclassified misdemeanor. > School officials have informed us that district attorneys are not prosecuting anyone under this law. > Talks about a situation in Clackamas county where compulsory attendance laws are no longer being enforced. > Proposes decriminalizing nonattendance and allow school districts the discretion of issuing a citation. The form of the citation and conditions for issuance would be prescribed by the State Board of Education. > A school official or someone designated by the district would issue the citation.

364 CHAIR OAKLEY: What would happen after the citation is issued?

McMURDO: The citation would most likely go to the municipal court and be scheduled just like a traffic ticket. A bench warrant could be issued for noncompliance.

REP. MEEK: Expresses his concerns about the policy implications of changing the penalty from criminal to civil. > Questions the validity of a school district establishing the policy and empowering citizens to issue citations.

McMURDO: The State Board would establish a uniform procedure. There is nothing to prohibit the State Board from directing the manner in which a citation be delivered. It could be done by a police officer. However, most schools still have an attendance officer who serves other functions.

TAPE 11, SIDE B

011 REP. MILNE: It seems to me the goal here is not decriminalizing attendance, but rather encouraging attendance.

McMURDO: This bill does address that issue and it is better than nothing which is what we have now.

REP. MILNE: I don't see compliance being the end result with this bill. It may create a whole new set of problems and barriers for that goal.

McMURDO: The compulsory attendance law is not being enforced now. The fine would remain at \$100.

REP. SOWA: This would still be in the criminal code.

McMURDO: It remains in the criminal code but it is not a crime.

064 MARVIN EVANS, COSA: Attendance is a significant education issue. What we are doing now is not working. > First way to get people to keep their kids in school is not beating them over the head with the law. In some families, there is a lack of responsibility to send their kids to school. We need some kind of leverage to use with parents. > Normally, we would be testifying against the bill. In this case, we want to deal with the educational issue of attendance.

Public Hearing on HB 2468 Witnesses: Marvin Evans, Interim Mandate Committee Rep. Liz VanLeeuwen, District 37 Edward Edwards, OSEA 159
MARVIN EVANS, member of advisory group to Interim Mandate Committee: This group was instructed to find mandates within law or regulation which could reduce the cost of delivering services without significant impact on the education of children. > Explains how one-way transportation for half-day kindergarten programs saves school districts money.

192 REP. LIZ VanLEEUVEN: Talks about concerns in some school districts that parents would sue the school for not providing the extra transportation. > Convinced the half-day kindergarten is a better introduction to the school system for kindergarten age children.

REP. WHITTY: Talks about transportation problems in rural school districts.

CHAIR OAKLEY: In the past, weren't the parents involved in the transportation?

EVANS: It depends upon the school district. Up until last session, transportation was at the option of the local district and was not required. > Many of the kindergarten children can be accommodated with the bus runs that already exist. > Experience has been that one-way transportation has worked out in those districts that have tried it.

297 REP. VanLEEuwEN: Points out the bill is intended to be optional and would leave the opportunity open.

310 ED EDWARDS, OSEA: Reviews his testimony in opposition to HB 2468 because of the hardship it would place on parents (EXHIBIT E).

REP. VanLEEuwEN: Clarifies that the bill is specifically limited to the transportation of kindergarten students.

383 CHAIR OAKLEY: Adjourns the meeting at 3:25 p.m.

Reviewed and submitted by

Carolynn Gillson Assistant

EXHIBIT LOG: A - Testimony on HB 2571 - Regina Muter - 2 pages B - Testimony on HB 2571 - Jan McCaffrey - 8 pages C - Testimony on HB 2571 - OSEA - 4 pages D - Testimony on HB 2571 - Rep. Ron Adams - 1 page E - Testimony on HB 2468 - OSEA - 2 pages