

HOUSE COMMITTEE ON EDUCATION

March 18, 1993      Hearing Room E 1:30 p.m.      Tapes 34 - 35

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

MEMBER EXCUSED:    Rep. Larry Sowa

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

MEASURES CONSIDERED: HB 3083- home school students participate in interscholastic activities through private schools, PUB HB 2094- subjects ESDs to certain budget req'mts applicable to common and union high school districts, PUB HB 2998- auth. licensed nurse practitioner to give medical exam when req'd to determine eligibility of child for special ed, PAW

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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 ---]

TAPE 34, SIDE A

004      REP. CAROLYN OAKLEY, chair:    Calls meeting to order at 1:35 p.m.

Public Hearing on HB 3083 Witnesses:      Rep. Carolyn Oakley Stan Baker,  
Santiam Christian School Greg McMurdo, Department of Education (DOE)  
Marvin Evans, Confederation of School Admin. (COSA)

017    REP. CAROLYN OAKLEY, District 36: Last year a bill passed allowing homeschool children to participate in public school interscholastic activities. This bill includes the private schools.

025    STAN BAKER, executive director, Santiam Christian School in Corvallis: Talks about what the Oregon School Activities Assoc. (OSAA) does concerning interscholastic activities. > Interpretation of statute is unclear whether participation in school activities by homeschool students includes private schools. > Private schools are contacted by homeschool families requesting participation in school activities. > Somehow participation in private schools was overlooked. > Homeschool students subject to all OSAA requirements if private school is a member of OSAA. > Recommends homeschool students be able to participate through any OSAA member school.

077    REP. JIM WHITTY: Can homeschool students participate in public school activities in any school district or just in the school district where they live?

BAKER: If the school falls within the boundaries of that district. They can attend any school within their resident district. It is not my intention they go to another school district.

107 REP. JOHN MEEK: Talks about the legislation passed last session.

113 GREG McMURDO, deputy superintendent, DOE: DOE is not taking a position on this bill. > Current law specifically requires that the homeschool student must participate in activities in a school within their attendance area. They can't even participate in activities at a school in the same district but not in their attendance area.

REP. MEEK: Under this bill, a homeschool student could participate in activities at any private school.

McMURDO: Private schools do not have attendance areas. The issue is whether homeschool students can participate in activities in a public school or private school within their attendance area.

REP. MEEK: There may not be a private school within their attendance area. The choice is whether students should be restricted.

139 MARV EVANS, COSA: I talked to Don Peterson of OSAA for clarification. OSAA is concerned that this bill circumvents their regulations. He would like to come back with amended language to make it clear that these students are subject to the same eligibility requirements as any other private school student. Homeschool students are allowed to go to private school of their choice not necessarily in their own district. Unreasonable movement from school to school for athletic purposes is controlled.

REP. WHITTY: Currently, under OSAA regulations, could a student in a private school without extracurricular activities participate in activities in a public school within their attendance area?

EVANS: The answer to the question is no. However, there is a bill which will allow that to happen.

187 REP. JOHN SCHOON: We need some way to identify the school they will participate with.

BAKER: It is my understanding this bill only deals with the right to participate at a given school under the OSAA guidelines. A student is entitled to one transfer during their high school career and it cannot be mid-year unless it is a hardship situation.

McMURDO: There is nothing in the bill to prohibit a homeschool student from being involved in activities at both a public and a private school at the same time. The OSAA rules may prohibit that.

EVANS: Presently, the issues you are raising are not a problem because they are addressed by OSAA regulations. This bill appears to open a loophole to circumvent those regulations. Suggests an amendment to clarify the students would be subject to the same rules as any other student.

REP. WHITTY: Suggests combining HB 3083 and HB 3565 which authorizes private school students to participate in public school interscholastic activities.

246 REP. PATTI MILNE: Is there a rule or law that prevents this now?

BAKER: Current restrictions require students to participate and represent the school they are attending. > OSAA has made some exceptions

for smaller schools.

EVANS: I am not aware of any law which precludes student participation in any program. The OSAA has regulations.

290 REP. MEEK: Does the OSAA have the power to sanction a combined public and private school team to participate in a current league format?

EVANS: I am unaware of such a rule but the OSAA has the power to make such a rule. > OSAA feels this is a mute question unless the funding problem is solved. > Number of homeschool students participating in public school activities as a result last sessions bill is around 42.

McMURDO: Highest activity is boys basketball and second highest is music. Implementation process was smooth. > Refers to blank on line 21 of the bill and explains how the State Board arrived at the 50th percentile for composite test scores of homeschool students who can participate in public school activities. > 23rd percentile is equivalent to a 2.00 gpa.

Public Hearing on HB 2094 Witnesses: Greg McMurdo, DOE Al Shannon, DOE

424 McMURDO: HB 2094 provides a uniform method of reporting and accounting revenues for all school entities including ESDs.

TAPE 35, SIDE A

012 AL SHANNON, DOE: The local budget law directs the Department to establish a standard chart of accounts and we have done that. All ESDs are under that system.

McMURDO: The second part of the bill deals with the forced merger of school districts that fail to maintain or operate a school. Current law allows two consecutive years to operate without State Board approval. Proposes the number of years be reversed to one.

Public Hearing on HB 2998 Witnesses: Greg McMurdo, DOE

046 McMURDO: Reviews the problem addressed in the bill, what the federal regulations require and the changes in the -1 amendment which creates different categories of assessment (EXHIBIT A). > The cost savings to school districts with the -1 amendment will be more than the \$1,160,000 estimated for the original bill.

REP. MEEK: Does the word "if" on line 13 of the bill leave it up to the school district to decide whether to go beyond federal regulations?

McMURDO: It leaves it up to the multidisciplinary team.

091 BRIAN DELASHMUTT, ONA: We think the amendments solve some of the problems. The federal rules do not accurately reflect what is going on in the states and in their communities.

Work session on HB 2998

100 MOTION: Rep. Meek moves to adopt the -1 corrected amendments to HB 2998. There are no objections.

MOTION: Rep. Meek moves HB 2998 as amended to the House floor with a

do pass recommendation.

VOTE: In a roll call vote, the motion carries with all members present voting AYE. Excused: Rep. Sowa Carrier: Rep. Shibley

121 CHAIR OAKLEY: Adjourns the meeting at 2:15 p.m.

Reviewed and submitted by:

Carolynn Gillson Assistant

EXHIBIT LOG: A - HB 2098-1 amendment - DOE and ONA - 2 pages