

HOUSE COMMITTEE ON EDUCATION

March 23, 1993 Hearing Room E 1:30 p.m. Tapes 36 - 37

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, Administrator Carolynn
Gillson, Assistant

MEASURES CONSIDERED: HB 2091 - Deletes criminal penalty for failure
to send child to school, PPW HB 2176 - Tax exempt. for state property
used by OSSHE for parking, PUB HCR2 - Legislative commitment to
affordable state financed higher ed, 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 36, SIDE A

004 REP. CAROLYN OAKLEY, chair: Calls meeting to order at 1:38 p.m.

Public Hearing on HB 2091 Kathryn Murdock, Department of Education (DOE)
Greg McMurdo, DOE Marvin Evans, Confederation of School Administrators
(COSA) Paul Snyder, Association of Oregon Counties (AOC)

015 KATHRYN MURDOCK, DOE: In current law, there is a criminal penalty
for parents who refuse to send their children to school and the
penalty is not being enforced because district attorneys do not have
the time to deal with truancy problems. > HB 2091 deletes the penalty
and adds a citation system.

043 GREG McMURDO, DOE: The language in the amendment was drafted by
the Court Administrator's office and it is technically correct.

MURDOCK: Reviews the changes in the HB 2091-1 amendment (see EXHIBIT
A, 3/11/93).

082 REP. PATTI MILNE: Explained she talked to a superintendent in
her district who did not want the role of citing someone. The bill
would put local community at odds with the school district. > Concerned
if the enforcement would actually take place because school
districts do not have the personnel to do what is required. > Not sure
this is the way to encourage students to be in school for the right
reasons. > Who is going to issue the citation, how will it be enforced,
how will it be followed up and will more students be in school as a
result?. MURDOCK: This bill would not change any of the current
processes used by schools. Under the law, the duty rests with the
parent to send the child to school. This bill would apply to extreme
cases where everything else has failed. > Reviews the process that
would be used.

REP. MILNE: Reads some student attendance profiles and notes the

problem is greater in some districts. > Not convinced attendance problems will be addressed by issuing a \$100 fine. > Some families are likely to move to another school district because they cannot pay the fine.

179 McMURDO: Notes the fine is up to \$100 and determined by the court. Suggests repealing the criminal section in law now.

187 MARV EVANS, COSA: Issuing citation is optional for school districts. > Usually more complex problem than students just not going to school. Often the parent is the center of the problem. > What we are doing now is not working. This is worth a try.

Rep. Meek arrives at 1:50 p.m.

224 REP. JIM WHITTY: Talks about a situation he was aware of when he was a high school vice-principal.

CHAIR OAKLEY: If the superintendent chooses to issue a citation, who would deliver it?

McMURDO: Most likely would be a local police officer.

272 REP. MILNE: I was advised that issuing warnings was a waste of time. > Suggests using something more positive like requiring the parent to go into the classroom with their child instead of having to pay a fine.

McMURDO: It would probably be unconstitutional. Going into the classroom would be more difficult for these parents than paying a fine.

EVANS: Talks about the point of judgement within the law to be exercised by the court and the school district. Different options could be made available in lieu of the penalty that is required. The goal is not to penalize but to get the youngster in school in a cooperative mode.

360 REP. JOHN MEEK: Options need to be clear in the statute. Suggests having more positive than punitive ways of dealing with parents and students. > Feels the fines should go to the district where they are levied and not into the general fund.

McMURDO: The citation could be served by certified mail, or the police or the superintendent. > Nothing prevents a judge now from ordering a parent to visit a school. > Before establishing a separate account in the general fund for the school districts, we want to see how much money will be involved.

REP. MEEK: The option needs to be given in the initial notice of a citation. We need to keep this out of the courts.

TAPE 37, SIDE A

025 EVANS: Before fine is levied, assumes efforts would be made to get parent into the school. > Assumes the state board would require a process before issuing a citation. > If the fine goes to the school district, it may raise the question that there is some financial advantage to issuing citations. There should be no financial advantage to the school district.

REP. MILNE: It is not the district that is actually collecting the money. It still goes through the local municipal court. Couldn't the money be put into a local school fund?

McMURDO: It would have to be paid into the state. It could be put in the common school fund.

065 REP. WHITTY: Refers to fiscal analysis (EXHIBIT B) which indicates only five or fewer cases of noncompliance were prosecuted last year. Requiring the parent to come to the school in lieu of paying a fine is a penalty on the kid and the parent. Not a good idea to pay the money to the school district.

090 REP. JOHN SCHOON: What good is going to come from dragging a 17 or 18 year old kid into school who doesn't want to be there?

MURDOCK: School districts put more emphasis on early grades. Keeping 17 or 18 year olds in school until they earn a diploma has educational value. Prior to issuing a citation a notice is sent to the parents so they can avoid paying a fine.

REP. SCHOON: Suggests changing the ages to 7 through 16.

McMURDO and EVANS: Both explain this would be a significant change in the law.

160 EVANS: We work hard at keeping 17 and 18 year olds in school and that would be a big change.

REP. MEEK: Maybe the Department and the Board focus on these kids, but local schools don't work so hard on 17 and 18 year olds. I am not sure issuing a citation will make a difference. > Further discussion on the issue.

244 PAUL SNYDER, AOC: Takes no position on the bill or amendments. Concerned the criminal justice system will still have to get involved if there is no response to the citation.

Public Hearing on 2176 George Pernsteiner, Oregon System of Higher Education (OSSHE) Wayne Cottam, Oregon Health Science University (OHSU) Rob Nosse, Oregon Student Lobby (OSL) Arlene Collins, American Fed. of State, County and Municipal Employees (AFSCME) Julia Gies, Oregon Nurses Association (ONA)

282 GEORGE PERNSTEINER, OSSHE: Reads his testimony in support of the bill (EXHIBIT C).

387 REP. MEEK: The estimated tax is \$2 million, revenue is \$6 million and the debt service is \$3 million. You are still ahead by \$1 million.

PERNSTEINER: Reviews additional costs the parking revenues cover including transit passes for employees.

TAPE 36, SIDE B

015 REP. MEEK: What is your cost right now on those parking lots?

PERNSTEINER: In the biennium that just ended we broke even.

025 CHAIR OAKLEY: Requests more information on how revenue from parking lots is spend and on the costs of transit passes.

040 WAYNE COTTAM, president of All-Hill Student Council at OHSU: Reads his testimony in support of the bill (EXHIBIT D).

106 REP. MILNE: Notes some of the increases on the chart attached to the testimony are not so substantial. Are there other costs we are not aware of?

118 ROB NOSSE, Oregon Student Lobby: The largest effect will be felt in the Portland metropolitan area.

REP. MILNE: How many students who live on campus are paying for parking?

NOSSE: Estimates 400 students.

178 ARLENE COLLINS, AFSCME: Testifies in support of the bill. Talks about the high cost of parking at OHSC and explains why providing parking is necessary. Makes good business sense to continue.

REP. MEEK: Do we have a timeline on the debt service of these bonds?

PERNSTEINER: I will provide you with the details. The newest bonds were sold two years ago.

225 JULIA GIES, ONA: Reads testimony in support of the bill (EXHIBIT E).

CHAIR OAKLEY: Are salaries higher where parking costs are higher?

GIES: No.

Public Hearing on HCR2 Witnesses: Rep. Mike Burton Tiah Sanderson, Oregon Young People's Caucus Kelly Choe, Oregon Young People's Caucus Jennifer Shy, Oregon Young People's Caucus Teresa Hernandez, Oregon Young People's Caucus Robert Nosse, Oregon Student Lobby (OSL) George Pernsteiner, OSSHE

300 REP. MIKE BURTON, District 17: Talks about Oregon Young People's Caucus.

357 TIAH SANDERSON, from Sherman county: Provides background information on the Caucus (EXHIBIT F). > Explains that HCR2 is aimed at protecting the middle class and is a simple statement of intent.

KELLY CHOE, from Marion county: Outlines her concerns about the future for middle class kids who want to attend college.

TAPE 37, SIDE B

032 JENNIFER SHY, from Multnomah county: Explains how the raise in tuition will make it almost impossible for her to go to college in Oregon.

047 TERESA HERNANDEZ, from Washington county: Explains how important a college education is to her.

075 REP. MEEK: The bill is a tremendous statement on the goals and

priorities of the legislative assembly. Where do we go from here with it?

REP. BURTON: Talks about the importance of having a tuition policy. It is a broad statement without funding but it is important to send a signal regarding accessibility to kids in school. > The -1 amendment provides a broader access (EXHIBIT G).

180 REP. WHITTY: Talks about costs of higher education 12 years ago. It is a matter of moving higher education up on the priority list.

CHAIR OAKLEY: We are also looking at productivity and better use of dollars on state school campuses.

REP. MEEK: Don't expect your first year income after college to exceed your tuition.

247 ROBERT NOSSE, OSL: Testifies in support of HCR2. > Reviews information in his handout concerning enrollments by county and what a 7 percent reduction would look like in each county; and a fact sheet showing how under Measure 5 tuition is going up and enrollments are going down (EXHIBIT H).

CHAIR OAKLEY: Requests information on productivity from the OSL.

NOSSE: The State Board is looking at several things in order to do a better job with fewer dollars. Students have a lot of ideas but I am not sure they will help solve the fiscal crisis.

324 GEORGE PERNSTEINER, OSSHE: Testifies in support of the bill. What the students and Rep. Burton said summarizes the policies of our Board. The Board has adopted the policy that tuition for undergraduates should be about one-third of the cost of instruction paid by the student. > This resolution will make an important policy contribution towards affordable access to higher education.

368 CHAIR OAKLEY: Adjourns meeting at 3:26 p.m.

Reviewed and submitted by:

Carolynn Gillson Assistant

EXHIBIT LOG: A - HB 2091-1 amendment - DOE - 2 pages B - Fiscal analysis on HB 2091 - LFO - 1 page C - Testimony on HB 2176 - OSSHE - 3 pages D - Testimony on HB 2176 - OHSU - 5 pages E - Testimony on HB 2176 - ONA - 2 pages F - Testimony on HCR2 - Oregon Young People's Caucus - 11 pages G - HCR2-1 amendment - Rep. Mike Burton - 1 page H - Testimony on HCR2 - Oregon Student Lobby - 2 pages