

HOUSE COMMITTEE ON EDUCATION

May 25, 1993 Hearing Room E 1:30 p.m. Tapes 82 - 83

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 2066 - Revises merger & unification
procedures, WRK HB 2468 - One-way transp. for kindergarten students, WRK
HB 2473 - Auth. TSPC to enter into reciprocal agreements, WRK HB 3000 -
Parental skills & child develop. instruct. for high school students,
WRK HB 3342 - Repeals CIM and CAM from HB 3565 (1991 sess.), PUB HB 3638
- Higher ed. student parking requirements, WRK HB 3371 - Mod. proced.
for reductions in force in sch. dists., WRK HB 3160 - Sch. dist. adopt
policy to reduce gang involmt. & drug abuse, WRK HB 2095 - Std. for
admis. of underage children to kindergarten, WRK HB 3346 -
Auth. overcrowded sch. dist. to contract with private
sch., PAW HB 2571 - Income tax deduction for volunteer classroom
asst., WRK HB 3225 - Dir. pymt. of student stipends for community
service, WRK

[--- 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.
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TAPE 82, SIDE A

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

Work Session on HB 2066

013 CHAIR OAKLEY: Rep. Peterson has agreed to pull her HB 2066-6
amendments (see EXH. C, May 11).

017 JOHN MARSHALL, OSB A: Refers to section-by-section description
of the HB 2066-4 amendments (see EXH. B, May 11) which facilitates the
merger procedures currently underway. > Two major policy issues in the
bill: 1) allow a union high school board to increase it's membership
from five to seven during a merger procedure; and 2) eliminate the
remonstrance petition on those mergers brought to the boundary board by
the affected school districts in a direct response to SB 917, the
unification mandate (1991 session).

CHAIR OAKLEY: Will there be ways to help areas that still are having
problems because of unique circumstances?

REP. JOHN MEEK: Exemptions based on unique circumstances will have
to be considered on a case-by-case basis.

072 MOTION: Rep. Whitty moves to adopt HB 2066-4 amendment (see
EXH. B, May 11). > There are no objections. MOTION: Rep. Whitty moves HB
2066 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. Whitty

Work Session on HB 2468

095 SAMPLE BROWN, Committee Administrator: The HB 2468-3 amendment (EXH. A) combines the HB 2468-1 recommended by Rep. Schoon (see EXH. C, May 18) and the HB 2468-2 amendment which adds language for clarification and consistency (EXH. B).

MOTION: Rep. Meek moves to adopt the HB 2468-3 amendment. > Rep. Whitty objects. VOTE: In a roll call vote, the amendment is adopted with Reps. Wylie and Whitty voting NO. MOTION: Rep. Meek moves HB 2468 as amended to the House Revenue and School Finance Committee with a do pass recommendation. VOTE: In a roll call vote, the motion passes with Reps. Sowa, Wylie and Whitty voting NO.

Work Session on 2473

100 BROWN: Reviews amendments: HB 2473-1 (see EXH. B, 4/27) deletes reciprocal agreements with Canada, HB 2473-2 amendment (see EXH. A, May 20) adds fingerprinting requirements for out-of-state applicants, and the HB 2473-3 amendment combines the first two amendments (EXH. C). > A fiscal analysis on the HB 2473-2 is provided by Legislative Fiscal (EXH. D).

145 MOTION: Rep. Schoon moves to adopt the HB 2473-3 amendment.

REP. MEEK: Who pays for the costs of a background investigation?

BROWN: Refers to provisions in Section 5 concerning a fee to the applicant.

> There is no objection to adoption of the HB 2473-3 amendment. MOTION: Rep. Schoon moves HB 2473 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. Meek

Work Session on HB 3000

217 REP. MEEK: Reviews what bill does with HB 3000-4 amendment (see EXH. D, May 13). > A fiscal analysis was prepared on HB 3000-4 (EXH. E). MOTION: Rep. Meek moves to adopt the HB 3000-4 amendment. > There is no objection.

MOTION: Rep. Meek moves HB 3000 as amended to the floor with a do pass recommendation. VOTE: In a roll call vote, the motion carries with Rep. Whitty voting NO. Carrier: Rep. Naito

Public Hearing on HB 3342 Marv Evans, Confederation of School Administrators (COSA) Rep. Ted Calouri Ed Edwards, Oregon School Employes Assn.

276 MARV EVANS, COSA: This bill no longer has anything to do with the original intent. > The HB 3342-1 amendment increases the distance from which school bus transportation is mandated from 1 1/2 to 3 miles for secondary students and from 1 to 2 miles for primary students (EXH. F). Another amendment is coming which makes the language permissive and allows more flexibility for school districts when

setting up their bus schedule. The intent is not to wipe out the compulsory transportation mandate or place kids in the weather for excessive distances. > Fiscal analysis was prepared on HB 3342-1 (EXH. G).

421 REP. LARRY SOWA: Would this bill require some smaller school districts to have no bussing?

EVANS: Technically, yes, if the mileage in the amendment stays the same and a district were only four miles across with the school exactly in the center.

TAPE 83, SIDE A

005 REP. TED CALOURI: Removing a mandate does not necessarily mean school districts are not going to act responsibly. Leaving the mandate in can take away flexibility and cost school districts a great deal of money. The requirement to provide a general transportation system is not removed.

REP. SHARON WYLIE: The idea of six-year olds walking two miles to school in urban or isolated rural area bothers me. I am not comfortable with the two mile distance and prefer flexibility for schools in urban or isolated rural settings.

REP. CALOURI: Local control can be the answer. Perhaps health and safety language should be included in the bill.

101 EVANS: Savings by reducing transportation is less than it appears because seventy percent of the money comes from the state. Transportation is an emotional issue in school districts and they need some flexibility.

REP. CALOURI: We cannot protect everyone from every circumstance.

EVANS: There already is a provision in the law which allows children within a mile to be bussed for safety reasons and for the district to be reimbursed.

148 ED EDWARDS, OSEA: The one mile and 1 1/2 mile distances are still reasonable. The issues are access, attendance and safety. The law does not require parents to send their children to school on buses but they do because it is a safe way to get their child to school. Money and local control are not the issue. Kids have to go to school and we have the responsibility to get them there.

Work Session on HB 3638

198 BROWN: The HB 3638-2 amendments (EXH. H) change the bill so it only applies to full or part-time students. It clarifies the need for a valid driver's license, automobile registration and proof of insurance. School are encouraged to establish these rules but it is not a mandate. > A fiscal analysis was prepared on the bill (EXH. I).

MOTION: Rep. Meek moves to adopt the HB 3638-2. > There is no objection. MOTION: Rep. Meek moves HB 3638 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. Milne

Work Session on HB 3371

239 BROWN: The HB 3371-4 amendment deletes the use of affirmative action in reduction in force, defines lower paying positions and makes the language consistent with federal requirements (EXH. J).

MOTION: Rep. Meek moves to adopt the HB 3371-4 amendment. > There is no objection. MOTION: Rep. Meek moves HB 3371 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. Meek.

Work Session on HB 3160

292 BROWN: The HB 3160-2 amendment changes the language to permissive and encourages the DOE to adopt a comprehensive policy to reduce gang involvement, violent activity and drug abuse (EXH. K).

MOTION: Rep. Schoon moves to adopt the HB 3160-2 amendment > There is no objection. MOTION: Rep. - moves HB 3160 as amended to the floor with a do pass recommendation. VOTE: In a roll call vote, the motion carries with all members present voting AYE. Carrier: Rep. Gordly

Work Session on HB 2095

332 BROWN: The HB 2095-1 amendment adds language to change special education statutes in order to comply with federal laws (see EXH. E, April 6). > Fiscal analysis prepared on HB 2095-3 (EXH. L).

330 JIM GREEN, OSB A: Reviews the HB 2095-6 amendment (EXH. M) which combines the HB 2095-1 and HB 2095-3 (EXH. N) and proposes to take away the mandate regarding Talented and Gifted (TAG) programs in school districts. OSB A is against mandating curriculum to local school districts. This amendment would allow local school districts the option to provide a TAG program. Right now if school districts do not provide it, they are out of compliance and could lose state funding.

TAPE 82, SIDE B

010 REP. WYLIE: Why change the program because the money is not there?

GREEN: The original money was used to fund pilot TAG programs. It was not there to fund the statewide mandate. Those school districts in financial hardship will be allowed to offer curriculum and programs within their current budgets. Most school districts will not do away with their TAG program. > Reviews the financial hardship exemption in the statutes.

REP. WYLIE: What would it take to extend the sunset on the hardship exemption capacity of the school board?

GREEN: You would have to amend ORS 343.409 and extend the deadline out. Without replacement revenue, the future of school districts looks very bleak.

092 REP. PATTI MILNE: TAG is a vital part of what we are doing. We continue to address special needs and concerns in other programs and ignore the needs of TAG students. I am concerned about where we make cuts in order to balance budgets.

GREEN: The rest of the HB 2095-6 amendment deals with special education

laws that are federal mandates on the state. The TAG mandate is a state mandate. OSB A is not trying to do away with a curriculum just to put the TAG students on the shelf.

CHAIR OAKLEY: Do you think students will get a higher level of education with HB 3565 and a TAG program will not longer be necessary?

GREEN: It is an individual-based curriculum program. It is like a TAG program based on a student's own assessment.

142 WILMA WELLS, COSA: COSA supports the amendment because it feel that mandates that are not financed should not be imposed by the state. We believe HB 3565 will take care of the TAG students.

CHAIR OAKLEY: Should we pursue an amendment that would extend the compliance date?

REP. WYLIE: Does not favor adjusting the TAG language because of a fiscal crisis, but would support extending the date of compliance in recognition of the constraints that school districts are under. Meeting academic needs is higher priority than many of the other things school districts have stopped doing.

186 REP. WHITTY: This bill was introduced by Superintendent of Schools Norma Paulus. Was she consulted about this amendment?

GREEN: Not about this specific amendment. We have talked to her about OSB A's opposition to a mandate in statute.

REP. WHITTY: You should have talked to her and I am going to vote against it for that reason. 200 REP. SOWA: Notes that the DOE budget does include TAG funding but it is the number one priority on the add back list.

REP. SCHOON: Likes the HB 2095-6 amendment because it may equalize the treatment of children in the school.

REP. MEEK: Talks about TAG programs. We are not taking anything away from schools with this amendment.

263 MOTION: Rep. Schoon moves to adopt the HB 2095-6. VOTE: In a roll call vote, the motion carries with Reps. Sowa, Wylie and Whitty voting NO. MOTION: Rep. Schoon moves HB 2095 as amended to the floor with a do pass recommendation.

277 REP. MILNE: Explains her concerns about the direction education is going.

VOTE: In a roll call vote, the motion carries with Reps. Whitty, Wylie, and Sowa voting no. Carrier: Rep. Schoon

REP. SOWA: Services notice of a possible minority report.

Public Hearing on HB 3346 Rep. John Meek

310 REP. MEEK: One of the goals of HB 3565 is to establish an alternative learning environment. School districts need the flexibility and opportunity to do that. HB 3346 allows local school districts to contract out for services at private schools. > Notes on page 1, line 9 of the HB 3346-2 amendment (EXH. 0) money available to a school district

for services cannot be made available to any religious or theological institution.

Work Session on HB 3346

350 MOTION: Rep. Meek moves to adopt the HB 3346-2 amendment. > There are no objections. MOTION: Rep. Meek moves HB 3346 as amended to the floor with a do pass recommendation. VOTE: In a roll call vote, the motion carries with Reps. Sowa and Wylie voting NO. Excused: Rep. Whitty. Carrier: Rep. Meek.

Work Session on HB 2571

402 BROWN: The HB 2571-3 amendment (EXH P) is a combination of the HB 257 1-1 and HB 2572-2 amendments (see EXH. E and F, May 6). Reviews the main changes in the amendment: number of hours for volunteers, no additional duties for teachers and not replacing any classified employes.

MOTION: Rep. Schoon moves to adopt the HB 2571-3 amendment. > There are no objections. MOTION: Rep. Schoon moves HB 2571 as amended to the Revenue and School Finance Committee. VOTE: In a roll call vote, the motion carries with Reps. Sowa and Wylie voting NO. Excused: Rep. Whitty.

TAPE 83, SIDE B

Work Session on HB 3225

028 A fiscal analysis was prepared on the bill (EXH. Q).

MOTION: Rep. Schoon moves to adopt the HB 3225-5 amendment (EXH. R). > There are no objections. MOTION: Rep. Schoon moves HB 3225 as amended to appropriate Appropriations committee with a do pass recommendation. VOTE: In a roll call vote, the motion carries with all members voting AYE.

REP. MEEK: I asked the sponsors of the bill to check to see if there are any private schools interested in doing this. I did not select a school and have no conflict of interest with the schools that were selected.

050 CHAIR OAKLEY: Adjourns meeting at 3:45 p.m.

Reviewed and submitted by:

Carolynn Gillson Assistant

EXHIBIT LOG: A - HB 2468-3 amendment - committee staff - 1 page B - HB 2468-2 amendment - committee staff - 1 page C - HB 2473-3 amendment - committee staff - 3 pages D - Fiscal analysis on HB 2473-2 - LFO - 2 pages E - Fiscal analysis on HB 3000-4 - LFO - 1 page F - HB 3342-1 amendment - OSB A - 3 pages G - Fiscal analysis on HB 3342-1 - LFO - 1 page H - HB 3638-2 amendment - committee staff - 6 pages I - Fiscal analysis on HB 3638-2 - LFO - 1 page J - HB 3371-4 amendment - committee staff - 2 pages K - HB 3160-2 amendment - committee staff - 2 pages L - Fiscal analysis on HB 2095-3 - LFO - 1 page M - HB 2095-6 amendment - committee staff - 16 pages N - HB 2095-3 amendment - OSB A - 1 page O - HB 3346-2 amendment - Rep. Meek - 2 pages P - HB 2571-3 amendment - committee staff - 5 pages Q - Fiscal analysis on HB 3225 -

LFO - 1 page R - HB 3225-5 amendment - Rep. Meek - 4 pages