

HOUSE COMMITTEE ON EDUCATION

June 1, 1993           Hearing Room E 1:30 p.m.   Tapes 88-89

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 3342-2 - Extends distances sch. dists. are  
req'd to provided transp., PUB SB 2 - Repeals sunset of OCCS, WRK HB  
2095 - Sets std. for admis. of underage children to kindergarten,  
WRK

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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 88, SIDE A

005 REP. CAROLYN OAKLEY, chair: Calls the meeting to order at 1:30  
p.m.

Public Hearing on HB 3342

018 MARV EVANS, COSA: Reviews the purpose of the HB 3342-2  
amendment which replaces the original bill (EXH. A). The purpose of the  
amendment is to let school districts deal with unique situations >  
Legislative Fiscal analysis (EXH. B) and Legislative Revenue analysis  
(EXH. C) were provided on HB 3342-2. > School districts are eligible for  
reimbursement only for secondary students who live three miles from  
school and elementary students who live two miles from school.

042 REP. JIM WHITTY: I cannot accept two-and-three miles. Would  
one-and-one-half and two miles solve the problem?

EVANS: Those would be appropriate numbers. > Responds to members  
questions concerning distances. > There are thousands of circumstances  
that require some kind of judgements and those judgements need to be  
made by people who know the circumstances. > School districts can petition  
now for transportation funding inside the present limits for safety  
reasons.

137 ED EDWARDS, OSEA: Opposes increasing the miles students have to  
walk because the current distances of one-mile and one-and-a-half miles  
are reasonable.

CHAIR OAKLEY: An amendment will be drafted to change the language  
to one-and-one half miles instead of two for elementary students and  
two miles instead of three for secondary students.

Work Session on SB 2

178 KAREN GARST, OCCS: Explains how the Office of Community College Services has worked well and should no longer be sunsetted.

MOTION: Rep. Whitty moves SB 2 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

Possible Reconsideration of HB 2095

220 CHAIR OAKLEY: Explains why the bill is back before the committee for reconsideration.

MOTION: Rep. Meek moves to suspend the committee rules for the purpose of reconsidering HB 2095. VOTE: In a roll call vote, the motion carries with all members voting AYE. MOTION: Rep. Whitty moves to reconsider the vote by which HB 209 5 was passed. VOTE: In a roll call vote, the motion carries with all members voting AYE.

Work Session on HB 2095

249 OZZIE ROSE, COSA: COSA proposed the HB 2095-3 (see EXH. N, 5-25) amendment which takes away the TAG mandate. The issue is not opposing TAG but it is opposing unfunded mandates. The amendment will allow districts to consider TAG among other priorities during their budgeting and decision-making process. School districts need to make choices and this amendment provides that opportunity to local school districts.

306 CHRIS DUDLEY, OSB A: Against mandates because of funding and feels individual communities need to look at options.

330 NORMA PAULUS, Superintendent of Public Instruction: Talks about national television station interest in Oregon's school reform act. Two schools were chosen for filming by NBC: Roosevelt High School in Portland and Sheldon High School in Eugene. The school-to-work transition programs were of particular interest. > Explains why the TAG program must be retained. > The national dropout rate for talented and gifted students is 25 percent. > Having a out-based education and raising everyone's expectations is a main theme of HB 3565. > As HB 3565 is implemented, the needs of the talented and gifted students will be met.

TAPE 89, SIDE A

050 REP. SHARON WYLIE: Explains the minority report, HB 2095-7 (EXH. D) which continues to recognize the importance of all the populations within our schools and leaves people in compliance.

PAULUS: Does not object because it is in keeping with other waiver authorities the DOE has. > Talks about the State Board's waiver process and the waiver to the breakfast program.

080 REP. MILNE: What is the \$285 average cost per TAG student based on that is listed in the fiscal impact statement on HB 2095-MR7 (EXH. E)?

PAULUS: The costs probably are based on identification of students and the processing of paperwork. There is far too much paperwork in all of our programs because the DOE has been a regulatory agency. HB 3565

will change that. > 42,000 students out of approximately 510,000 are involved in the TAG programs.

REP. MILNE: Talks about responses from school district superintendents in her district concerning mandated programs and how additional personnel is often needed to take care of extra paperwork.

143 PAULUS: We are asking teachers for a change in attitude and it has to come from the top. If school boards and superintendents just want to do the minimum, then their programs will be the minimum. Many programs are working.

REP. MILNE: Knows the value and importance of the program but an imbalance exists. Paperwork for complying with standards takes so much time and drags down the program.

PAULUS: Suggests adopting the minority report so the Department can provide waivers to schools which cannot comply. Welcomes more flexibility in the program.

REP. MILNE: More schools would be in the position to provide good programs if it were not so cumbersome. Need to maintain the program but eliminate the mandate.

214 REP. SOWA: I voted no on HB 2095 as amended on May 25 because some programs are so important they have to be instituted. > Reviews the language in the minority report (see EXH. D) which makes permanent the DOE's ability to waive the TAG mandate if there is financial hardship in a school district.

253 REP. WYLIE: Talks about the waiver process. Opposes eliminating goal of serving the needs of all students.

CHAIR OAKLEY: Concerned about the DOE waiver process.

307 GREG McMURDO, DOE: Impossible to say how a waiver request would be received without knowing what the request is. Talks about the kinds of waivers that have been granted by the Board.

356 REP. SCHOON: Concerned about waiver being tied to just financial hardship.

McMURDO: I don't believe the minority report would keep us from granting waivers from any provision of the TAG law.

REP. SCHOON: Talks about a school where the TAG program was applied to every kid in the school.

432 CHAIR OAKLEY: Was there ever a waiver requested on TAG before Jan 1, 199 2?

McMURDO: Seven schools requested waivers and three received them. To our knowledge, all the schools are in compliance but some have inadequate programs. > Talks further about waivers.

TAPE 88, SIDE B

033 REP. JOHN MEEK: Talks about the amount of money being spent on the paperwork. The minority report would allow the DOE to work on rules to eliminate some of the paperwork. There needs to be more flexibility for

waivers.

McMURDO: Funding for TAG was taken out of the DOE budget and is on the add-back list.

REP. MILNE: Reviews letter from Woodburn School District which indicates the amount of staff time it takes one TAG teacher just to test students and complete paperwork required for the TAG mandate (EXH F).

McMURDO: Willing to put more flexibility in an amendment.

085 REP. WYLIE: How will removing financial hardship from the amendment provide more flexibility?

REP. MEEK: More than three-fourths of the statute is a list of criteria for the school districts to follow when they are involved in the TAG program. Suggests getting rid of some of the reporting requirements and allow some flexibility. Limiting waivers to financial hardship does not get to the paperwork problem.

REP. WYLIE: What minimum structure does the DOE need in order to concentrate on measuring results and efficiencies rather than just compliance?

REP. MEEK: School districts don't want to stop the program, they just want less paperwork. Refers to what the HB 2095-8 amendment would do (EXH. G).

167 DUDLEY: Sending out the message that no matter what happens to state funding, TAG kids will keep their programs. Not sure that is appropriate. All children are entitled to the same program the TAG children get.

ROSE: Talks about requirements on school districts in the administrative rules. The issue is how to get the most out of the dollars you have. Very diverse in school district resources across the state. Need strong statement of intent if the HB 2095-7 amendment is adopted. > Talks about the administrative rules process.

230 REP. SCHOON: How do smaller schools comply with the TAG program?

McMURDO: Believes some of the TAG services in smaller school districts are provided by ESDs.

DUDLEY: Good instruction occurs where there are good teachers and the TAG mandate does not make a lot of difference. Technology has drastically changed and can be used in providing the programs. A segment of the TAG parents want a statutory right to the program over and above the rights of other kids such as exist for special education kids.

McMURDO: The TAG program survived the Governor's budget but did not get through the Ways and Means process. Talks about the paperwork required. > Talks about the fiscal impact on the HB 2095-8 amendment (EXH. H).

349 REP. WHITTY: Reviews the language in Section 18 (2) in the HB 209 5-8 amendment. If the cost of a TAG program was so much and the amount of money a school district got was not enough, could they eliminate the TAG program?

McMURDO: As this is written, yes they could.

370 Committee takes a short break. > Rep. Tony Federici submits testimony urging the committee not to drop the mandate and provides copies of letters from constituents (EXH. I).

387 LAURA STEWART, homeschooler in Salem: Talks about the TAG program she participated in while attending public school.

TAPE 89, SIDE B

004 TAIT SCHAFFER, of Turner: Explains how he benefited from moving out of grade school to middle school because of the TAG law (EXH. J).

043 REP. SOWA: If the TAG law becomes optional rather than a mandate, do you think you will have to back to the sixth grade?

SCHAFFER: I don't think Turner School District will be trying to pull me back now that I am at Cascade.

REP. SCHOON: Do you know other TAG kids who are taking advanced classes or do they have special classes for TAG students?

SCHAFFER: At Turner they do not have any extra TAG classes. I am sure they do at Cascade.

069 REP. MILNE: Are there any other students who have been able to skip classes like you have?

SCHAFFER: No, not at my school although I know six kids who could easily do that if they wanted to.

087 BETH UNVERZAGT, of Salem: A TAG parent whose children currently attend Turner Elementary School and a school board member. Only 214 students in the school and 11 students were identified as TAG students. Describes how their needs are being met. District spent \$33 in 1992-93 on the 11 TAG students. Does not believe TAG children in smaller districts would be served without the mandate. Law provides an opportunity so TAG students are challenged and not bored. Does not believe the OSB A and COSA have just a financial reason for changing the mandate. Provides a written statement (EXH. K).

160 REP. SOWA: There is a concern that if a certain amount is not spent by the school per TAG student, their program may not be approved by the State Board. Is yours an approved program?

UNVERZAGT: I believe it is. Many school districts serve TAG children in the classroom without a special curriculum or without spending extra money.

195 LARRY HINDMAN, of Woodburn: At the small elementary school where my wife teaches, there is no additional staff to take care of paperwork. Paperwork should not be an issue because individual teachers can take care of the paperwork without additional compensation.

221 REP. MILNE: Refers to letter containing a proposal from the Woodburn School District. > We need to look at the discrepancies on the how the TAG program is being implemented if some school districts handle the paperwork with existing staff and others find it necessary to hire additional staff.

HINDMAN: Feels the TAG program is something all children can benefit from.

282 BRIANNA BERTOGLIO, a high school freshman at Newberg High: If the TAG waiver were available, my district would take the waiver option. It would be hard to determine which school districts are not suffering financial hardship. > Believes there is an implied feeling that TAG students come from middle class families with two parents and get straight As. Explains why that is not true. > The school district not the state needs to figure out how to handle the paperwork.

356 REP. SCHOON: Did other kids feel it was boring in a regular class?

BERTOGLIO: Talks about TAG programs and students.

> Written testimony was submitted by several people requesting that TAG remain a mandated program (EXH. L).

436 CHAIR OAKLEY: Adjourns the meeting at 3:45 p.m.

Reviewed and submitted by:

Carolynn Gillson Assistant

EXHIBIT LOG: A - HB 3342-2 amendment - OSB A - 1 page B - Fiscal analysis on HB 3342-2 - LFO - 1 page C - Revenue analysis on HB 3342-2 - LRO - 1 page D - HB 2095-MR7 minority report - Rep. Larry Sowa - 16 pages E - HB 2095-MR7 fiscal analysis - LFO - 1 page F - Testimony on HB 2095 - Woodburn Public Schools - 2 pages G - HB 2095-8 amendment - Rep. Meek - 1 page H - HB 2095-8 fiscal analysis - LFO - 1 page I - Testimony on HB 2095 - Rep. Tony Federick - 4 pages J - Testimony on HB 2095 - Tait Schaffer - 1 page K - Testimony on HB 2095 - Beth Unverzagt - 1 page L - Testimony on HB 2095 - several people - 77 pages