

SENATE COMMITTEE ON EDUCATION

May 6, 1993 Hearing Room 343 3:15 p.m. Tapes 65 - 67

MEMBERS PRESENT: Sen. Catherine Webber, Chair Sen. Stan Bunn,
Vice-Chair Sen. Ron Cease Sen. Paul Phillips

MEMBER EXCUSED: Sen. Shirley Gold

STAFF PRESENT: Lee Penny, Committee Administrator Julie Mušiz,
Committee Assistant

MEASURES CONSIDERED: SB 997 - Relating to certain state
agencies SB 590 - Relating to student financial assistance SB 1078 -
Relating to criminal identification data SB 119 - Relating to certain
state agencies SB 519 - Relating to Department of Education SB 589 -
Relating to higher education

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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 65, SIDE A

009 CHAIR WEBBER: Calls meeting to order at 3:30 p.m.

(Tape 65, Side A) SB 589 - RELATING TO HIGHER EDUCATION - PUBLIC HEARING
WITNESSES: Gary Andeen, Oregon Independent Colleges Association
Michael Mooney, President, Lewis and Clark College Nancy Wilgenbusch,
President, Marylhurst College

030 GARY ANDEEN, OREGON INDEPENDENT COLLEGES ASSOCIATION:
Testifies in support of SB 589. Submits and reviews tables and
testimony, (EXHIBITS

A & B).

100 SEN. CEASE: Asks if Table 2 includes proprietary schools.

Andeen: No, it doesn't.

CHAIR WEBBER: Asks what the "independent" category includes. 110
Andeen: It includes all the degree-granting institutions headquartered
in Oregon. Continues review of charts and testimony.

200 SEN. CEASE: Asks about the source of Table 1.

Andeen: Oregon Independent Colleges Association (OICA).

SEN. CEASE: Asks why Oregon is so low in Table 1.

Andeen: We're putting more students through two-year colleges.

232 CHAIR WEBBER: In 1980, Oregon was above the national average, so there's less of a percentage change in the growth over the decade.

SEN. CEASE: Reiterates that knowing the other factors for Oregon's lower percentage growth would be helpful.

Andeen: There are multiple factors for this. It's worth the state's time to look at these numbers and determine the reasons for them.

SEN. CEASE: Both the Legislature and the Governor of Oregon have not put higher education as a priority for several years.

285 Andeen: Agrees. Continues testimony and review of tables.

328 CHAIR WEBBER: Referring to Table 3b, asks what the full cost of the state system would look like on the graph.

Andeen: There's another table later that will demonstrate that.

SEN. CEASE: Would it be fair to say that what's happening in private higher education is pretty much happening across the country, while what's happening in the cost of public higher education is higher than other western states?

Andeen: Yes. Continues review of charts.

460 CHAIR WEBBER: Is page 2, 3 of the bill intended to do anything operational or is it just a policy?

Andeen: The intent of the bill is to affirm state policy because higher education is important to the state. A major portion of higher education in the state is delivered by independent colleges.

Tape 66, Side A

036 SEN. CEASE: Thinks independent and public colleges do compete. Thinks it's impossible to eliminate the competition. Thinks cooperation ought

to be enhanced instead.

Andeen: That was our intent. 064 CHAIR WEBBER: This just makes a statement that we should increase state support of higher education, not that we will.

Andeen: That is correct. Continues testimony and review of charts.

Suggests 6 of bill be included in a broader study of the state's higher education objectives and how to achieve them.

144 SEN. CEASE: Supports that suggestion.

CHAIR WEBBER: Thinks they both need to be addressed over the interim.

155 NANCY WILGENBUSCH, PRESIDENT, MARYLHURST COLLEGE: Testifies in support of SB 589.

252 MICHAEL MOONEY, PRESIDENT, LEWIS AND CLARK COLLEGE: Speaks in support of bill. Speaks to Sen. Cease's question on what factors have

contributed to Oregon falling behind the national average in Table 1.

296 SEN. CEASE: Asks why there seems to be substantial support of higher education in the business community but that support doesn't seem to

have much impact.

Mooney: We need to learn how to invest our resources appropriately.

Continues testimony.

(Tape 66, Side A) SB 1078 - RELATING TO CRIMINAL IDENTIFICATION DATA - WORK SESSION WITNESSES: Greg McMurdo, Department of Education Dave Fidanque, American Civil Liberties Union of Oregon Jim Green, Oregon School Board Association Joe Benninghoff, Confederation of Oregon School Administrators

439 GREG MCMURDO, DEPARTMENT OF EDUCATION: Reviews SB 1078-5 amendments.

485 DAVID FIDANQUE, AMERICAN CIVIL LIBERTIES UNION OF OREGON: The word "school board" was not deleted from page 3, lines 2 and 6. Suggests

the insertion of "superintendent" in its place.

SEN. CEASE: Couldn't we just put a period after "district"?

Tape 65, Side B

043 McMurdo: Yes.

Fidanque: The language of 8(2) is still a little unclear. Suggest the deletion of "subject individual" from lines 13 and 14 and the substitution of "its employee or contractor" in its place. Suggests the insertion of "rather than requiring payment of the fee in a lump sum" at the end of line 16.

McMurdo: The substitution of "subject individual" would cause some problems. Urges that it be left as drafted.

Fidanque: Suggests that the "lump sum" phrase still be considered.

100 JIM GREEN, OREGON SCHOOL BOARD ASSOCIATION: Our concern with the "subject individual" language is that if the subject doesn't agree then the district would not be able to recover the fee at all.

CHAIR WEBBER: Added "lump sum" doesn't clarify?

Green: I think that would take care of it.

140 JOE BENNINGHOFF, CONFEDERATION OF OREGON SCHOOL ADMINISTRATORS: On page 3, suggests placing a period after district.

148 MOTION: SEN. CEASE moves the following changes to the -5 amendments: the removal of "school board" on page 3, lines 2 and 6;

the insertion of "rather than a lump sum payment" on line 16.

VOTE: Hearing no objection, so ordered.

MOTION: SEN. CEASE moves the -5 amendments as amended.

165 SEN. BUNN: I was opposed to this bill originally but will support it with these amendments. There's not enough support of civil liberties.

SEN. CEASE: I couldn't support the original bill. These amendments provide a balance. The school community should do a better job of checking the people they hire. It would be useful to have the Department of Education report next session on how this bill is functioning.

CHAIR WEBBER: It's a sad day when we have to have bills like this to protect our children.

VOTE: Hearing no objection, so ordered.

225 MOTION: SEN. CEASE moves SB 1078 to Ways and Means as amended with a memo indicating the committee discussion on the bill.

VOTE: Motion passes, (3-0). Sen. Gold and Sen. Phillips are excused.

(Tape 65, Side B) SB 119 - RELATING TO CERTAIN STATE AGENCIES - WORK SESSION WITNESSES: Greg McMurdo, Department of Education

233 SEN. BUNN: Reviews SB 119-3 amendments, (EXHIBIT D). I would interpret a future coordinating organization as including something as diverse as the Governor's Office or the Executive Department.

SEN. CEASE: Will support this, but is not happy with it. Thinks it's a policy mistake to abolish the Office of Educational Policy in the Governor's Office.

306 SEN. BUNN: Agrees it's a mistake, but this language is good.

MOTION: SEN. BUNN moves the -3 amendments.

315 GREG MCMURDO, DEPARTMENT OF EDUCATION: Did you adopt the -1 amendments?

LEE PENNY, COMMITTEE ADMINISTRATOR: No.

VOTE: Hearing no objection, so ordered.

330 MOTION: CHAIR WEBBER moves the -1 amendments.

343 MOTION: SEN. BUNN moves SB 119 as amended to the Trade and Economic Development Committee with a do pass recommendation.

VOTE: Motion passes, (3-0). Sen. Gold and Sen. Phillips are excused.

370 CHAIR WEBBER: Educational policy should be discussed over the interim.

SEN. BUNN: Recommends some discussions on the coordinating efforts suggested by Sen. Cease.

(Tape 66, Side B) SB 590 - RELATING TO STUDENT FINANCIAL ASSISTANCE -
PUBLIC HEARING WITNESSES: Gary Andeen, Oregon Independent Colleges Association Doug Collins, Oregon State Scholarship Commission Rob Nosse, Oregon Student Lobby

009 GARY ANDEEN, OREGON INDEPENDENT COLLEGES ASSOCIATION: Submits and reviews written testimony in support of bill, (EXHIBIT E).

DOUG COLLINS, OREGON STATE SCHOLARSHIP COMMISSION: Supports bill.

029 ROB NOSSE, OREGON STUDENT LOBBY: If this is a statement of intent, then why are there word like "best," "choice," etc? These are ambiguous

terms.

045 SEN. CEASE: The people who are pushing this are interested in more aid for students. I think the intent is clear.

SEN. BUNN: Is satisfied with the definition of "best".

058 Nosse: Is concerned about how these words will be used in the future.

SEN. CEASE: Speaks to the competition between public and private colleges. Thinks they will all benefit more in the end if they work together.

088 MOTION: SEN. BUNN moves SB 590 to the floor with a do pass recommendation.

VOTE: Motion passes, (3-0). Sen. Gold and Sen. Phillips are excused.

(Tape 66, Side B) SB 997 - RELATING TO CERTAIN STATE AGENCIES - PUBLIC HEARING WITNESSES: Dick LaFever, Wasco ESD Ernest Keller, Wasco ESD Jerry Shiveley, Multnomah ESD Jeff Foreman, Lane ESD Wilma Wells, Confederation of Oregon School Administrators Vickie Totten, Oregon School Boards Association Edith Brown, Portland Public Schools Special Education Advisory Board Jana Starr, ARC of Oregon

111 DICK LAFEVER, WASCO ESD: Reviews written testimony in opposition to the bill, (EXHIBIT F).

143 ERNEST KELLER, WASCO ESD: Speaks in opposition to SB 997.

176 JERRY SHIVELEY, MULTNOMAH ESD: Opposes bill.

227 JEFF FOREMAN, LANE ESD: Submits testimony from Jim Maxwell, Superintendent, Lane ESD, (EXHIBIT G). Speaks in opposition to SB 997 .

260 WILMA WELLS, CONFEDERATION OF OREGON SCHOOL ADMINISTRATORS: Reviews testimony in opposition to bill, (EXHIBIT H). Submits testimony from

Douglas, Clackamas, and Yamhill ESDs, (EXHIBITS I, J & K).

318 VICKIE TOTTON, OREGON SCHOOL BOARD ASSOCIATION: Testifies against bill. Submits testimony, (EXHIBIT L).

350 EDITH BROWN, PORTLAND PUBLIC SCHOOL SPECIAL EDUCATION ADVISORY BOARD: Speaks in support of bill.

Tape 67, Side A

070 JANA STARR, ARC OF OREGON: Speaks in support of SB 997.

088 SEN. BUNN: How do you develop a planned system that isn't destroyed as it moves back and forth between schools and ESDs?

Starr: Doesn't envision it being that chaotic.

SEN. BUNN: Once pieces start being pulled out, other groups can begin pulling more out.

Starr: It's a chaotic process anyway. ESDs are an anachronism, in a way.

SEN. BUNN: Disagrees.

Starr: The system could be stream-lined to promote inclusion. Reads letter from parent.

182 Brown: There are really three systems: The EMR taught by Portland Public Schools, the ESDs and the regular staff. That's not workable.

195 CHAIR WEBBER: The state level might not be the only answer. More local activity could help.

Brown: We've tried but it hasn't worked.

CHAIR WEBBER: Adjourns meeting at 5:33 p.m.

Submitted by: Reviewed by:

Julie Mušiz
Administrator

Lee Penny Assistant

EXHIBIT LOG:

A - Tables - Gary Andeen - 11 pages B - Testimony on SB 589 - Gary Andeen - 5 pages C - Amendments to SB 1078 - ACLU - 6 pages D - Amendments to SB 119 - Sen. S. Bunn - 1 page E - Testimony on SB 590 - Gary Andeen - 2 pages F - Testimony on SB 997 - Dick LaFever - 1 page G - Testimony on SB 997 - Jim Maxwell - 3 pages H - Testimony on SB 997 - Wilma Wells - 2 pages I - Testimony on SB 997 - Vernon Bittner - 2 pages J - Testimony on SB 997 - Russell Klein - 2 pages K - Testimony on SB 997 - James Redmond - 2 pages L - Testimony on SB 997 - Vickie Totten - 2 pages