

SENATE COMMITTEE ON EDUCATION

May 4, 1993 Hearing Room 343 3:00 p.m. Tapes 63 - 64

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

STAFF PRESENT: Julie Mušiz, Committee Administrator Katy
Yetter, Committee Assistant

MEASURES CONSIDERED: SB 1078 - Relating to State Police SB 792
- Relating to Department of Education SB 997 - Relating to Special
Education SB 590 - Relating to financial assistance
to college students

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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 63, SIDE A

001 CHAIR WEBBER: Calls meeting to order at 3:20 p.m.

PUBLIC HEARING ON SB 792

WITNESSES: Jeanna Starr, The ARC of Oregon

005 JEANNA STARR, THE ARC OF OREGON: Presents testimony in favor of
SB 792 (EXHIBIT A).

033 CHAIR WEBBER: Asks Starr about funding for bill and how she would
like ways and means addressed in the bill.

040 STARR: Replies that she would prefer information in
statute, but addressing the funding issue is fine. -Annual report cited.

NOTE: Chair Webber temporarily closes the public hearing on SB 792 to
address the executive appointments.

EXECUTIVE APPOINTMENTS

Teacher Standards and Practices Commission: Jennifer Heiss Peyton
Lieuallen Martin Morris Grace Wiesner Susan Wilcoxon Kathie Wiper
Patrick Pullam

059 CHAIR WEBBER: Calls up the candidates for introductions.
Subsequently, the seven individuals who have been appointed introduce
themselves. The appointees state name and mission.

146 SEN. PHILLIPS: Asks if this is an unusual number of appointees.

150 JENNIFER HEISS, APPOINTEE: The previous number was five. However, the new number seems to be agreeable.

200 CHAIR WEBBER: Asks Martin Morris if his background disqualifies him from serving as the "citizen" since he was directly involved as an

educator.

203 MARTIN MORRIS, APPOINTEE: Replies it would not.

MOTION: CHAIR WEBBER: Moves the Executive Appointment as a block to the Floor with the recommendation that they are confirmed.

VOTE: In a roll call vote, all members present vote AYE. Senators Gold and Cease are EXCUSED from vote.

CHAIR WEBBER: The motion CARRIES.

REOPEN PUBLIC HEARING ON SB 792

WITNESSES: Mary Anne Stowell, Portland Public Schools (PPS) Wilma Wells, Confederation of Oregon School Administrators (COSA)

240 MARY ANNE STOWELL, PPS: Testifies in opposition to SB 792.

289 CHAIR WEBBER: Asks Stowell how the bill would stifle the creativity of special education students as she suggests.

292 STOWELL: Replies that the students may lose programming.

310 SEN. BUNN: How are dollars being directed toward the indicated effort?

317 STOWELL: Money goes to advocate with accountability for student. -Report of hired staff would indicate number of children served.

370 SEN. BUNN: Comments on money given for desired program. -Does not want to give monies to this particular education district if they are not going to spend it as indicated.

394 SEN. PHILLIPS: Asks Stowell if she has a problem with reporting to the committee where the money goes.

404 STOWELL: Replies that it may be not cost-effective, but would comply with the request.

440 SEN. PHILLIPS: Remarks that reporting to the committee the expenditures of the education district should not be as difficult as Stowell is

indicating.

TAPE 64, SIDE A

039 SEN. BUNN: Would like Stowell to simply and accurately report to the committee how the money is being spent.

046 WILMA WELLS, COSA: Testifies in opposition to SB 792.

117 SEN. PHILLIPS: Rhetorically asks Wells about the costs of educating these "special" students. What is highest and best utilization of

funds?

157 SEN. CEASE: Expresses concern that despite efforts to treat all children equally, it sometimes is just not possible. It is also

essential to track the money involved in the program.

PUBLIC HEARING ON SB 1078

WITNESSES: Cliff Daimler, State Police David Fidanque, ACLU Joe Benninghoff, COSA David Myton, Teacher Standards and Practices Commission (TSPC)

230 CHAIR WEBBER: Comments on Sex Abuse I and how it is no longer a valid act for dismissal.

240 DAVID MYTON, TSPC: Testifies in opposition of SB 1078.

280 SEN. PHILLIPS: Asks about license renewal issue.

290 MYTON: States that it would significantly increase volume of workload.

318 CLIFFORD DAIMLER, OREGON STATE POLICE: Testifies in support of SB 1078.

379 DAVID FIDANQUE, ACLU: Testifies in opposition to SB 1078.

TAPE 63, SIDE B

082 SEN. BUNN: Asks Fidanque if there is a provision for coercion of fingerprints?

089 FIDANQUE: Replies that there is an opportunity to submit the prints at will.

099 DAIMLER: States the F.B.I. will not search a fingerprint card unless it is mandated by statute. However, individuals do have the right to

submit at will their own prints to the Police.

112 JOE BENNINGHOFF, COSA: Testifies in favor of SB 1078.

154 JOHN FAIRCHILD, OREGON DEPARTMENT OF EDUCATION: Testifies in support of SB 1078.

188 CHAIR WEBBER: Asks Fairchild about the voluntary submission of prints. -The amended draft of SB 1078 does not have language for

involuntary

submission of prints, but this is not necessary due to the criminal investigation process.

202 FAIRCHILD: Confirms statements.

210 DAIMLER: Expresses concern about printing volunteers. -No language in bill addressing this.

215 CHAIR WEBBER: States that fingerprinting volunteers would be impractical and is not a concern.

220 GOLD: Asks about fiscal impact on amendments. -Concerned that the new -4 amendments have no new fiscal impact

statement.

238 CHAIR WEBBER: Replies that since the amendments were recently introduced, the impact statement has not yet been produced. -No subsequent referral to Ways and Means.

260 DAIMLER: States the estimated costs of keeping fingerprints as \$175,000 for the biennium. This cost reflects only destroying the cards after

two years, not re-licensing.

289 SEN. CEASE: Asks if the fiscal impact would affect the police department's role.

298 DAIMLER: Replies that the impact would affect the department in terms of how many cards are kept on file.

300 SEN. CEASE: Comments on passing the bill to the Floor without sending the bill to Ways and Means.

310 SEN. GOLD: Is concerned that the fiscal impact statement submitted in April is no longer valid and there should be a re-evaluation of the

fiscal impact before the bill is sent to the Floor.

312 FIDANQUE: Discusses -4 amendments as engrossed by the ACLU.

354 SEN. PHILLIPS: Asks if there is language in the bill that discusses contracting labor.

360 FIDANQUE: Replies by noting area in the amendments where this issue is addressed. -Section 3 Sub 4 the only individuals asked to submit fingerprints are

those who come in direct unsupervised contact with the children.

389 BENNINGHOFF: School District could not withhold Line 16 "if the subject..." to change to "if the employee...".

TAPE 64, SIDE B

038 BENNINGHOFF: Confirms the period after "district" on Page 3.

044 MYTON: Comments on how the amendments will not affect the teachers' licensing; thus, he does not oppose them.

053 SEN. CEASE: Asks Fidanque if the ACLU would oppose the bill if the amendments were not adopted.

057 FIDANQUE: Replies that they would not directly oppose the bill, but they would not support it if the amendments were not adopted.

PUBLIC HEARING ON SB 997

WITNESSES: Kathryn Weit, The ARC of Oregon

085 KATHRYN WEIT, THE ARC OF OREGON: Presents testimony on favor of SB 997 (EXHIBIT B). -Proposes deleting everything after "amount" and inserting "determined

to be necessary to augment the funding available to the school district based on the needs of the students as defined in the individual educational plan." (Section 1 Line 7.)

159 SEN. CEASE: What happens to the teacher's contract if the student leaves the district?

170 WEIT: There are funds that go to the child in the educational service district will stay with that child if he/she remains in the district.

200 CHAIR WEBBER: Asks Weit why there is a contract from the school to ESD if the monies are already allotted to ESD?

205 WEIT: The school districts, under the new funding formula, transfers some of their money to the ESD in addition to the money ESD already has.

219 SEN. CEASE: Comments on school district money allocation

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

Submitted by:

Reviewed by:

Katy Yetter
Committee Administrator

Lee Penny Committee Assistant

EXHIBIT LOG:

A - Testimony on SB 792 - Jeanna Starr - 1 page B - Testimony on SB 997 - K. Weit - 2 pages C - Amendments to SB 1078 - ACLU - 6 pages D - Amendments to SB 1078 - Legislative Counsel - 6 pages E - Testimony on

SB 1078 - C. Daimler - 26 pages F - Testimony on SB 1078 - C. Daimler -
3 pages G - Testimony on SB 792 - J. Starr - 1 page