

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.

HOUSE COMMITTEE ON EDUCATION

February 13, 1991Hearing Room F 1:30 p.m.Tapes 18 - 19

MEMBERS PRESENT:Rep. Carolyn Oakley, Chair Rep. Vera Katz, Vice-Chair Rep. Bruce Hugo Rep. Delna Jones Rep. Mike Nelson Rep. Bob Pickard Rep. Walt Schroeder

STAFF PRESENT: Lee Penny, Committee Administrator Carolynn Gillson, Committee Assistant

MEASURES CONSIDERED: HB 2108 - TSPC revoke certificate privilege, PPW HB 2100 - Teachers and administrators licensed by TSPC, PPW HB 2110 - Procedures for distance learning teaching certificates, PH

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TAPE 18, SIDE A

005 REP. CAROLYN OAKLEY, CHAIR: Calls the meeting to order at 1:35 p.m.

(Tape 18, Side A) Introduction of Committee bills Work Session

013 LEE PENNY, Committee Administrator: Reviews LC 2917 that sets minimum requirements for home schooling (EXHIBIT A).

MOTION: Rep. Jones moves that the committee introduce LC 2917 at the request of the Parent Education Association.

MOTION ADOPTED: There were no objections.

(Tape 18, Side A) HB 2108 - Authorizes TSPC to revoke certain persons' privilege to apply for certificate Work Session Witnesses:David Myton, Teachers Standards and Practices Commission (TSPC) Joe Benninghoff, Confederation of School Administrators (COSA) Joe McKeever, Department of Justice

043 CHAIR OAKLEY: No amendments were requested for this bill. > At the last hearing on this bill, the committee discussed the possibility of fingerprinting.

PENNY: Reviews memo to committee members concerning fingerprinting in occupations and professions (EXHIBIT B).

089 DAVID MYTON, executive secretary, TSPC: TSPC has not taken a position on fingerprinting at this time.

110 JOE BENNINGHOFF, COSA: We are very concerned that we begin to get as complete a criminal record check as possible on all school employes.
> Not sure how complete a picture fingerprinting would provide in Oregon. Fingerprinting works well in Nevada and California because they have been doing it for a number of years and have extensive record checking systems.

124 REP. VERA KATZ: Fingerprinting was an element in firearm legislation passed last session. I think Oregon's system is as good as Nevada's and California's system.

CHAIR OAKLEY: Would you feel comfortable if it was part of this bill?

BENNINGHOFF: It is difficult because TSPC does not have jurisdiction over classified employes. It seems to be a separate issue.

137 REP. WALT SCHROEDER: I would like to see this as a separate issue.

148 REP. DELNA JONES: What would be your reaction if it were discretionary?

BENNINGHOFF: If it were discretionary, we would be making strong representation to TSPC that it should exercise that discretion.

REP. SCHROEDER: If it is discretionary, those that are law abiding would do it and those that are not would not do it. What would be gained?

REP. JONES: It is at the discretion of the agency not the employe.

164 REP. HUGO: If TSPC agrees that it wants fingerprinting, do they need statutory authority?

167 JOE MCKEEVER, assistant attorney general, Department of Justice, representing TSPC: TSPC would have the authority to require fingerprints as a condition for issuing a certificate.

REP. HUGO: I don't see anything in the law that prohibits fingerprinting. Do we want to direct TSPC to require fingerprinting, and do we want them to make their own decision?

REP. JONES: The question is what is the importance of being sure our people in the classroom are free of background that would be harmful to the kids and to their education.

REP. KATZ: I have no problem giving a licensing agency the discretion to pass a rule. TSPC could discuss the issue further. It is the least we can do.

219 BENNINGHOFF: Prefers direction from the Legislature.

MYTON: TSPC is not one of the agencies with blanket authority to do state police identification checks based on an executive order. > Explains there would be a cost of around \$35 to the applicant.

250 REP. KATZ: Doing all the fingers at once is cheaper than doing them individually.

REP. HUGO: Reads the statute giving TSPC authority to require applicants to furnish evidence of good moral character.

MYTON: TSPC has been under the impression it needed legislative authority to do fingerprinting.

302 REP. MIKE NELSON: Do you photograph the applicant?

MYTON: We do not.

McKEEVER: If it needs to be legislated, it should be done separately. TSPC has not requested me to address this issue and I need more facts to completely respond about their authority.

MYTON: Reviews what HB 2108 would do.

383 MOTION: Rep. Schroeder moves HB 2108 to the floor with a do pass recommendation.

VOTE: In a roll call vote, the motion carried with all members voting AYE.

CARRIER: Rep. Katz.

(Tape 18, Side A) HB 2100 - Requires public school teachers and administrators to be licensed by TSPC Public Hearing Witnesses: David Myton, TSPC Dean Osterman, TSPC Wayne Robbins, COSA

424 DAVID MYTON, TSPC: Reviews first part of his testimony providing further information on an assessment system for initial certification (EXHIBIT C).

TAPE 19, SIDE A

022 DEAN OSTERMAN, coordinator of teacher education for TSPC: Reads from page 2 of their testimony concerning work samples completed during student teaching (see EXHIBIT D).

078 WAYNE ROBBINS, associated executive director of COSA and director of the Oregon Assessment Center: Eight years ago COSA implemented The National Association of Secondary School Principals Assessment Center in Oregon. We have put 550 aspiring administrators through that process. > Last year, we switched to a new process called The Oregon Center for Assessment of Administrative Performance to test the skills and behaviors a person needs to have to become an effective administrator and principal. > It is a diagnostic tool. > Reviews the assessment activities listed in a brochure provided to the committee (EXHIBIT D). > Lists the skills used to measure performance. > Explains how the outcome report is used.

145 REP. KATZ: Do you require assessments before an individual can actually practice in our school districts?

MYTON: The requirement for the teachers is in place for the new fifth-year teacher education programs. TSPC has amended the rules applying to the remaining four-year teacher plans. > The answer is no for people in school administrator programs. > The assessment is in place for advisory purposes. > Establishing a passing score is the issue for developing this into a state system. > The Joint Interim Committee on Education recommended three levels of administrative license: principal, district level administrator and superintendent.

194 REP. HUGO: How is TSPC going to determine if an administrator has the minimum competencies, knowledge and skills?

MYTON: We are attempting to use the same process as used for teachers. We would need a test along with a practical demonstration with a pass/fail level.

REP. HUGO: How do you establish an objective test for a subjective profession? I am thinking of an applicant who is denied a license.

MYTON: The score is set at the minimum level of competency a person would need in order to be practicing. The validation process needs to be defensible in the courts as well as the education community. > Talks about probational licenses and initial licenses that can be renewed.

252 REP. KATZ: A panel of professionals can certainly judge whether an individual is qualified to either teach or administer in a school. TSPC ought to be working toward that.

282 REP. SCHROEDER: In the bill, a license is referred to in one place and a certificate is referred to in another.

ROBBINS: Explains what licensure applies to and what certification applies to.

MYTON: A national group has not been developed as the certifying agent for school administrators. With the language in the bill, it would be possible for COSA to develop a certification process or link up with a national system if one were available.

REP. SCHROEDER: Could receiving tenure or a higher salary be based on holding a certificate?

ROBBINS: That was not really the intent.

331 REP. SCHROEDER: Would a person be required to belong to a teacher organization to get a certificate?

ROBBINS: I don't believe it has gone that far.

MYTON: Talks about the merit of a national certificate.

(Tape 19, Side A) HB 2100 - Requires public school teachers and administrators to be licensed by TSPC Work Session Witnesses: David Myton, TSPC

383 CHAIR OAKLEY: This bill has a \$200,000 fiscal impact and is not included in the Governor's budget. It has a subsequent referral to Ways and Means.

395 DAVID MYTON: TSPC is at the ceiling of it's fee authority. SB 252 increases the ceiling on the fees. Passage of that bill would be required in order to have sufficient funds for this. > Talks about the start up costs for the assessment and the necessary fee increases.

442 CHAIR OAKLEY: How much is the fee increase?

MYTON: The fee would go from \$35 to \$45. The average life of a certificate is three and one-half years. Currently, about 67,000 people hold certificates. Each biennium we renew or issue or renew

certificates to about 32,000 individuals.

TAPE 18, SIDE B

022 REP. KATZ: This is an appropriate piece of legislation.

MOTION: Rep. Katz moves HB 2100 to the Committee on Ways and Means with a do pass recommendation.

VOTE: In a roll call vote, the motion carried with all members voting AYE.

(Tape 18, Side B) HB 2110 - Requires entity offering distance learning course to submit contract with post-secondary institution to State Board of Education for approval Public Hearing Witnesses:Wayne Neuberger, Department of Education

052 WAYNE NEUBERGER, Department of Education: Gives the committee background information on the bill. > This bill would allow the institution providing the distance learning program to enter directly into a contract with the State Board of Education without having to go through a contract with each individual school district.

REP. JONES: Why aren't we dealing with this issue in HB 2096?

NEUBERGER: We have no problem with combining the two bills. HB 2096 deals with certification.

REP. HUGO: Would the Board prepare a list of approved courses and school districts would select from the list without worrying about whether the teacher is certified?

NEUBERGER: That is correct.

112 CHAIR OAKLEY: Adjourns the meeting at 2:45 p.m.

Submitted by: Reviewed by:

Carolynn GillsonLee Penny Assistant Administrator

EXHIBIT LOG:

A - LC 2917 - Introduction of Committee Bills - committee staff -
3 pages B - HB 2108 - memo to committee members - committee staff
- 2 pages C - HB 2100 - testimony - TSPC - 3 pages D -HB 2100 -
pamphlet - COSA - 3 pages