

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 27, 1991Hearing Room F 1:30 p.m.Tapes 27-28

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 2096 - Distance Learning teaching certificates, WRK HB 2098 - Repeals provisions related to forming administrative school districts, WRK HB 2105 - Immunization procedures, WRK HB 2572 - Requires school district to provide education to children detention facilities located in district, WRK

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TAPE 27, SIDE A

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

(Tape 27, Side A) WORK SESSION HB 2096 - Prescribes procedures to be used in issuing distance learning teaching certificates Witnesses: Gregg McMurdo, Department of Education

010 LEE PENNY, Committee Administrator: Reviews the changes requested by Department of Education in the HB 2096-7 amendment (EXHIBIT A).

037 REP. VERA KATZ: Requests further clarification concerning out-of-state instructors?

PENNY: Teachers Standards and Practices Commission (TSPC) can issue the same certificates to people out-of-state that it would issue to in state. > Talks about other certificates TSPC issues.

089 REP. BRUCE HUGO: TSPC is going to issue a distance learning certificate to any teacher teaching any course from anywhere as long as the teacher is holding a certificate in the appropriate subject matter from anywhere and passes the basic skills test or is employed by a post-secondary institution.

PENNY: Reviews the language on lines 11-18 on page 2 of the bill.

118 REP. WALT SCHROEDER: Will the C-Best test be used or another basic skills test?

PENNY: It would be up to the rulemaking of TSPC.

REP. KATZ: Are we giving TSPC the leeway to apply the standard teaching certificate criteria?

PENNY: They must hold a teaching certificate issued by a state in the appropriate subject matter or allow TSPC to award one of their special certificates of achievement. > Discussion continued among committee members concerning TSPC certification requirements.

183 PENNY: There is a certain exercise of judgement here on the part of TSPC on whether a person in a post-secondary institution has adequate background to teach a certain subject.

REP. HUGO: Suggests language for page 1: "The state policy of distance learning shall be encouraged without restriction." There would be no licensing requirement at all and the local school boards would have the latitude to secure programs.

217 REP. KATZ: If the distance learning instructor does not have to be from a post-secondary institution, why do we have to have a certificated teacher in the classroom receiving the long distance learning course.

PENNY: Reviews the current law concerning a certificated teacher being in the classroom.

REP. SCHROEDER: What is the purpose of having a teacher in the classroom?

259 PENNY: Explains how repealing ORS 354.440 would do what the committee is considering.

REP. HUGO: Questions why someone needs to check the curriculum. Recommends doing away with Section 8 in the bill and retaining Section 9. The Department or TSPC would have no control or interest in distance learning programs originating outside of the state. TSPC would have an interest in distance learning programs within the state.

PENNY: Recommends saving section of law holding school districts harmless if the certificated person in the classroom does not have the right endorsement because it will sunset on June 30.

387 GREGG McMURDO, Department of Education: On page 4, you need language on line 35 so the provisions do not apply to an out-of-state person. > Suggests getting rid of the term "summer session" on line 40.

PENNY: Kathleen Beaufait of Legislative Counsel thought that part of the bill was not germane to the subject matter because the summer session is in the context of a post-secondary teacher teaching in the public schools. It is a two-plus-two issue. The summer session prohibition would no longer effect distance learning.

TAPE 28, SIDE A

028 PENNY: Reviews the changes proposed by the committee: repeal Section 8, save Section 9, keep language that holds the district harmless in ORS 342.173 on page 3, line 36 of the hand- engrossed bill, and on page 4, line 36 reword sentence to make it clear a person from out-of - state teaching a distance learning course does not need to hold

an Oregon teaching certificate.

Discussion among committee members concerning a certificated teacher being in the classroom where a distance learning course is being used.

080 MOTION: Rep. Jones moves the amendments as described by staff and not require a certificated teacher in the classroom.

MOTION ADOPTED: There were no objections.

(Tape 28, Side A) WORK SESSION HB 2098 - Repeals provisions relating to formation of administrative school districts by school district reorganization

104 PENNY: The committee has adopted most of the amendments in HB 2098-4 (EXHIBIT B). Reviews the proposed changes in the hand-engrossed version of the bill: > Changes on lines 12-30 on page 2 bring this section of the law into conformance with Measure 5. > The language on line 35 would restrict the district boundary board's discretion in this area of the law. > Rep. Nelson's amendments on page 5 make it clear that the person is eligible to vote, seek office and serve on the budget committee at the time of the merger. > On page 7, the term "real market value" is used.

REP. KATZ: Did we ever make a decision on the number of kids on page 3, Section 7(b)?

PENNY: There are three districts with less than 35,000 population and three with 35,000 population in violation of the law. > Both geographic location and sparsity of population findings would have to be made before a merger is required.

182 REP. SCHROEDER: Is there protection for small school districts?

PENNY: Explains what is provided under existing law.

196 MOTION: Rep. Jones moves to adopt the -4 amendments to HB 2098.

MOTION ADOPTED: There was no objection.

204 MOTION: Rep. Jones moves HB 2098 as amended to the floor with a do pass recommendation.

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

229 Committee takes a break at 2:20 p.m and reconvenes at 2:30 p.m.

(Tape 28, Side A) WORK SESSION HB 2572 - Requires school district to provide education to children in detention facilities located in the district

234 PENNY: HB 2572 which would require school districts to pay for the education of their children who are held in juvenile detention facilities around the state (EXHIBIT C). > Reviews the changes in the -2 amendments. > Refers to a letter from Washington County ESD in support of the bill (EXHIBIT D).

MOTION: Rep. Hugo moves to adopt the -2 amendments.

MOTION ADOPTED: There were no objections.

278 MOTION: Rep. Hugo moves the bill as amended to the floor with a do pass recommendation.

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

(Tape 28, Side A) WORK SESSION HB 2105 - Requires preschool and post-secondary attendees to follow immunization procedures Witnesses: Karen Garst, Oregon Community College Association (OCCA) Lorraine Duncan, Health Division, Department of Human Resources Gary Andeen, Oregon Independent College Association (OICA)

298 PENNY: The -4 amendments are the whole bill (EXHIBIT E). > Reviews the changes noted in the -1 amendment (EXHIBIT F) to help the committee understand the -4 amendment. > The -5 amendments were proposed by OCCA, and the Health Division and OCCA have agreed on some further changes for the amendment (EXHIBIT G).

416 KAREN GARST, director of OCCA: These amendments will be less onerous on the committee colleges. Suggests deleting the word "however" on line 16 of the amendment and make the last sentence into two sentences.

TAPE 27, SIDE B

015 REP. HUGO: How does this apply to students who go in and out of a program?

GARST: Students would have to have the immunizations anytime they are enrolled in those programs.

REP. NELSON: The responsibility is on the student.

042 LORRAINE DUNCAN, Health Division: Expresses support for the amendment.

050 PENNY: Talks about the distinction of where records should be kept.

GARST: Our only concern is that the community colleges are not required to keep the records centrally.

MOTION: Rep. Hugo moves to adopt the -5 amendments as amended to HB 2105.

MOTION ADOPTED: There were no objections.

082 GARY ANDEEN, OICA: There are a number of private colleges running out-of-state programs that do not require students to ever attend the main campus. > Suggests adding the words "on an Oregon campus" on page 8, line 12 after the word "enrollment".

MOTION: Rep. Katz moves the proposed change to the -4 amendment.

MOTION ADOPTED: There was no objection.

MOTION: Rep. Katz moves to adopt the -4 amendments as amended.

MOTION ADOPTED: There were no objections.

113 MOTION: Rep. Hugo moves HB 2105 to the floor with a do pass recommendation.

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

125 CHAIR OAKLEY: Adjourns the meeting at 3 p.m.

Submitted by: Reviewed by:

Carolynn GillsonLee Penny Assistant Administrator

EXHIBIT LOG: A - HB 2096-7 amendment - committee staff - 7 pages  
B - HB 2098-4 amendment - committee staff - 13 pages C -HB 2572-2  
amendment - committee staff - 1 page D -Testimony on HB 2572 -  
Washington County ESD - 1 page E- HB 2105-4 amendment - committee  
staff - 9 pages F -HB 2105-1 amendment - committee staff - 9 pages G  
- HB 2105-5 amendment - committee staff - 1 page