

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

April 15, 1991
p.m.Tapes 58-61

Hearing Room F 1:30

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 2820 - Sets minimum requirement
for home schooling, PUB

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.

TAPE 58, SIDE A

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

HB 2820 - Sets minimum requirements for homeschooling Public Hearing
Witnesses:Terry Kramer, Department of Education Sen. Jim Bunn Rep. Kelly
Clark Dennis Turri, Parents' Education Assoc. Tim Nashif, Parents'
Education Assoc. Linda Reinmiller, home educator Roy Burkett, home
educator Rhona Meyers, home educator Robert Hart, home educator Dale
Weight, State Board of Education Giles Parker, Payton Lewellyn, Polk ESD
Dave Moore, Linn-Benton ESD Nancy Warnock, Eugene School District John
Dracon, Allan Thede, Multnomah ESD Dr. Brian Ray, National Home
Education Research Institute Curt Bumcrott, Basic Skills Assessment
Service John Blanchard, Waywide Language Center Philip Finch Michael
Smith, Home School Legal Defense Assoc.

030 TERRY KRAMER, specialist, Department of Education: The homeschool
statute was changed in 1985. In order to home school, you needed to
notify the local education service district (ESD) and submit a test
score yearly from a standardized test. As long as the score stays above
the 15th percentile, you are allowed to continue to home school. >
Reviews a summary of home schooling data (EXHIBIT A). > Homeschoolers
generally score exceptionally high. > Six percent score below the 15
percentile. > Sixty-four percent of the homeschool children are at the
elementary level, twenty-one percent at the junior high and twelve
percent at the high school level.

CHAIR OAKLEY: What happens to those students who score below the 15
percentile?

KRAMER: Students who score at the same level as when they began or
above it can continue homeschooling.

088 REP. DELNA JONES: What percentile are you comparing the testing to?

KRAMER: A standardized achievement test is used. The norms that establish the fifteenth percentile level are compared to the regular school population.

REP. JONES: If the student was in the public school system and scored at or below the 15th percentile, what action would you take?

KRAMER: In the public school, if a student were to score at the 15 percentile level he would most likely be referred for special education under Chapter I or special services.

129 REP. VERA KATZ: Will homeschoolers be tested under the new assessment program for grades 3, 5, 8 and 11?

KRAMER: Currently, there are no provisions for that required by law. > Talks about the tests homeschoolers use.

155 REP. WALT SCHROEDER: Could you tell us the number of homeschooled children who would be in special education were they in public school?

KRAMER: When parents register for homeschooling, they are asked if the student has been in special education. As long as they score above the 15 percentile, nothing is going to happen.

177 SEN. JIM BUNN, District 15: Reads testimony as a home school parent in support of HB 2820 (EXHIBIT B).

REP. SCHROEDER: Are you or your wife certified teachers?

SEN. BUNN: No.

277 REP. KELLY CLARK, District 27: Agrees homeschooling works and urges committee to support the bill and strengthen the home school program. > Mentions the staff measure summary on the bill (EXHIBIT C) that refers to a 1988 survey indicating dissatisfaction with the existing home schooling system among school district and ESD superintendents.

333 REP. BRUCE HUGO: Explains the ESDs and local school districts were dissatisfied because of the mandates the Legislature placed on them without any compensation.

REP. KATZ: How will the homeschool program fit in with the new public school structure contemplated within the next 10 years?

CLARK: Suggests not changing the homeschool program until there is data indicating it is not working.

400 DENNIS TURRI, executive director, Parents' Education Assoc.: Introduces the people with him and explains what their testimony will include. > Explains how well the 1985 legislation is working. > Believes homeschooled children are some of the best socialized children in the state.

TAPE 59, SIDE A

043 TURRI: The idea of eliminating grades K-3 is a step in the positive direction for education and socialization. > Explains how Ballot Measure 11 triggered the State Board of Education to adopt new rules making it more difficult to homeschool so greater proportions of the homeschool population are remanded back to public schools. > The homeschool confidence has been shaken. > Refers to copy of letter in packet of information (EXHIBIT D) concerning the 15 percentile and normal curve

equivalents (NCE). > We want to demonstrate our competency in educating our children and achieve equity with the public schools. > Refers to copy of policy 3620 in the handout. > The procedure to determine satisfactory educational progress should come out of rules and brought into statutorily established procedures and definitions as proposed in HB 2820.

152 TIM NASHIF, Parents' Education Assoc.: Education is an overall comprehensive plan and we can all work together to improve the system for all Oregonians.

REP. SCHROEDER: Repeats his earlier question concerning homeschooling of special ed children.

NASHIF: Yes, there are various people in the state who homeschool handicapped or physically disabled children.

213 LINDA REINMILLER, home education parent: Talks about her children who are homeschooled and why HB 2820 should pass. Refers to written testimony but a copy was not provided for the record. > Talks about her daughter who did not read well until she was 9 years old. A lot of learning disabilities are a sign of immaturity in the child. > Names famous people who were homeschooled.

284 REP. HUGO: Some people are abusing the homeschooling system. For those who do not do a good job, there needs to be some measurement. HB 2820 puts into statute what currently is in administrative rule. Homeschooling versus public school is not the issue we are discussing today.

REINMILLER: If HB 2820 does not pass, the State Board still has the ability to remand homeschool children back to public school because they dropped a few points but are still doing extremely well.

REP. HUGO: We are fighting the testing battle.

330 ROY BURKETT, home education parent: Talks about homeschooling his children. > Explains how his daughter's recent test results (EXHIBIT E) and lowered NCE points would require her to return to a public school because of the State Board's proposed administrative rule. > Existing law and administrative rules have worked well for six years. Why fix something that is not broke. Put existing rules in law will create a stable legal environment for homeschooling.

TAPE 58, SIDE B

017 RHONA MEYERS, home education parent: Describes her families homeschool experience. > Talks about working with the Columbia County ESD. > Points out 80 percent of their property taxes goes to the local school district and should cover any services the ESD provides. > Believes current regulations are fair. > Explains how revisions in the administrative rules would have diverse effects on her homeschooled children.

099 ROBERT HART, a home education parent: Urges committee to pass HB 2820. > Test scores of his children have improved since they began homeschooling. > Moving from percentiles to scoring on a curve causes major problems because it affects the higher achieving more than the middle achieving students. > Explains how a drop in NCE points will cause homeschool children, who are scoring at higher percentiles and then drop back to an average percentile, to return to public schools. > Explains how the testing cycles in the administrative rules will be out of sync with what is now in the rules. > Making the rules tougher will not make those who are not complying now to comply.

172 REP. JONES: What are the reasons given for noncomplying?

HART: All the homeschoolers I know of are testing but not submitting the tests to the ESD so they can be evaluated.

190 DALE WEIGHT, vice-chair, State Board of Education: Reads his testimony explaining why the Board opposes HB 2820 (EXHIBIT F). > If this bill is defeated, it will not damage the homeschool system. > Basic issue is whether the Legislature is going to determine the standard of performance for these children or will it trust the State Board and Department of Education to establish the rules. > Talks further about the administrative rules.

> Explains what happens in public schools when students fail to score within a certain percentile.

425 GILES PARKER, superintendent of Coos Bay Public Schools: Talks about homeschooling situations he is aware of in his school district.

TAPE 59, SIDE B

026 PARKER: There are some parents who abuse the homeschool law and use it as an excuse for their kids not to attend public school. > The law as written is working. This is a matter between the home school parents and the State Board.

REP. SCHROEDER: Has the loss of school bussing resulted in more homeschooling in Coos County?

PARKER: Not significantly.

101 PAYTON LEWELN, superintendent, Polk County ESD: The big question in my mind is who will pay for the tutor required in the bill for those homeschool students who fall below the 15 percentile? > Another concern in the bill is removing the option of the ESD superintendent to remand a student back to public school. > I understand and support the parents right to homeschool his or her child. When there is no contact with the ESD or annual testing done, is that truly homeschooling?

DENNIS TURRI: The intent was to have the parent pay for the tutoring service and not encumber the ESDs. We are trying to be accommodating in this bill. We may need to make the language more clearly reflect our intent.

207 DAVE MOORE, coordinator of homeschooling, Linn-Benton County ESD: Reads his testimony expressing concern regarding educational and logistical issues found in HB 2820 (EXHIBIT G).

282 NANCY WARNOCK, administrator for educational support services, Eugene School District: Concerned with small percentage of homeschoolers who are not doing such a good job. > Talks about children with disabilities who are being homeschooled. > The school district must be involved by law. Daily and weekly monitoring of progress should be done.

CHAIR OAKLEY: How many qualify as special education?

WARNOCK: In Eugene, there are approximately 115 children being homeschooled. Only six are special education kids. > Individual education goals and objectives need to be written for those students including what is going on at home even though the goals and objectives do not need to be met at the end of the year.

378 JOHN DRACON, superintendent, Central School District 13J: Explains he is opposed to the amendment proposed by the Oregon Parents'

Association (EXHIBIT H). > Reads his testimony concerning two brothers who were supposedly being homeschooled but the parents had not registered with the ESD and, when tested, both boys demonstrated substantially below average achievement (EXHIBIT I). > Refers to language in the bill preventing an ESD superintendent from compelling parents to put their children into public school.

REP. SCHROEDER: When these kids slip through the cracks, where does the blame go?

DRACON: Everyone involved takes the blame. HB 2820 will not make the situation better. It will make it worse.

TAPE 60, SIDE A

042 ALLAN THEDE, superintendent of Multnomah County ESD, and representing the Oregon Association of Education Service Districts: ESDs are the units of government that handle the procedures having to do with homeschooling. > Reviews his testimony (EXHIBIT J) listing concerns with the written bill and requesting an additional amendment.

REP. SCHROEDER: How do you interpret the language on page 2, lines 17-23?

THEDE: The supervisor is an option against what is now the remand to school for a student who has fallen below the 15th percentile. This language describes what the supervisor does. Not sure what "objectives consistent with this subsection" means. Who is to be supervised - the teaching parents or the child?

152 DR. BRIAN RAY, president, National Home Education Research Institute: Gives the committee background information concerning homeschooling. > Lists characteristics of home educators and their families. > Summarizes what is happening in learner outcomes including social and emotional adjustments, and academic achievement. > Talks about causes of low test scores.

REP. PICKARD: How do you account for your statement that homeschool students have a higher degree of confidence or self-worth than public school kids?

RAY: Homeschool situations involve strong families where the parents are very interested in their children. > Educational research has not made it clear that professional educators know what to do with children in schools who fall below a certain criterion.

303 CURT BUMCROTT, director, Basic Skills Assessment Service: Talks about testing and assessments of homeschoolers. > Refers to chart showing the national norms for achievement test scores in comparison to home school students (EXHIBIT K). > An achievement test is only a sampling of student knowledge. > Need to recognize homeschoolers are achieving.

385 JOHN BLANCHARD, director of Waywide Language Center: My interest is focused on the 15th percentile and below. > Talks about definitions of a handicapped student. > The ideal pupil/teacher ratio is one-on-one. > Suggests that the parent would be responsible to determine when their child is not doing well and for the parent to then seek help from a professional. This would preserve parental choice and unite the best of both worlds, the competence of a professional and the concern of the parent. > Talks about resources available to homeschool parents. > HB 2820 would give the state the oversight it needs.

TAPE 61, SIDE A

017 REP. SCHROEDER: If homeschool students returned to public school, would they be able to raise the scores there with parent involvement?

RAY: There is a good possibility that can happen.

REP. SCHROEDER: What would you propose to provide maximum freedom for those people doing an adequate job of homeschooling and get to the people who are using homeschooling as a cover for not returning to school?

BLANCHARD: The homeschool law addresses the education of children, not child abuse or truancy. You need to get to these people through other laws.

053 REP. HUGO: There is no truancy law in Oregon. The compulsory attendance law is the responsibility of the parents. > Explains that homeschooling parents are not the typical parents. > Every law we have is the result of a very small minority of people who refuse to accept what society is asking. > This bill is directed at a small group of parents who are irresponsible and their children suffer because of it.

More discussion about compliance with homeschool laws.

100 PHILIP FINCH, homeschool parent: Reads his testimony concerning his disabled child who is being homeschooled (EXHIBIT L).

139 MICHAEL SMITH, Home School Legal Defense Association: Our position, as outlined in my testimony, is that the law needs to be codified. It needs to be dealt with by the Legislature as a policy matter (EXHIBIT M). Talks about court cases pending in other states.

Written testimony submitted in support of HB 2820: Michelle Downs (EXHIBIT N); Ray Birch (EXHIBIT O); Heidi Lippert (EXHIBIT P); and Karen and Bill Zyp (EXHIBIT Q)

Written testimony submitted in opposition to HB 2820: Shirley Woods, Corvallis School District 509 J (EXHIBIT R); Fred D. Krauss, Wasco ESD (EXHIBIT S).

197 CHAIR OAKLEY: Adjourns meeting at 4:15 p.m.

Submitted by: Reviewed by:

Carolynn GillsonLee Penny Assistant Administrator

EXHIBIT LOG: A - Statistics concerning HB 2820 - Terry Kramer - 1 page
B - Testimony on HB 2820 - Sen. Jim Bunn - 6 pages
C - Preliminary SMS on HB 2820 - Committee staff - 2 pages
D-Testimony and background material on HB 2820 - Dennis Turri - 11 pages
E-Test scores - HB 2820 - Roy Burkett - 1 page
F-Testimony on HB 2820 - Dale Weight - 3 pages
G-Testimony on HB 2820 - David Moore - 1 page
H-Amendment for HB 2820 - Dennis Turri - 2 pages
I-Testimony on HB 2820 - John Dracon - 2 pages
J-Testimony on HB 2820 - Allan Thede - 2 pages
K-Test scores - HB 2820 - Curt Bumcrott - 1 page
L-Testimony on HB 2820 - Philip Finch - 2 pages
M-Testimony on HB 2820 - Michael Smith - 2 pages
N-Testimony on HB 2820 - Michelle Downs - 2 pages
O-Testimony on HB 2820 - Ray Birch - 1 page
P-Testimony on HB 2820 - Heidi Lippert - 3 pages
Q-Testimony on HB 2820 - Karen & Bill Zyp - 4 pages
R-Testimony on HB 2820 - Shirley Woods - 2 pages
S-Testimony on HB 2820 - Fred Krauss - 2 pages
T-Testimony on HB 2820 - Mike Shearer - 47 pages .