

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

May 20, 1991 Hearing Room F 1:30 p.m. Tapes 88-89

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

MEASURE CONSIDERED: HB 3565 - Establishes Oregon Educational Act for 21st Century - PUB

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TAPE 88, SIDE A

005REP. CAROLYN OAKLEY, chair: Calls the meeting to order at 1:40 p.m.

HB 3565 - Establishes Oregon Educational Act for 21st Century Public Hearing Witnesses: Ben Brandon, Human Behavior Institute Michael Harris, Oregon Association for Alternatives in Education (OAAE) Vicky Barrows, Portland Association of Teachers (PAT) Barbara Drageaux, Abernathy School Eileen Wende, Roosevelt High School Annette Barnes, Lane Middle School Mary Wendy Roberts, Bureau of Labor and Industries Michael Kaiel, Bureau of Labor and Industries John Danielson, Oregon Education Association (OEA) Dan McCulloch, Oregon Federation of Independent Schools (OFIS) Dale Hess, Oregon State System of Higher Education (OSSHE) Julie Brandis, Associated Oregon Industries (AOI) Richard Munford, from Vermont

016 BEN BRANDON, Human Behavior Institute: I represent a branch of individual psychologists that investigate on the scene of where things are happening. > Notes the lack of student input into HB 3565. Recommends adding in Section 3 another subsection which provides students the working knowledge of government through self- government and needs assessment. Students would feel they belong to their own school. > Recommends not grouping students into different categories. Only way to solve the problem is break up the large institutions. Give each student in the school an important role in each day.

076 MICHAEL HARRIS, OAAE: Provides testimony in support of HB 3565 (EXHIBIT A), identifies three problem areas and recommends some solutions they have discussed. The areas of concern are the Certificate

of Advanced Mastery (CAM), the learning centers and how much money should follow the student.

172 REP. VERA KATZ: I don't think we have excluded the possibility of additional resources for the learning centers. > Refers to page 17, lines 7 and 8 regarding his first recommendation.

BRANDON: Expresses concern for smaller or poorer school districts trying to finance the services needed by some students. Recommends only half of the money follow the child and the state make up the difference. > Need to develop more experienced programs for students.

228 REP. DELNA JONES: Your concern is from your experience, the reason students are failing in one district is because the district has not had the opportunity to present them with additional assistance. That is why you are proposing only half of the money go with the student to another district?

BRANDON: Explains how there can be an excess of money to work with.

260 LEE PENNY, Committee Administrator: Do you see ORS 339.620 conflicting with anything in the current draft of HB 3565 and what experience have the private alternative education programs had with that law? Are they able to collect that money?

HARRIS: I do not see there is be a conflict unless the private vendor is the provider in the learning center concept. The alternative programs are able to collect depending upon the region of the state. If the state funding were at 80 percent and the student is more costly to educate, then we run into a problem.

328 VICKY BARROWS, president, Portland Association of Teachers (PAT): Identifies what the Association feels are positive provisions to bill. > Concerned that school boards would have the right to veto decisions of site-committees. > Explains concerns regarding the tracking of students and increased statewide testing in the schools.

399 REP. BRUCE HUGO: Do we have statewide testing on listening skills?

REP. KATZ: Describes the statewide test on listening and understanding what you hear and see. Suggests further information from the people who developed the tests.

BARROWS: Nothing in this bill addresses class size and planning time. Both need to be addressed in any education proposal. > We have questions concerning funding issues. > Fear students in learning centers will be labeled by their peers and increase their chance of having low self-esteem and alienate them from the educational process.

REP. KATZ: In the amendment, the learning centers are only for students who have actually dropped out of school. They are not a dumping place.

TAPE 89, SIDE A

020 REP. MIKE NELSON: What would you offer as a solution to the drop out situation?

BARROWS: We need to address how students progress and be responsible for how they move through the system. Explains her understanding of the CIM. Concerned with how it is accomplished. It needs to be more

thought out than it is right now. > We would like to see more open hearings held across the state. The changes need to be more thought out. > We know there needs to be more funding, smaller class sizes and additional training for teachers. We want to make sure the changes are the right changes for the right reasons. Educators are the ones delivering the services and they need to have input in how it is done. > There needs to be provisions for how to deal with the school board's power to veto site-based decisions.

076 BARBARA DRAGEAUX, second grade teacher, Abernathy School in Portland: Explains her concerns about children who need intervention at an early age. There needs to be a way to help parents do a better job. > Explains why teachers will need more time to plan and prepare if there is a longer school year. Like to see the bill provide time for teachers to do the job in the best way that they can.

REP. KATZ: Refers to language in Section 33 of the -1 amendment that responds to some of the concerns raised.

145 DRAGEAUX: Responds to questions from the committee members concerning her classroom experiences as a teacher in Portland.

192 EILEEN WENDE, special education teacher, Roosevelt High School in Portland: Talks about academics and how it relates to students at risk of dropping out. > At Roosevelt High School, we are looking at career pathways. Describes a similar program in California. There is no barrier to keep students from being eligible for something else because of standards or test scores. I don't believe you intended the CIM as a barrier. Suggests issuing certificates of mastery to every student in every area they become competent in.

REP. KATZ: I don't want the schools to use not issuing the certificate as a copout. We need to bring students up to higher standards. Are there other management techniques and intervention strategies that work to make sure all the youngsters are brought up to higher standards and can command higher salaries when they graduate?

WENDE: I don't think the intent is to limit a child. Our goal for all kids is to help them achieve what they want to achieve. > Explains how FTE has become a problem because schools have placed their FTE where the majority of their kids are. > Explains how the need for intervention in a student's life can affect their education. The number of incidences has an impact of programs.

356 REP. KATZ: Integration of social services is a critical piece.

WENDE: Responds to questions concerning her students and what she teaches.

403 ANNETTE BARNES, teacher at Lane Middle School in Portland: Explains PAT does not support tracking students based on race, social class, and college or vocational tracks. It does not agree with having learning centers for students forced out of school because of test results. At risk students and minority students tend to feel they are suppose to take the vocational track rather than a college preparatory type of track. We do believe all students can achieve and we don't want a tracking system to prevent that.

028 BARNES: I hope that all teachers are encouraging students to achieve at their highest possible potential. We want to help them achieve their dream.

REP. JONES: Do you feel the educational system today is successful?

BARNES: There is room for improvement. We are trying to encourage at risk and minority students to take as many college preparatory courses as possible. If they choose to go into a vocation later, let it be their choice.

067 REP. KATZ: Every child can attain the CIM. That is the dream

BARNES: I know how minority and at-risk students will envision this.

REP. KATZ: Talks about the two-to-five year professional/technical college preparatory programs provided in the -1 amendment. I don't see this as an either/or choice. It is not what we have today.

108 BARNES: How do you propose to finance this?

REP. KATZ: Schools and teachers will need additional help to achieve this. There is a commitment that it will be funded.

122 REP. WALT SCHROEDER: Expresses his concerns about the term "tracking". I don't object to individual tracking.

BARNES: Concerned about programs where the decision is not made by the student but by the system. > Another concern of mine is how do you plan to keep the parents informed of these changes.

170 MARY WENDY ROBERTS, commissioner, Bureau of Labor and Industries: Reads her testimony in support of the bill (EXHIBIT B) and expressing concern about apprenticeship in the proposed legislation. > Refers to proposed amendment for Section 29 of HB 3565-1 that provides a way to achieve better coordination of education and training in apprenticeship programs.

245 REP. KATZ: Your proposed amendment was not included in HB 3565 because we thought the language was already in HB 3474 and HB 3133.

250 MICHAEL KAIEL, deputy commissioner, Bureau of Labor and Industries: There is not identical language in those two bills. The language we propose would be more consistent with having a Workforce Development Council do certain things. > Reviews the language in Section 29 of the -1 amendment. Explains what their proposed amendment would do.

293 ROBERTS: The key is to maintain flexibility and allow for better coordination and some experimentation. > Hopefully we will end up with consistency between all of these bills and the concepts in them. > Reviews their proposed amendment for Section 23 in the HB 3565-1 amendment. Describes situations not addressed by HB 3565-1 that their amendment does address. > Notes employment is not defined in the bill. Hopes kids would still be allowed to baby sit and do other things where a work permit is not necessary. > Talks about the importance of the legislation. Kids are not being prepared to compete and we are failing them if some action is not taken. > Need to recognize the teachers are doing the best that they can. Many of them are frustrated because they want to do more for these kids. The system is too ridged.

TAPE 89, SIDE B

045 JOHN DANIELSON, OEA: Concerned about making horrendously expensive reforms at a time when we can't afford to pay for what we have. Goes through the proposed HB 356 5-1 amendment (see EXHIBIT A, May 17, 1991 minutes) making comments and recommendations. > Sec. 4, page 3, line 13 - suggests general statement about parental involvement but not establish special rights for parents during the school day. > Sec. 8, page 4, lines 10-13 - don't believe it is feasible to have a team of distinguished Oregon educators involved in developing a local improvement plan. Suggests these people be available to school districts that desire them to participate in developing a plan. > Page 5, line 27 - we believe the responsibility is the superintendent's and it should be restricted to the goals and objectives of the State Board of Education rather than the Oregon Progress Board. > Page 6, line 19 - gives a variety of rights to school boards that would violate collective bargaining agreements.

123 REP. KATZ: We wanted to allow school districts to be able to create school site committees. It has nothing to do with collective bargaining agreements.

DANIELSON: Continues through the amendments: > Page 7, lines 14-17 - this line tends to discourage innovative thinking on the subject. > Page 7 language concerning funding - does not believe a specific cost criteria should be included in the bill because it would serve as a lien against basic school support. > Page 8, making 21st Century School Counsels mandatory - research indicates these counsels should be voluntary because those are the most successful. If you decide to make them mandatory, you should delete the school board's ability to veto the counsels. > Section 15, page 8 - concerned with the powers of the counsels because of work conditions in collective bargaining agreements. > Section 16 - educational choice has been defeated before in this state and it would be bad public policy to establish it now.

184 REP. KATZ: Explains the difference between the ballot measure that was defeated and the language in the bill.

202 DANIELSON: Continues through the amendments: > Section 20, page 10 - appropriate for the Department to study the issue over the interim of developing models for school districts for developmentally appropriate nongraded primary pilot programs. Everyone does not believe it is as valuable as assumed in this particular bill.

REP. KATZ: Reads Section 20(2) and points out the 1993 Legislature could object to that plan.

DANIELSON: Explains their objections to lines 21-24 and lines 25-30. > Section 21, page 11 - object to putting entire obligation on the school and not on the individual student to obtain a CIM. There ought to be discretionary use of options by school districts for achieving the certificate through alternative educational programs. > Section 22, page 13, line 8 - fail to see what purpose a transfer to another public school really serves for students who fail to demonstrate the knowledge and skills required at the mastery level withone one year.

309 REP. KATZ: Talks about limited access to institutions of higher education.

DANIELSON: Hopes there is some effort to reinstate Oregon's colleges to

a reasonable level of service. > Section 23, lines 14-27 - curious about the fiscal obligation on school districts when students can go to school longer. Need more clarification of the school district's obligation.

351 REP. KATZ: What is the current statute language for providing education up to a certain age?

DANIELSON: The current statute goes beyond age 18 or high school graduation.

REP. KATZ: Explains there are many young people who leave and come back because of family disruptions.

387 LEE PENNY: Reads the language in ORS 339.115.

DANIELSON: The current statute does not interrelate with the programs you are creating under this Act. > Section 24, page 13 - don't think it is necessarily good public policy to prohibit employing an under age person who has not obtained a CAM.

REP. KATZ: Are you saying it is all right for youngsters to drop out of school and go to work?

DANIELSON: You need to recognize that some kids are going to drop out of school. You can't make them go and if they can't work, they will do something else.

TAPE 90, SIDE A

036 REP. NELSON: What are you going to do to the employers who are hiring these kids?

REP. KATZ: They would be in violation of the statute. That is a policy issue we are going to have to discuss. It is a conflict in values.

050 REP. JONES: We need to make sure the kid who needs to work in order to help out his family can still do that.

DANIELSON: Kids drop out most frequently between the ninth and tenth grade. The program you offer is not necessarily the reason they drop out. The prohibition on hiring these kids is not something that is needed in an education reform bill.

REP. KATZ: People are still uneasy about this. We don't intend to stop summer work.

092 DANIELSON: Continues reviewing sections in the HB 3565-1 proposed amendment: > Section 27, learning centers - concerned about costs and how many things the learning center will focus on. Recommends deleting lines that deal with what learning centers may do. > Section 28 - need to be clearer how students with a CAM will go on to higher education settings.

REP. KATZ: We lose a lot of kids because at the 10th grade they are ready to move on to a new environment. In Portland, students can already choose to go to a high school that has a strong program in a certain area. We want to make a continuum of an educational services available to students.

DANIELSON: Some kids are not equipped to take on responsibility in a

less structured system such as higher education. This is a rigid departure from the existing program. Not sure it should be allowed on a broad open basis. > Section 29 - technical endorsements and associate degrees - no problem with doing it if the money is there to allow it to happen. If funding is not there, the timeline should be moved.

REP. KATZ: Basically, it will be the responsibility of the Workforce Counsel in terms of oversight.

DANIELSON: Section 33, page 18 - believes the professional development programs for teachers ought to be accomplished through TSPC rather than through the State Board of Education or State Board of Higher Education. > Section 34, page 19 - lengthening the school year. We would rather have you make a policy statement that some of these requirements will probably require a longer school year with a recognition it should occur as funding becomes available for that purpose. > Need to either delete portions of the bill or establish priorities of which parts you wish to implement at different times. > Suggests an interim committee study the issues more thoroughly and let the public and teachers comment on it.

210 REP. OAKLEY: Have you heard from a cross section of teachers on this bill?

DANIELSON: We have sent out information on the bill. The communication out into the field is slow. No, they are not well acquainted with the issues. > It is difficult for people to look at a situation when they are considering bankruptcy.

REP. KATZ: If we are going to ask voters for additional revenues to support the schools, we better have a vision we can share with them in terms of what those schools are going to look like.

DANIELSON: Perhaps we should have a vision out there of how we are going to pay for it. We don't have a big problem with most of this bill. Schools will not become very much better unless they are supported.

REP. SCHROEDER: Are there parts of them bill that could be phased-in to start with at the end of this session and look into it further during the interim?

DANIELSON: Names parts of the bill that can be phased in now. > Have a problem with the broad choices people would be allowed to make. Need to vest more power in the school district to determine who goes into what program. Risk is putting all our money into remedy and not enough into excellence. Nobody wants to do anything for the average child. It is always special education or talented and gifted. As you implement costly programs, you are taking away from something else. > We recognize lengthening the school year has to be done.

314 REP. SCHROEDER: How would you feel about pilot programs throughout the state?

DANIELSON: We concur with the pilot approach for a number of these factors.

369 DAN McCULLOCH, OFIS: If the language in Section 2, page 1, lines 7 and 10, makes the legislation all encompassing beyond public school students, then private schools would have to make some major changes. If the bill is for the public school sector only, then how will it affect private school students who do not have a Certificate of Initial

Mastery (CIM) or are not registered in a program that leads to a CIM.

REP. KATZ: What is the law now with regards to private schools in this area?

411 REP. HUGO: If you look at the relating clause of the printed bill, private schools are exempt from the entire act.

433 DALE HESS, OSSHE: Reviews two changes to clarify the language in HB 356 5, Sections 32 and 38 (EXHIBIT C).

TAPE 91, SIDE B

005 HESS: Continues to review proposed amendments to HB 3565-1, Sections 32 changing the "with" after the word "preparation" to "and". > In Section 38, change to "as determined by the State Board of Education or the State Board of Higher Education as appropriate."

056 JULIE BRANDIS, AOI: Reviews their concerns outlined in her testimony and refers to proposed amendments for Section 4(2), Section 23(1) and Section 33 (EXHIBIT D).

132 RICHARD MUNFORD, an economic and financial analyst from Vermont: Comments on the findings from a recent literacy survey in Oregon. > Talks about pilot program in Vermont that uses portfolio assessment. Provides a summary of the program (EXHIBIT E). > Highlights of the program are writing skills and mathematical skills assessed at the 4th and 8th grade levels. A student selects his or her best work or a selection of best work.

REP. KATZ: It is the direction of where we ought to be going. Vermont is a leader and we hope our Department of Education will look at the kinds of portfolios being done there and in other places.

218 REP. OAKLEY: Adjourns meeting at 4:20 p.m.

Submitted by: Reviewed by:

Carolynn GillsonLee Penny Assistant Administrator

EXHIBIT LOG:

A - Testimony on HB 3565 - Michael Harris - 3 pages
B - Testimony on HB 3565 - Bureau of Labor and Industries - 6
pages C - Proposed amendments to HB 3565 - OSSHE - 1 page
D-Proposed amendments to HB 3565 - AOI - 2 pages