

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 29, 1991 Hearing Room F 1:30 p.m. Tapes 98-100

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

ISSUE AND MEASURES CONSIDERED: Report on Child Labor Task Force SB 112A - Services of child development specialists, PAW SB 116 - Transportation of children to day treatment programs PAW SB 207A - Expands definition of accredited college or university for purposes of psychologist licensing, PAW SB 182 - State Board approval of proposed name change of community college or college district before public hearing, PAW SB 891 - Programs to recognize students for excellence in academics and citizenship, PAW SJM3 - Memorializes Congress to maintain student financial aid programs, PAW

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TAPE 98, SIDE A

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

Report on Child Labor Task Force

008 MARY WENDY ROBERTS, commissioner, Bureau of Labor and Industries: Reads her testimony containing the preliminary findings from a Child Labor Task Force (EXHIBIT A). > Reviews information contained in graphs and charts provided with her testimony. > An error was found on page 4 of her testimony and a new page 4 was provided (EXHIBIT B). > So many parents are not involved in supporting school achievement and the same parents are supporting their child's choice to work.

242 CHAIR OAKLEY: Many students who work are top students.

263 REP. WALT SCHROEDER: These are students who are working outside the home for pay.

ROBERTS: Youth employment is not all bad. We are talking about the overall effect on a situation. There is a variation in our findings. So much of their work experience is not related to their education.

286 LEE PENNY, Committee Administrator: Does the Wage and Hour

Commission now have the legal authority to limit the number of hours and the lateness of the hour of work for 16 and 17 year olds? Are changes in the rules being considered?

ROBERTS: Yes, they do. The Wage and Hour Commission will be evaluating the data gathered by the Task Force.

(Tape 98, Side A) SB 112A - Allows school districts to extend services of child development specialists to families and children four years of age or younger
Public Hearing Witnesses: Judy Miller, Department of Education
Leon Fuhrman, Department of Education

331 JUDY MILLER, assistant superintendent for Student Services, Department of Education: The Department supports this bill.

343 LEON FUHRMAN, child development specialist in Alternative Education Programs, Department of Education: Describes the child development specialist program and refers to information in his handout concerning the program (EXHIBIT C).

CHAIR OAKLEY: This is not a mandate, correct?

FUHRMAN: No it is not a mandate. It is enabling.

427 REP. BRUCE HUGO: Who determines how much money will be available for this program?

FUHRMAN: It is a line item in the base budget of the Department. It has stayed around \$500,000 since 1973.

MILLER: There is a schedule for funding each program. When a new program is started, the school district get \$10,000 the first year, \$7,500 the second year, \$5,000 the third year and so on. It declines to \$1,000 a year.

TAPE 99, SIDE A

017 REP. HUGO: Reads the language in Section 2(2) on page 2, lines 10-15, concerning the reimbursement. The formula you gave us has nothing to do with this then.

MILLER: More money is not available for this program right now. The purpose of this bill is to expand the opportunity for school districts to have child development specialists working with families of younger children.

REP. HUGO: If the law does not reflect practice, then either the practice should change or the law should change. Is there any reason to keep this in statute?

MILLER: We would like more money for this program but it is not available right now. This program has grown every year in spite of the fact additional funding is not available.

REP. HUGO: The financing system now in place does not allow for this law to work. We are putting in statute something we are violating.

077 MILLER: I don't believe we are violating the statute because it says "may". Agrees the Department has not been close to the 75 percent reimbursement level for many years. We would rather have the money.

REP. HUGO: Would the Department object to striking ORS 343.135?

MILLER: Need to consult with others at the Department before responding.

091 REP. DELNA JONES: This looks like a reimbursement process to me. In practice, you are actually giving school districts money up front to begin the programs.

MILLER: They receive a fiscal authorization up front.

FUHRMAN: Explains the funding process in more detail.

REP. JONES: You are using the process in the statute, correct?

MILLER: That's correct

138 REP. WALT SCHROEDER: Who determines if a child age four or younger needs help?

FUHRMAN: In the pilot program in Hermiston, a team of seven child development specialists designated one person to specifically work with families who were transitioning to kindergarten from early childhood programs. The focus would be on the early childhood programs.

MILLER: Many of the services are provided at the school and parents voluntarily come to the school. It is not a service imposed on people. The language in the bill does not mandate that someone receive a service. We might refer people to a state agency if it is a matter of child abuse. It is not normally the role of the child development specialist. Each school district decides whether they want to offer this program. The district determines how to operate the program in their schools.

(Tape 99, Side A) SB 112A - Allows school districts to extend services of child development specialists to families and children four years of age or younger Work Session

193 MOTION: Rep. Jones moves SB 112A to the floor with a do pass recommendation. VOTE: In a roll call vote, the motion carried with all members present voting AYE. Excused: Reps. Hugo and Pickard Carrier: Rep. Jones

(Tape 99, Side A) SB 116 - Requires school districts to provide transportation to preschool age children living at home but enrolled in day treatment programs Public Hearing Witnesses: Christopher White, Poyama Land Bill Wellard, Springfield DARTS program Pam Patton, Morrison Center Wilma Wells, COSA

238 CHRISTOPHER WHITE, director of Poyama Land, a DARTS program: Reads his testimony in support of SB 116 that provides transportation for children to and from DARTS programs (EXHIBIT C).

REP. KATZ: How will these children be transported?

WHITE: Preferably, on a school bus with a trained driver. Lists other ways that are used. We would like to have a more consistent form of

transportation.

327 REP. JONES: I can't support this requirement when bus transportation to and from school is not provided in many school districts for the regular school classrooms.

WHITE: The purpose of the bill is to fix responsibility. We are talking about a very few children. All we are asking for is consistency.

REP. JONES: You are saying the only way you can get transportation for these kids is to mandate that it be paid?

WHITE: Transportation is being provided in many instances. The problem is who has the responsibility to get kids to the treatment program. The school districts providing transportation are eligible for 60 percent reimbursement.

376 REP. JONES: It is not funded that way anymore. We are trying to serve a broad spectrum of kids whose needs are not being met. Reluctant to require school districts to do more than they are already doing without additional funding.

WHITE: The responsibility needs to be assigned to someone.

CHAIR OAKLEY: Who transports the children in the Klamath Falls area?

402 BILL WELLARD, DARTS program in Springfield: Currently, the treatment center in Klamath Falls is transporting the kids through a contract with the school district. Talks about the options in HB 2317 (1989 session). SB 116 affixes responsibility and allows for flexibility for who transports the children. > This will not prevent transportation systems already in place throughout the state. > This bill is in response to CSD expanding DARTS programs to younger children. In SB 116, we are asking you to make it the same for the younger children as it is for the older children in these type of programs.

TAPE 98, SIDE B

029 REP. NELSON: Will this bill mandate schools districts to provide transportation to this group of children?

WELLARD: Yes.

REP. NELSON: I would have difficult time supporting this bill.

WELLARD: The children we are serving here are the most severely disturbed children in your community. It is better to start programs when they are younger. The problem is not going to go away. Our programs were put into place in 1971 to prevent referring these kids to the state hospital or in residential placements away from their community. The level of disturbance mandates these children are going to need the services. No one wanted the responsibility of transporting these kids so we raised the issue through HB 2317. > We are asking local school districts to be responsible. Their community can decide how to take care of transportation.

090 PAM PATTON, director of contracts and government relations, Morrison Center: Reads her testimony describing the children served, the programs and expressing support of the bill (EXHIBIT D). > These kids

cannot handle transportation that is not consistent. > We want to add the ability to require school districts to transport three and four year olds to the program because they are not yet the responsibility of the Department of Education unless they are early intervention kids. Many do not meet all the criteria for early intervention programs and are not eligible to be transported. > Talks about the use of taxi cabs.

191 WHITE: If a school district is not transporting anybody, I am not sure if they have to transport these children under P.L. 94-142. One-hundred percent of our kids have individual education plans (ieps).

REP. KATZ: Why aren't some of these children in early intervention programs?

PATTON: Not all the kids meet the four areas of criteria.

220 REP. SCHROEDER: The problem is imposing on a school district to get the kids to the program.

PATTON: There is no expense to the school district for treatment and education of these kids. > Transportation is a positive investment for school districts.

WELLARD: The schools do not get basic school support for these kids.

250 WILMA WELLS, Confederation of School Administrators: Responds to some of the questions raised by the members. > There is some question in the Ways and Means Committee of what state agency will be paying for the transportation of three-and-four year olds to early intervention programs. > Talks about the kids in the DARTS programs and how P.L. 99-457 changes the standards for service in the early intervention program to include emotionally disturbed children.

REP. JONES: You are saying because of a federal requirement, this bill may not be necessary.

WELLS: Talks about the use of cabs in the Medford area to transfer three-and-four year olds.

332 REP. HUGO: What would this bill cost local school districts?

WELLS: Don't have that information. Feels the bill is premature.

361 LEE PENNY: If HB 3403 passes, transportation will be a legal obligation of the state if the statute is silent.

(Tape 98, Side B) SB 116 - Requires school districts to provide transportation to preschool age children living at home but enrolled in day treatment programs Work Session

386 MOTION: Rep. Hugo moves SB 116 to the Committee on Ways and Means with a do pass recommendation.

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

(Tape 98, Side B) SB 891 - Directs school districts to implement programs to recognize students for excellence in academics and citizenship Public Hearing Witnesses: Sen. Ron Grensky Jan Bargen, Senate Education Committee staff Wilma Wells, COSA Ruth Hewett, State Board of

Education Renee Cannon, staff member

408 SEN. RON GRENSKY, District 25: Testifies in support of SB 891 which makes it a state policy for all school districts to foster an atmosphere of student commitment to excellence in academics and citizenship. Provides written testimony (EXHIBIT E) describing a pilot program called "Commitment to Excellence" at South Medford High School.

TAPE 99, SIDE B

030 CHAIR OAKLEY: Are there other schools you are aware of that offer this same program?

REP. GRENSKY: Not aware of anything of this magnitude that has been implemented in any district.

REP. JONES: Do you think this will really have an effect on other schools?

REP. GRENSKY: Hoping the Board of Education will get the word out to school districts. It is important to establish a state policy towards excellence. South Medford High is willing to work with any schools that would like to implement a program.

CHAIR OAKLEY: Concerned about the word "shall" in the bill.

084 JAN BARGEN, committee administrator, Senate Education Committee: Talks about the words "shall" and "may" in the A-engrossed bill.

REP. GRENSKY: We really wanted districts to look at how they could reward academic excellence and citizenship.

109 REP. HUGO: What is the penalty for not doing it?

REP. GRENSKY: There is none.

REP. SCHROEDER: Is there a down side to the program?

REP. GRENSKY: I didn't hear anything negative from the people at South Medford High. > The language in the bill is not restrictive to just the activities listed there. > A crucial part of this program is directed at students who have improved but may not be the top achievers. > Told that none of the rewards offered at South Medford High cost the school any money.

180 WILMA WELLS, COSA: Talks about recognition of achievement in schools. Supports the bill.

REP. JONES: The issue here is how do you get the information out.

WELLS: Plans to put article in the COSA newsletter.

214 RUTH HEWETT, State Board of Education: There was some discussion in the Senate Committee about the issue of state policy. It was believed that it ought to be a local program as opposed to having the Board set some guidelines. There ought to be some way the Board can help in getting the word out.

REP. GRENSKY: We mostly wanted to get the word out. > Reviews some language in the bill concerning state policy and implementation. >

Comfortable with the language in the bill.

287 RENEE CANNON, staff member of Rep. John Watt: Rep. Watt supports the bill and feels recognition of excellence is one method of encouraging students to remain in school and participate to the fullest in school endeavors.

(Tape 98, Side B) SB 891 - Directs school districts to implement programs to recognize students for excellence in academics and citizenship Work Session

328 MOTION: Rep. Jones moves SB 891A to the floor with a do pass recommendation. VOTE: In a roll call vote, the motion carried with all members present voting AYE. Excused: Rep. Nelson and Pickard Carrier: Rep. Katz

(Tape 98, Side B) SB 207A - Expands definition of accredited college or university for purposes of psychologist licensing Public Hearing Witnesses: Bonnie Wilson, Board of Psychologist Examiners David Young, Office of Educational Policy and Planning (OEPP) Mike Holland, Office Community College Services (OCCS)

355 LEE PENNY: The State Board of Psychologist Examiners is proposing that it rely on the judgement of a regional accrediting association to determine whether an educational program in a college or university meets minimum standards when a graduate of the program applies for a state license to practice as a psychologist. > Refers to a letter from the Attorney General's office (EXHIBIT G) expressing concern over an unlawful delegation of legislative or administrative authority to a private body. Alternative wording was suggested in SB 207-A3 along with a requirement that the State Board of Psychologist Examiners adopt the standards by rule (EXHIBIT H). > The SB 207-A4 amendment is proposed by the State Board of Psychologist Examiners would so the same thing (EXHIBIT I).

428 BONNIE WILSON, administrator, Board of Psychologist Examiners: Reads her testimony in support of the bill and the SB 207-A4 amendment (EXHIBIT J).

TAPE 100, SIDE A

016 REP. HUGO: Talks about the problems addressed by the bill and proposed amendments.

025 WILSON: The current statute gives the Board the flexibility to determine a comparable program in psychology. The Board wanted to prevent itself from looking at the institution to determine if it is comparable to an accredited school. It does not have the ability to do that.

REP. HUGO: "Equivalent standards" on line 4 of the -A4 amendment is going to be hard to measure isn't it?

058 DAVID YOUNG, OEPP: It would be easier for the licensing board to determine equivalent standards than to determine an equivalent school. Equivalent is a useful term because it does not mean exactly the same and is a stronger word than comparable.

SB 182 - Clarifies that approval of State Board of Education to proposed name change of community college district must occur before issue goes

to public hearing in district Public Hearing

075 MIKE HOLLAND, commissioner, OCCS: This bill addresses two issues: > Section 1(c) involves circumstances and situations where one district area may be seeking to form a community college district. This legislation would give us a general target to start discussions of what an initial levy ought to be. > Section 3 clears up the way the State Board of Education deals with a community college name change. > Explains what Section 1(f) refers to. Gives an example of a misleading, confusing and grossly inappropriate name of a community college district.

(Tape 100, Side A) SB 182 - Clarifies that approval of State Board of Education to proposed name change of community college or college district must occur before issue goes to public hearing in district Work Session

110 MOTION: Rep. Schroeder moves to send SB 182A to the floor with a do pass recommendation.

HOLLAND: It is possible we could make use of this bill and its relating to clause for another purpose later on.

MOTION WITHDRAWN: Rep. Schroeder withdraws his motion.

(Tape 100, Side A) SB 207A - Expands definition of accredited college or university for purposes of psychologist licensing Work Session

202 MOTION: Rep. Hugo moves to adopt the SB 207-A4 amendments. There was no objection.

MOTION: Rep. Hugo moves the SB 207A to the floor with a do pass as amended

recommendation. VOTE: In a roll call vote, the motion carried with all members present voting AYE. Excused: Reps. Jones and Nelson Carrier: Rep. Hugo

(Tape 100, Side A) SJM3 - Memorializes Congress to maintain student financial aid programs without further reduction or restrictions on eligibility Public Hearing Witnesses:Lynn Pickney, Oregon Student Lobby (OSL) Todd Foster, Associated Students, Oregon State University (ASOSU) Rigoberto Hernandez, Oregon State University (OSU)

228 LYNN PICKNEY, executive director, OSL: Reads her testimony in support of the bill which memorializes Congress to maintain student financial aid programs without further reduction or restrictions on eligibility (EXHIBIT K). > Refers to information attached to her testimony showing how many Oregon students have benefitted from federal student aid programs.

290 TODD FOSTER, ASOSU task force director and member of OSL Board of directors: Outlines what is covered in his written testimony in support of SJM3 (EXHIBIT L). > Explains he is not eligible for student aid and is part of the "squeezed out middle class". > A portion of the proposed \$200 surcharge will be devoted to guarantee access for lower income groups. The middle income students will be subsidizing this assistance. > SJM3 would send a message to congress to increase the level of financial aid middle income students have access to.

333 RIGOBERTO HERNANDEZ, sophomore at OSU: Talks about working his way through college and the importance of financial aid.

(Tape 100, Side A) SJM3 - Memorializes Congress to maintain student financial aid programs without further reduction or restrictions on eligibility Work Session

372 MOTION: Rep. Pickard moves SJM3 to the floor with a do adopt recommendation. VOTE: In a roll call vote, the motion carried with all members present voting AYE. Excused: Reps. Jones and Nelson Carrier: Rep. Pickard

391 CHAIR OAKLEY: Adjourns meeting at 3:52

Submitted by: Reviewed by:

Carolynn GillsonLee Penny Assistant Administrator

EXHIBIT LOG:

A - Testimony and preliminary findings - Bureau of Labor and Industries - 24 pages B - Correction page - Bureau of Labor and Industries - 1 page C - Testimony and statistics on SB 112A - Department of Education - 5 pages D -Testimony on SB 116 - Christopher White - 2 pages E-Testimony on SB 116 - Pam Patton - 2 pages F-Testimony on SB 891 - Sen. Ron Grensky - 4 pages G- Letter concerning SB 207A - Committee staff - 1 page H-SB 207-A3 amendment - Committee staff - 1 page I-SB 207-A4 amendment - State Board of Psychologist Examiners - 1 page J-Testimony on SB 207A - State Board of Psychologist Examiners - 1 page K-Testimony on SJM3 - Oregon Student Lobby - 3 pages L-Testimony on SJM3 - Todd Foster - 1 page