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report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

HOUSE COMMITTEE ON EDUCATION

June 3, 1991Hearing Room F 1:30 p.m.Tapes 101-103

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 2493 - Prohibits use of tobacco or nicotine products, WRK HB 2897 - Prohibits school districts from authorizing setting aside space for student smoking, WRK SB 182A - State Board of Education approval of community college name change, WRK SB 122A - Ests. state goal relating to number of minority teachers PPW SB 445A - Reqs. participation in National School Breakfast Program PPW SB 124 - Reqs. school districts to report on graduates by race and ethnicity, PPW

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TAPE 101, SIDE A

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

Work Session

008 CHAIR OAKLEY: The Judiciary Committee has requested that HB 2493 and HB 289 7 be sent to them since they are dealing with other bills on the same subject.

013 MOTION: Rep. Oakley moves HB 2493 to the Judiciary Committee without recommendation as to passage. VOTE: In a roll call vote, the motion carried with all members present voting AYE. Excused: Rep. Hugo, Jones and Pickard

037 MOTION: Rep. Oakley moves HB 2897 to the Judiciary Committee without recommendation as to passage. VOTE: In a roll call vote, the motion carried with all members present voting AYE. Excused: Rep. Pickard

SB 182A - 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

054 LEE PENNY, committee administrator: Reviews what SB 187A would do.

075 MOTION: Rep. Hugo moves SB 182A 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. Pickard Carrier: Rep. Hugo

SB 445A - Requires participation in National Breakfast Program if 25 percent or more students at school site are eligible for free or reduced price lunches or the school site qualifies for assistance under Chapter I or Title I of Elementary and Secondary Public Hearing Witnesses: Penny Ryan, Oregon School Employes Association (OSEA) Rachelle Bagley, Department of Education Sen. Jim Bunn Wayne Snoozy, Klamath County School District Gary Dietderich, Parkrose School District Nancy Dorey, Newburg School District Ellen Lowe, Hunger Task Force Greg McMurdo, Department of Education Karen Hafner, Oregon School Boards Association (OSB A) Marv Evans, Confederation of School Administrators (COSA)

100 LEE PENNY: Reviews what the provisions are in SB 445A.

133 PENNY RYAN, OSEA: Reads testimony from Mari Anne Gest in support of SB 445 A (EXHIBIT A).

200 REP. VERA KATZ: Supports the program. > Concerned about the kind of food being served in terms of nutritional value. Need to avoid food that normally creates hyperactivity.

210 RACHELLE BAGLEY, manager of child nutrition programs, Department of Education: We have encouraged the schools to follow the U.S. Dietary guidelines in implementing their lunch and breakfast programs. Discourage serving high-sugar and high-fat foods in the programs. > Education and nutrition seminars are provided with federal funds to the local schools.

240 SEN. JIM BUNN, District 15: SB 445 came about as a result of the efforts of the Legislative Task Force on Hunger that was created during the 1989 legislative session. > Reviews what the bill does. > This is a mandate with supporting funds. If the funds are gone, the mandate is gone.

296 REP. DELNA JONES: Of the 74 percent of the schools in Oregon that do not have the program now, how many would be required to have a program under this bill?

SEN. BUNN: Don't have that information.

310 REP. BRUCE HUGO: Why can't this program begin with the 1991-92 school year instead of 199 2-93?

SEN. BUNN: The sooner the better as far as I am concerned.

319 CHAIR OAKLEY: Is the breakfast served before school starts or after school starts?

SEN. BUNN: It varies from school to school.

CHAIR OAKLEY: Rural school districts were concerned with transportation of the students who are served by the breakfast program if it is done before school starts.

BUNN: It can be done during school. This addresses a widespread problem.

342 REP. WALT SCHROEDER: I notice the Department of Agriculture will provide for start-up costs. What does that include?

SEN. BUNN: The one-time start up costs are for purchasing the equipment to get the program up and running.

340 REP. KATZ: Unless the Senate had a particular reason for starting the program in 1992, I would support moving the time frame to 1991.

370 WAYNE SNOOZY, building principal, Klamath County School District, Fairhaven School: We have had the breakfast program for two years. > Supports changing start-up date to 1991.

REP. KATZ: What is your sense of why other schools have not participated in this program? What would be your response if this was mandated immediately?

SNOOZY: I would still be in favor of it. > Explains how the breakfast program only takes 10 to 15 minutes because it is very efficient. > The program has cut down on tardiness and sickness. > We have cut down on sugar.

400 GARY DIETDERICH, building principal, Parkrose School District, Sumner Elementary: Talks about the federal government food requirements. > Explains how the program works in his school. > Costs are minimal.

TAPE 102, SIDE A

015 NANCY DOREY, building principal, Newburg School District, Edwards Elementary: Forty- six percent of our 520 students are on the free or reduced breakfast and lunch program. > Explains how their before-school breakfast program works.

CHAIR OAKLEY: Can children that do not qualify for the program, buy into it?

SNOOZY: Students can pay 60 cents, or if they qualify for reduced cost, they pay 30 cents.

REP. KATZ: If the costs are minimal, why didn't the Senate require that all school districts provide the breakfast program?

DOREY: As the children get older, they participate less.

050 REP. JONES: The costs are minimal to you because the federal program is picking up the costs. What would the costs be if the federal government was not funding it?

DIETDERICH: Talks about federal government reimbursement.

REP. SCHROEDER: Do your programs break even or do you make money on the program?

All three principals said they do not make any money on the program.

084 REP. KATZ: Do you remember the discussion on the language "if 25 percent or more of the students at the site are eligible." If any child is eligible, is the funding there for that particular child?

DOREY: That was a cut-off number so it would stay economically feasible

for the school district to run the program.

REP. KATZ: If the number of kids makes a difference, then small rural districts are being punished.

118 ELLEN LOWE, served on the Hunger Task Force: There would be no problem with expanding the scope of the bill to schools with fewer students participating. The date was to allow school districts enough time to implement the program.

144 REP. JONES: Repeats earlier question concerning how many schools would be affected?

RACHELLE BAGLEY: The Department does not have statistics on individual schools that have the program. If we just serve the children eligible for free or reduced price meals, we would serve about 60,000 more children a day. We are now serving about 13,000 a day. > Refers to information in her handout that addresses many of the questions raised (EXHIBIT B).

REP. SCHROEDER: I don't think the schools would be able to discontinue the program if the federal money disappears.

BAGLEY: It is unlikely the federal funding would be reduced.

212 GREG McMURDO, Department of Education: Suggests putting an emergency clause on the bill if the effective date is changed to 1991-92.

233 KAREN HAFNER, OSB A: If this appears to be a problem for some school districts, we would like the opportunity to comment on the bill if the Senate does not concur with date change.

REP. JONES: Suggests a school could request a one-year waiver by application to the Department.

271 McMURDO: The waiver is permissible only if it is a financial difficulty.

CHAIR OAKLEY: Uncomfortable with changing the date if schools wish to opt out. > Rural districts have expressed concern about transportation.

REP. JONES: Who have we received opposition from?

HAFNER: We support the bill because it is important. There is a potential problem for schools that have tight bus schedules. Other issues are supervision and additional costs.

SB 445 - Requires participation in National Breakfast Program if 25 percent or more students at school site are eligible for free or reduced price lunches or the school site qualifies for assistance under Chapter I or Title I of Elementary and Secondary Work Session

350 MOTION: Rep. Hugo moves to delete lines 16 and 17 in SB 445A, and replacing Section 2 with an emergency clause effective July 1, 1991.

REP. JONES: Because it is difficult to get things through, I am not certain this is wise.

REP. HUGO: I have not heard any opposition to this bill and the money

is there. The state policy is we are going to have a state breakfast program under certain conditions with waivers available.

402 MARV EVANS, COSA: We do not oppose the bill. > One school district testified against the bill in the Senate Education committee because of transportation problems.

TAPE 101, SIDE B

008 REP. HUGO: I am trying to put the bill into the best form for kids in Oregon. The money is there and is going to be there.

EVANS: We are not in a position to say it will not be a problem in the 199 1-91 school year. The 1992-93 date allows them more time to plan.

REP. SCHROEDER: What happens to the school districts that are already setting bus schedules for next fall?

EVANS: Most of that occurs in July.

045 Rep. Jones and Oakley objected to the motion to adopt the amendment.

VOTE: In a roll call vote, the motion carried, with Reps. Jones, Schroeder and Oakley voting NAY.

MOTION: Rep. Katz moves SB 445A as amended to the floor of the House with a do pass recommendation. VOTE: In a roll call vote, the motion carried with all members voting AYE. Carrier: Rep. Pickard

SB 122A - Establishes state goal relating to number of minority teachers, including administrators, employed by school districts and education service districts SB 124 - Requires school districts to report on graduates by race and ethnicity Public Hearing Witnesses: Sen. Shirley Gold Rep. Margaret Carter LaVonne Lobert-Edmo, Legislative Task Force on Minority Teacher Workforce Morris Jimenez, Klamath Tribal Executive Committee Nick Barnett, Portland Community College and task force member Thomas Coley, Oregon State System of Higher Education (OSSHE)

077 SEN. SHIRLEY GOLD: Speaks in support of SB 122A establishing a state goal in relation to the number of minority teachers employed and SB 124 requiring school districts to report on graduates by race and ethnicity. > Reviews the introduction and history in the report from the Task Force on Minority Teacher Workforce (EXHIBIT C). > Our intent is to improve the number of minority teachers and role models in the workforce. > Concerning SB 124, the Senate Education Committee talked about the fiscal impact on school districts and the Department of Education. We felt this bill would assist in moving toward the data we needed to accomplish the goals in SB 122A.

CHAIR OAKLEY: Is there no price tag on SB 124? Are most of the school districts already set up to do this?

SEN. GOLD: The President of the Senate and the Speaker of the House believed that SB 124 would not cost separate money.

195 REP. HUGO: This bill calls for a separate report of graduating students. We don't do that now.

SEN. GOLD: Turning out this information would not be difficult to do. >

Talks about the cooperative effort between Portland Public Schools, Portland Community College and Portland State University. They would like to see their model program tried all over the state.

REP. KATZ: The words quotas and tracking raise a lot of fear unnecessarily.

240 REP. MARGARET CARTER: Gives the committee some history on SB 122. > This is not just a metro issue. It is a statewide issue in terms of people of color. > The task force engaged minority communities throughout the state in their efforts. > The Legislature appointed this task force. > People are misconstruing the word "goal" to mean "quota". Nothing in this bill speaks to quotas. > We want to make plans and create long-term goals for people of color to get into the school system and be role models.

REP. SCHROEDER: Refers to the LCDC goals and the need to be careful how the word "goal" is used.

REP. CARTER: The agencies are the ones that make up the goals and the timetables for being able to get people into the system itself.

334 REP. SCHROEDER: Maybe these people are being hired in other occupations and paying them a higher salary than school teachers get. It may not be a case of minorities not being available.

347 LAVONNE LOBERT-EDMO, chair of the Legislative Task Force on Minority Teacher WorkForce: Talks about the task force and the information contained in their report. > The biggest issue to be addressed is a state commitment, hence SB 122. It is a benchmark. > Reads parts of her written testimony concerning the issues (EXHIBIT D). Included with her testimony is a one page summary of the report and a letter of support from the OEA.

REP. JONES: Do we know how many minority students there are in comparison to the number of teachers, and how many students there are as compared to the number of graduates?

LOBERT-EDMO: In Oregon, we have 3 percent minority teachers. There are between 10 and 11 percent minority students. We don't have the graduate information yet.

TAPE 102, SIDE B

015 MORRIS JIMENEZ, member of the Klamath Tribal Executive Committee: Reads his describing the critical need of Native American professional educators and expressing support for SB 122A and SB 124 (EXHIBIT E). > Refers to information on pages 15-22 in the task force report. > Building a positive image is an objective in education and a critical aspect in helping children grow.

059 NICK BARNETT, Portland Community College and a member of the task force: Everybody needs guidelines to operate from. Both of these bills address the need of tracking and gathering data. > Concerned we also need somebody to mind the store. Two companion bills resulting from the task force are in the Ways and Means Committee. Those bills are intricately linked to SB 122 A and SB 124.

REP. JONES: Do the other bills having funding attached?

BARNETT: One has a small amount of funding to continue the work of the task force. > The other provides for replicating models like the Portland teacher plan in two other places around the state and getting other minority groups involved.

105 REP. JONES: Have the ongoing commissions on minority affairs been working with you in relationship to your concerns?

LOBERT-EDMO: In our public hearings, we had input from those commissions.

REP. JONES: Will this be part of their tasks as you see it?

LOBERT-EDMO: We have not discussed that.

122 REP. HUGO: Talks about the commissions working together with a common goal of recruiting and placing minority teachers in the classroom.

LOBERT-EDMO: The success of other states indicates that, when a state takes on a cause, it is more successful than if it is delegated to commissions.

JIMENEZ: Explains how they are seeking input in other ways.

REP. JONES: Talks about other ways the issues can be addressed and serve their concerns.

LOBERT-EDMO: Refers to recommendations to educational organizations that are listed in the report.

REP. KATZ: Talks about simple inexpensive strategies institutions can use to make sure that minority students stay in the classroom and complete their programs. Hope you consider some of those types of strategies.

213 THOMAS COLEY, OSSHE: Reviews his testimony in support of SB 122A and SB 124

SB 122 - Establishes state goal relating to number of minority teachers, including administrators, employed by school districts and education service districts Work Session

237 MOTION: Rep. Hugo moves SB 122A to the floor with a do pass recommendation.

MOTION: Rep. Schroeder moves to replace the word "goal" with "objective" on line 6. On line 7 in place of employed, insert "be available for employment".

Discussion on the proposed amendment.

298 REP. KATZ: Explains why she would not support the amendment. This is not a quota bill.

REP. HUGO: If COSA supports the bill as it is now, I can't imagine how we are improving it. > Objects to the motion and requests a roll call.

REP. SCHROEDER: A person should be qualified to be a teacher and not be employed just because they are a minority.

REP. JONES: Being available for employment is a questionable term.

378 VOTE: In a roll call vote, the motion to adopt the amendment fails, with Reps. Katz, Hugo, Jones, Nelson and Pickard voting NO.

VOTE: In a roll call vote, the motion carried to send SB 122A to the floor with Rep. Schroeder voting NO. Carrier: Rep. Katz

SB 124 - Requires school districts to report on graduates by race and ethnicity Work Session

416 MOTION: Rep. Hugo moves SB 124 to the floor with a do pass recommendation.

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

443 CHAIR OAKLEY: Adjourns the meeting at 3:30 p.m.

Submitted by: Reviewed by:

Carolynn GillsonLee Penny Assistant Administrator

EXHIBIT LOG: A - Testimony on SB 445 - Oregon School Employes Association - 12 pages B- Testimony on SB 445 - Legislative Task Force on Hunger - 11 pages C - Report concerning SB 122A and SB 124 - Legis. Task Force on Minority Teacher Workforce - 73 pages D-Testimony on SB 122A and SB 124 - LaVonne M. Lobert-Edmo - 10 pages E-Testimony on SB 122A and SB 124 - Morris Jimenez - 2 pages F-Testimony on SB 122A and SB 124 - OSSHE - 4 pages