

SENATE COMMITTEE ON EDUCATION

February 26, 1991 Hearing Room 343 3:00 p.m. Tapes 25 - 26 MEMBERS
PRESENT: Sen. Shirley Gold, Chair Sen. Bill McCoy, Vice Chair Sen.
Joan Dukes Sen. Peter Brockman Sen. Ron Grensky Sen. Cliff Trow MEMBER
EXCUSED: Sen. Paul Phillips VISITING MEMBERS: Sen. Jeannette Hamby
Rep. Carolyn Oakley STAFF PRESENT: Jan Bargen, Committee
Administrator Angela Muniz, Committee Assistant MEASURES HEARD: SB
120 - Report on Public Schools - PH

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TAPE 25, SIDE A

005 CHAIR GOLD: Calls the hearing to order at 3:00 p.m. Welcomes Sen. Jeannette Hamby who served on the Joint Interim Committee on Education.

SB 120 - REPORT ON PUBLIC SCHOOLS - PUBLIC HEARING: Witnesses: Phil Keisling, Secretary of State Bill Drew, Legislative Aide Wayne Neuburger, Department of Education Roberta Hutton, Department of Education Marvin Evans, COSA Alan Tresidder, Oregon School Boards Association Deanna Woods, Oregon Federation of Teachers Karen Famous, Oregon Education Association Ruth Hewett, State Board of Education Mari Anne Gest, Oregon School Employees Association Joyce Reinke, Department of Education Seate Committee oe Educatian January 20, 1991 - Page 2

033 PHIL KEISLING, Secretary of State: Was Co-Chair of the interim committee when he was a representative and Co-Chaired with Sen. Gold in the working group that drafted this bill. Discusses history of SB 120: -- During the interim, the Revenue Committee was looking at options for changing the school finance system. All of the options would have the state provide most of the revenue for schools. -- Question of what the state should be funding was raised as a result of those options. -- The state board was considering definitions of basic and standard education. -- Question before the committee was how does that definition of standard education relate to what the Revenue Committee was doing. -- Working group spoke to interest groups, people behind the standard education definition and citizens. Found several important things: -- The definition of standard education presented to the board was not a consensus definition. Was disagreement on what programs ought to be on or off the list. Definition was specific about course work in some areas and outcome oriented in others. -- Accounting systems in school districts varied. Some districts keep more comprehensive, detailed systems than others. Also no uniformity among districts with the same system. -- No uniformity among similar programs offered in different districts. Even if decided what programs should be offered spending would differ because of salaries, experience and class size. Committee decided not to chase a definition of standard education. Instead it moved toward the a larger philosophy: -- If the state moves toward a finance system where money comes largely from the state then we need to make funding decisions based on what students need based on some of the outcomes we want to see happen. Next step was how to do that. -- Committee found it needed to do more work before it could start building an outcomeSB ased approach to that philosophy -- even before a new finance system was developed. -- SB 120 was an effort to begin to go down that path. Recognizes that much work still needs to be done and it

does not determine a finance system. It lays in place some systems to determine where the state is and where it may want to go.

Walks through the major sections of the bills to explain what the committee thought when drafting it. -- Section 1: Fundamental goals of what schools should do. There is not a statement like this in statute. - Section 2: Calls for superintendent to report on the state of schools. A comprehensive report including demographics, testing results and trends. Provides for a broader array of information to begin comparing schools. -- Section 3: On-site visits. Theory behind standardization visits is that it is good to visit the schools and see the process. Under the existing process, the visits are heavily weighted for input and review. As a result can have a school that is standard with a 50% drop-out rate.

214 SEN. TROW: The superintendent report would report to the state about the progress on the points noted in Section 1 of the bill. It seems that the report concentrates on minimums rather than maximum. Hopes that the superintendent would focus on more than that and talk about the exciting, excellent things happening in the schools. A report based just on whether we're doing the minimum is what he wants to see.

- Senate C_ on Education January 20, 1991 - Page 3

KEISLING: There was some discussion in the working group about that. Subsection 11, Section 2 is a catchall phrase about including other information in the report. It was the sense of the group to relate the high standards out there. The language in Section 1 was written in a broad way to go beyond the minimum standards.

SEN. TROW: Because we want to measure things we structure things in a way that makes it difficult to show the exciting things. Should direct that even if it's a subjective analysis.

263 KEISLING: Continues speaking about the standardization process. The group felt that an onsite visit process that allows a school with a 50% drop-out rate to be standard is not appropriate. Section 3 has the state board review the standardization process and adopt a revised set of standards. It keeps the on-site visit idea but asks different kinds of question. Turns the process into one that asks what is being done for students. Committee discussed abolishing the standardization process but opted to make the process more meaningful.

SEN. TROW: The annual self-evaluation doesn't say how the school districts are going to use it? What is it for? The bill does not address that.

304 KEISLING: No it does not. The thinking of the committee was that the school districts would make the decisions on how to use it. Hopes would use it for diagnostic purposes, improve programs and staff policies. Thought is how do you have the money come from Salem and put the maximum decision making at the local level.

SEN. TROW: Hopes it does feed into the local decision making, but fears it could be seen as something the state board makes them to do. It could become more paperwork with just the minimum done. Maybe we should specify in the bill how it will be used.

KEISLING: Continues discussing sections of the bill. -- Section 5: Common curriculum goals and a regular review. Puts the review process in statute and who they involve. Are trying to get more specific than

Section 1 about what students need and those needs are ever changing. -
Section 6: Improvements in schools found deficient of new standards.
Currently only choice for penalty of school not meeting standards is to
withdraw all school support. This section offers a step process if a
school does not meet the new standards.

445 CHAIR GOLD: Introduces Rep. Carolyn Oakley and Lee Penny, committee
administrator for the House Education CommiKee. Many items in this bill
are currently activities of schools and Department of Education. Took
those ideas and tried to emphasize them in statute.

TAPE 26, SIDE A

028 KEISLING: That is an important point. SB 120 does not exist in a
vacuum. Some of the provisions don't work well in a school system with
an inability to raise money and dramatic differences in resources. SB
120 is a complement to the change in financing schools.

CHAIR GOLD: The Senate Revenue and school Finance CommiKee is
considering different finance proposals. SB 814 is one bill before that
commiKee and Section 1 of that bill uses the same language as Section 1
in SB 120. ~ .

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Januar~ 20, 1991 - e 4

SEN. TROW: In Section 6 with regards to a school that is not standard
and having trouble: It looks like the State Board of Education is
conducting the penalty actions but then the appeal is to the State Board
of Education. Should rethink the that part because the state board may
not be viewed as impartial.

090 SEN. HAMBY: Presents SB 515 a report card bill which she sponsored
and based on some of the ideas in SB 120. Oregon is one of the few
states that has not adopted some sort of a report card on the school
system. Has continued to refine some of the language on the report card
in SB 120. SB 515 includes that language and incorporates
recommendations from other states.

111 BILL DREW, Legislative Aide: Describes the sections of SB 515
with similar elements in SB 120 . Was designed to be used as
measurements of success instead of test scores. Use it as a means of
accountability of schools for the general public. Explains the sections
of the bill.

173 SEN. HAMBY: Sen. Trow didn t want to measure just the minimums. SB
515 gives school districts the opportunity to brag and show how much
farther they have gone beyond the minimum standards.

DREW: Returns to explaining sections of the bill.

CHAIR GOLD: This isn t a formal hearing on SB 515. Would like to keep
the discussion focused on how it compares with SB 120.

SEN. GRENSKY: Appreciates SB 515. It looks like a step toward improving
education instead of just damage control.

230 KEISLING: The work the interim committee did was rushed. Recognized that the work should be polished and refined.

REP. OAKLEY: Is concerned with fiscal impacts. Any idea what the fiscal impact may be? Is it general funds and is it budgeted anywhere?

KEISLING: Is no fiscal analyst can't tell what the fiscal impact will be. There are provisions that have an effect on spending.

CHAIR GOLD: Invites education representatives to testify. They can better answer Rep. Oakley's questions on fiscal impacts. They were involved with the formation of the bill.

305 WAYNE NEUBURGER, Associate Superintendent for School Improvement, Department of Education: Answers question about fiscal impact. Submitted a fiscal impact statement of about \$350,000 to implement portions of SB 120 that are not currently funded. The department already engages in many portions of the bill. A major portion of the funds for SB 120 are already allocated in base budgets.

330 ROBERTA HUTTON, Assistant Superintendent, Department of Education: Presents a standards improvement proposal (EXHIBIT A). Need to move to an outcome based look at school. The A). Need to move to an outcome based look at school. The department wants to pilot new approaches with standardization visits scheduled for next year. Wants every school district to do their own small school improvement plan by 1992. Senate Committee on Education January 20, 1991 Page 5

Things that do not make good indicators on a school's progress is the amount of money spent and the teacher/student ratio. The improvement proposal complements SB 120 and SB 515. Does not have a problem implementing SB 120 with the kind of a process outlined.

TAPE 25, SIDE B

051 SEN. TROW: Are there arguments in favor of this development saying that moving to the accountability is so important that we should focus on student outcomes and report on them. Is that what experts are saying makes a good school? HUTTON: It is part of the school research the department has been looking at for the past 10 years. NEUBURGER: The trend of literature now on site-based management is to look at the outcomes for the school and provide flexibility to the schools to let them decide how to reach those outcomes. The entire direction of the bill and proposal includes this. It means going through the current standards and stripping out the ones that relate to input and process and leave that up to the school district. In exchange for that freedom, the school districts are accountable for the outcomes. SEN. TROW: Is there less red tape or more in this process? HUTTON: The bonus for the planning of quality education is going to shift to the site. The state won't dictate so much how the districts have to do things, but there will be some accountability measures at the end. The statewide assessment is a critical piece of that accountability. CHAIR GOLD: Encourages the representatives of the education community to act as part of the committee and ask questions openly. 95 MARVIN EVANS, Confederation of Oregon School Administrators: Research in the private sector also speaks to the notion of giving school districts flexibility and holding them accountable for the product. This tends to maximize the productivity of the individual units. NEUBURGER: The department is looking at reorganization of the department along the lines of assistance to individual schools. Would assist them in developing goals

to establish local school improvement areas. ALAN TRESIDDER, Oregon School Boards Association: The discussion of outcome based and setting goals is a serious question. In the beginning the switch to a state funded school system may create more work but in the long run it won't. Needs to be considered in light of the transition to the new finance system. If leave expectations up to school districts with the resources the outcomes will occur. 137 DEANNA WOODS, Oregon Federation of Teachers: Part of the problem legislators have had in the past about assessment of districts is that there is not that much information out there about t much information out there about what constitutes a valid test. Without that information out there, the desire has been to do a good what constitutes a valid test. Without that information out there, the desire has been to do a good job, but the means has not been available. There is information available now. For example, Saute Committee oa Education January 20, 1991- Page 6

Vermont is moving toward portfolio assessment and New York is developing an accountability system.

156 KAREN FAMOUS, Oregon Education Association: Has question about whether are looking at accountability as a means of improving instruction or as a means of reporting to the public about what is happening at the schools. Funding is more critical when looking at accountability as a means of improving instruction. Accountability is linked to funding. Wants the whole issue tied to an alternative funding source such as a sales tax. The report card must be useful to and easily understood by the public. SB 515 is more appealing because it is less complex. Offers suggestions to SB 120 for accountability: -Could ask for a task force created by the Department of Education. -Don't need to duplicate information. Section 6 of SB 120 refers to standardization and has concerns about the public school choice options in the penalties. Sees the same flaws in it as there were in Measure 11. Parents may move their children to other schools and would leave some districts in dire straights.

263 CHAIR GOLD: You are concerned that both bills are a little too specific and lead to rule making procedures in the department. Is that what you had in mind?

FAMOUS: Yes.

NEUBURGER: Presents draft of mission statement developed by the State Board of Education and the Superintendent (EXHIBIT B).

295 RUTH HEWETT, State Board of Education: Pleased that the definition was left as a statute because then the discussion can occur as rule making and be changed more easily. Glad that accountability will be more accessible to the public. Also important to have the profiles of districts in order to coordinate meetings between similar schools.

MARI ANNE GEST, Oregon School Employees Association: Reminds the committee about importance of class)ified school employees and transportation to the goals of a district. There is a problem with student transportation in the state. There are children who are not going to school because they do not have a way to get there. Presents testimony on SB 120 and suggests amendments (EXHIBIT C).

420 CHAIR GOLD: Some have expressed concerns about changing parts of the bill, but others have not. Would like everyone who has concerns to respond.

EVANS: Basing accountability on outcomes is important. Sees it as commitment versus compliance. Most of what districts do in interaction with the state is based on a compliance mode. Districts do it because they are told to. This is not the best way to motivate people, commitment is. Outcome accountability is the best way to get commitment and accountability. Need to pull together SB 120, SB 515 and the Department of Education proposal because they have similar goals. Is concerned with Section 6 in SB 120. It is the cart before the horse because it sets the penalties before the system for accountability has been developed.

TAPE 26, SIDE B

- Senate Committee on Education January 20, 1991 - P - e 7

048 CHAIR GOLD: The frame of reference for that section was a Revenue Committee that seemed determined to send out a sales tax proposal. We are in a different frame of reference now. Agrees that with Measure 5 and the financial cliff difficulties, people are not in that mode.

TRESIDDER: Also has problems with Section 6 of the bill. It is a premature action when we are going to a state-funded school system.

WOODS: Have to have what we want to do in place before it begins. Let's make sure the assessments are the best possible and that all the pieces are in place before starting. 107 CHAIR GOLD: In current statute basic school support can be withheld from a district. Should the Legislature do something about that statute?

TRESIDDER: That gets back to the embarrassment level of the standardization process. No district has been denied school support because they have a year to comply with the standards they have not met.

CHAIR GOLD: Should we leave it in the statute or remove it?

HUTTON: It has not been removed. The department uses it every year by holding up basic payment for non-timely filing of the audit in several districts. EVANS: Not sure the present penalty is the only appropriate penalty. Again, it is the cart before the horse. The penalties are threatening because of an unknown process about standardization. The report card and public accountability is in itself an enforcement tool. May support some penalty levels later, but now thinks they are premature.

148 NEUBURGER: Has concerns about Sections 3, 4 and 5 in SB 120. Bill does a little of what State Board does in terms of setting standards for schools. Believes in the concepts but uneasy about potentially restricting what the State Board can do. BARGEN: Is there any way to state parameters to the standards without tying your hands? NEUBURGER: Could make it more general. But this is taking a particular position on standards which may change in five or ten years. The Board should have the flexibility to respond to changes. CHAIR GOLD: Asks Joyce Reinke from the Department of Education if she would join the discussion.

209 JOYCE REINKE, School Improvement, Department of Education: Likes the words commitment rather than compliance. The freedom given to school districts won't remove the responsibility; it will build a commitment. The profiles and report cards will be integral parts of the department helping the districts. WOODS: People in the Education Department are

talented. Should fund them and let them go.

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263 HUTTON: Suggests that Sept. 30 would be a better due date than Sept. 1 for the reports.

BARGEN: What would you think about the bill as a process if the section dealing with the sanction was not amended? Do you think it would be a valuable process to put in statute to get to some of the outcomes we have discussed? EVANS: The bill other than Section 6 with the sanctions is already being done by the Department of Education.

BARGEN: Even though we went through part of the last decade without standardization visits, you don't see a value in getting them into a statutory level?

EVANS: Between SB 515 and SB 120, SB 120 is the least appealing.

TRESIDDER: If you put the standardization visits in statute so the department will do them, the only reason they weren't done before is because the department was not funded to do so. If you put these standards in statute but don't give the department the resources to conduct them, you will have the same problem.

INTRODUCTION OF MEASURES:

314 Staff presents LC 3818 for separate funding of the Prekindergarten program.

SEN. MCCOY: Wasn't the money already in the governor's budget?

CHAIR GOLD: No, it was lottery funds in the governor's budget.

MOTION: Sen. McCoy moves for committee introduction of LC 3818.

VOTE: In a voice vote there were no objections.

CHAIR GOLD: Adjourns the hearing at 5:00 p.m.

Submitted by: _____ Reviewed by: Angela Muniz Jan Borgen Assistant
Administrator

EXHIBIT LOG: A - Standards Improvement Proposal - Roberta Hutton - 5 pages
B - Education Mission Statement - Wayne Neuburger - 6 pages
C - Testimony on SB 120 - Mari Anne Gest - 5 pages

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