

SENATE COMMITTEE ON EDUCATION

April 30, 1991                      Hearing Room 343 3 00 p.m.                      Tapes 69 - 71  
MEMBERS PRESENT: Sen. Shirley Gold, Chair Sen. Bill McCoy, Vice-Chair  
Sen. Joan Dukes Sen. Ron Grensky Sen. Paul Phillips Sen. Cliff Trow  
MEMBER EXCUSED: Sen. Peter Brockman VISITING MEMBER:      Rep. John  
Meek STAFF PRESENT:      Jan Barga, Committee Administrator Angela Muniz,  
Committee Assistant MEASURES HEARD:      SB 897 - Library Services Task  
Force - WS SB 918 - Study of Consolidation of School Districts - WS SB  
1025 - Single Common School District - WS SB 1084 - Release for  
Religious Instruction - PH . , 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 69, SIDE A

005 CHAIR GOLD: Calls the hearing to order at 3:15 p.m.

SB 897 - LIBRARY SERVICES TASK FORCE - WORK SESSION:

CHAIR GOLD: Presents the SB 897-2 amendments (EXHIBIT A). The amendments  
change the task force proposed in the bill to an interim subcommittee.  
As a result, there is minimal fiscal impact and SB 897 does not need to  
go to Ways and Means.

MOTION: Sen. McCoy moves to adopt the SB 897-2 amendments.

SEN. TROW: The amendments were the work of the library association as  
they thought about the fiscal impact and how the task force might relate  
to what the interim Education Committee will do.

043 SEN. GRENSKY: Is a strong supporter of the libraries. It is sad  
that they must defend themselves for financial support. This bill is a  
step in securing a future for them.

VOTE: In a voice vote, there were no objections. Senate Committee on  
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MOTION: Sen. Trow moves for passage of SB 897 as amended to the floor  
and requests the Senate President to rescind the subsequent referral to  
Ways and Means. VOTE: In a roll call, the motion carries 5-0-2.  
Voting AYE: Sen. Grensky, Sen. Phillips, Sen. Trow, Sen. McCoy and Chair  
Gold. Excused: Sen. Brockman and Sen. Dukes. Sen. Trow will lead the  
floor discussion.

SEN. GRENSKY: Requests to be on the interim committee.

SB 918. SB 1025 - CONSOLIDATION OF SCHOOL DISTRICTS - WORK SESSION:  
Witnesses: Greg McMurdo, Department of Education Ozzie Rose, COSA

CHAIR GOLD: In the public hearing it became evident that the Department  
of Education was willing to conduct the study of consolidating school  
districts asked for in SB 918 and the Office of Education Policy and  
Planning was not. SB 1025 establishes single common school districts. As  
a result, there is an amendment to 1025 that includes the study of SB  
918 and to include in the study what SB 1025 asks for. Presents the SB  
1025-2 amendments (EXHIBIT B).

130 MOTION: Sen. Trow moves to adopt the SB 1025-2 amendments.

SEN. MCCOY: The amendments are straight forward.

CHAIR GOLD: The SB 1025-2 amendments are the bill, basically.

SEN. GRENSKY: Have there been studies done on this subject already?

CHAIR GOLD: The most recent one is from the Governor's Commission on School Funding Reform. The passage of Measure 5 makes this issue more pertinent. SEN. TROW: The other groups looked at various solutions of school finance and recommended consolidation, doesn't think they looked at the issue of consolidation in-depth. SEN. GRENSKY: With Ballot Measure 5, we need to move quickly to save money. The bill was not poorly drafted and would have saved money. We should have moved on the issue quicker. 170

CHAIR GOLD: If there happens to be a special session and the study is completed we may be able to consider it then.

SEN. GRENSKY: Are they planning on moving quickly on the study? GREG MCMURDO, Board of Education: The superintendent has already started the process and is looking at an 8-9 month time line. SEN. GRENSKY: Then it is possible we could address this in a special session. CHAIR GOLD: There is nothing to prevent us from promoting it in the districts.

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MCMURDO: The superintendent and the board want to pursue this and want to act quickly.

124 OZZIE ROSE, Confederation of Oregon School Administrators: Lines 11 and 12 are the key lines that have not been dealt with in the past. They look at what we are trying to accomplish and why we want to accomplish it. That is what makes the study different from others. MCMURDO: Another thing that is being looked at is establishing Regional Services Districts for education and local governments. SEN. PHILLIPS: Who requested the amendments? CHAIR GOLD: They were developed out of the testimony heard. SEN. PHILLIPS: In line 12 wouldn't it be more grammatically correct to say "and/or" of consolidation of educational services districts or school districts. In some cases they overlap. BARGEN: Doesn't think Legislative Counsel allows slashes such as "and/or" in statute. Will check with LC. ROSE: That language comes for SB 918 and that bill came from the commission.

VOTE: In a voice vote, there were no objections. MOTION: Sen. Trow moves for passage of SB 1025 as amended to the floor. VOTE: In a roll call vote, the motion carries 5-0-2. Voting AYE: Sen. Grensky, Sen. Phillips, Sen. Trow, Sen. McCoy and Chair Gold. Excused: Sen. Brockman, Sen. Dukes. Sen. Grensky will lead the floor discussion. MOTION: Chair Gold moves to table SB 918. VOTE: In a roll call vote, the motion carries 5-0-2. Voting AYE: Sen. Grensky, Sen. Phillips, Sen. Trow, Sen. McCoy and Chair Gold. Excused: Sen. Brockman and Sen. Dukes.

SB 1084 - RELEASE FOR RELIGIOUS INSTRUCTION - PUBLIC HEARING: Witnesses: John Danielson, Oregon Education Association Rep. John Meek, District 5 Tom Wiper, Eugene Education Association Nancy McCullum, Eugene Education Association Vicky Barrows, Portland Association of Teachers Barbara Drageaux, Portland Association of Teachers Steve Sauter, Portland Release-time Education Program Gaylen Brannon, PREP Ann Croze, PREP Craig DeMo, Oregon Association of Evangelicals Nita Stewart, HillSB oro Elementary Education Association Janet Jackson, HillSB oro Elementary

Education Association

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Stephen Rosenfeld, Portland Association of Teachers Elodie Williams, PREP Laurie Breckel, PREP Kris Franzke, PREP Kris Johnson, PREP

276 JOHN DANIELSON, Oregon Education Association: Wants to present amendments that would repeal the statute regulating release time for religious instruction.

SEN. GRENSKY: You want to repeal the statute. Originally, the bill limited the time a child could be excused for a day. By repealing it, the child would not be allowed to be excused at all, correct?

DANIELSON: It would adopt the Washington State style which puts the policy for religious release at the discretion of the individual districts.

SEN. GRENSKY: Is that by administrative rule? What gives a school district the authority to excuse a child for religious purposes?

DANIELSON: The school district has the authority to deal with its attendance policies. Don't need a statute to deal with that. In the situation with religious release, it is viewed by some as a mandated right; wants to establish a more cooperative relationship with the school districts.

SEN. GRENSKY: The people that want this program want to know they have that right. If you repeal the statute, those people may or may not get that right.

DANIELSON: That is the issue. A child is in school only six hours a day. Believes that religious instruction should occur outside of that six-hour period. You also need to think about the children who are not in religious release programs. Some backtracking occurs when the children that are released return to the classroom.

SEN. GRENSKY: Can understand the reason behind not wanting to do this. If the real reason you want this repealed is because the child is out of the classroom, then you should say that, not that it is to promote cooperation. It sounds you want to eliminate the right of parents to take their children out of class for religious release.

370 DANIELSON: Doesn't want to do it anymore, but is aware that other states who do not have religious release in statute, do have it through local district decisions. A school board reacts to the needs of its community and the policies it sets are worked out with the district. The district would have a more advantageous position than they do under the current law.

SEN. TROW: It may be possible that some district boards will allow more than the statute does now. Have you considered that?

DANIELSON: Has not given that much consideration. Doesn't believe it is likely to occur.

SEN. TROW: The response through the state will vary quite a bit. Some districts would allow nothing and some a lot more. It would not be a unified policy.

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DANIELSON: Not that concerned about a uniform policy. Doesn't think many school boards will go beyond the boundaries set now.

430 SEN. MCCOY: How did you arrive at the one hour limit?

DANIELSON: The real purpose of the legislation is to repeal the statute. The one hour was an arbitrary attempt at a compromise.

453 REP. JOHN MEEK, District 5: Religious instruction is important for parents to have time with their children. It allows parents to get involved with the education system. The children learn self-esteem, individuality and respect for family values in the program. This is an opportunity to get more people involved in education.

TAPE 70, SIDE A

047 SEN. PHILLIPS: How many students use the release time? Do you have any concerns that the students being released are falling behind in class work?

MEEK: That is a valid concern. Doesn't know of any studies on that question. The program has enough value and merit to make it worthwhile. Parents and students will benefit in the long run.

SEN. TROW: Why must the program take place during school time?

REP. MEEK: You don't always get all the parents involved outside school hours. Transportation and time are difficult for some parents. During school hours, the children are all there and do not have to come back later.

100 SEN. TROW: There are two issues for those that oppose religious release. One is from parents of students that remain while the other students leave. They say there is pressure on the child to join. The other is from the teachers who say that so many people go that it is difficult to continue the regular lessons.

REP. MEEK: Some of the coordination aspects need to be improved. Children should not be falling behind in schoolwork because of the release.

SEN. DUKES: Agrees that the remaining students do not have anything to do when the others leave for religious release. What is a teacher supposed to do? They are responsible for teaching the students.

REP. MEEK: The children are not playing games in the religious release programs. Not sure about the impact on classrooms when the children leave. '

171 SEN. DUKES: Thinks that many of the children do leave to play games with a different focus. Is it valuable to take time out from the classroom for these valuable experiences in religious release? Doesn't discount what they do, just questions why they do it during class hours.

REP. MEEK: The curriculum in the religious release program is value oriented and designed

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so that the students are better mannered and their learning time is more beneficial.

SEN. DUKES: There is no criteria for what is taught in the release time. The state can't set any regulations.

CHAIR GOLD: We don't want to do that. SEN. DUKES: Agrees, was just making an observation that what is taught in the religious programs is not uniform throughout the state.

236 TOM WIPER, Teacher, Santa Clara Elementary School: Presents written testimony (EXHIBIT C). Must reteach students who leave for religious release time. It penalizes all the students and the teacher.

275 SEN. GRENSKY: Are you saying that people who are getting religious instruction are not as smart as other students? WIPER: Did not say that. Continues presenting testimony. Should have religious release taught before or after school.

SEN. GRENSKY: From your teaching experience, what is taught by the religious release time instructors?

WIPER: Does not know from first hand experience.

356 NANCY MCCULLUM, Teacher, Bailey Hill Elementary School: Presents written testimony (EXHIBIT D). Teaches math. Cannot give the students who leave for religious instruction the same level of time and instruction that the students who stay get. Children get a mixed message that class is not important and that parties are. Same rewards and benefits can be provided outside of regular class time.

TAPE 69, SIDE B

033 SEN. GRENSKY: Was there any input from teachers about when the best time of day for the religious instruction is? Have you voiced your concerns to the principal or superintendent?

MCCULLUM: There was some discussion, but then was advised that it violates another statute that forbids teachers from actively participating in scheduling religious instruction.

SEN. GRENSKY: So someone came to you and said this is when it will be done?

MCCULLUM: Yes, as far as she knows, no one consulted the school about the best times.

SEN. GRENSKY: When you test the children do you assume they are all at the same level?

MCCULLUM: Yes, you have to.

SEN. GRENSKY: What do you discuss with the parents in the parent/teacher conferences? Do -

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you suggest moving the religious instruction time? Do you tell parents that there is a problem?

MCCULLUM: Parents have not asked what children are missing when they go to the religious instruction. Has never approached a parent and asked them to take their children out of religious instruction. It is a sensitive issue and she would be held legally responsible.

CHAIR GOLD: Is that from your perspective or the schools?

MCCULLUM: It is the schools view. Has been advised not to advise parents to take their children out of religious instruction. Does let parents know her class schedule at the beginning of the year.

SEN. GRENSKY: It sounds like the children approach the parents about the religious instruction, not the other way around.

MCCULLUM: Believes that the children in her school go because of pressure from other children that go. Rewards are given to children that can get other students to go.

100 VICKY BARROWS, President, Portland Association of Teachers: Is concerned about any pullout program that takes the child out of the classroom setting. SB 1084 says that you may not do the religious instruction for more than one hour a day. In Portland, parents are not a part of the process unless they conduct the lesson. The idea of religious release is not new. Should not confuse the practice of religious release with excusing children for observing religious holidays. Religious instruction is good and important, but there is time before and after school.

172 BARBARA DRAGEAUX, Portland Association of Teachers: Children leave at the elementary level for other pullout programs. It is a burden for the child and teacher to make up the missed lessons. Admires parents that are concerned about the religious instruction of their children.

SEN. GRENSKY: Was not aware that this occurred years ago.

CHAIR GOLD: It was around when she taught in Gresham and Portland.

SEN. GRENSKY: Is concerned that children aren't in class for these various programs. Unless you advocate repealing the other programs, can't ask to repeal religious release. What do you do when the child is not there? DRAGEAUX: For the Chapter 1 programs, the children need to be there. They need the remedial instruction and speech therapy. Proceeds

with regular instruction when the children are in other programs. In some cases the children do not need to make up what they miss when they are gone.

235 SEN. GRENSKY: How do you handle testing if the child is not there?

DRAGEAUX: Sometimes, schedules the day around the child. The child will inevitably miss something.

SEN. GRENSKY: It is bothersome that we are asked to repeal one pullout program and not

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others. Missing class is missing class.

BARROWS: Is actively asking that all pullout programs be reconsidered. Is working to change the TAG pullout program. In these other programs, schools can work the program schedules around class schedules. Schools can't do that with the religious instruction.

CHAIR GOLD: In other countries, they have a separate time when other school activities are done.

320 STEVE SAUTER, Teacher, Wheatfield School District: Is a member of OEA. SEN. MCCOY: What was the OEA vote on this issue?

SAUTER: The issue did not come up. Addresses concerns brought up by previous witnesses. The number of children who leave for religious instruction is not as high as 50 percent from classes. The parents are active in this program. Does not stop instruction when children leave for religious release and the children are responsible for the material. This and other pullout programs are parent choice programs. Children go because their parents want them to. His own experience is that students are not falling behind in class.

484 GAYLEN BRANNON, Teacher, Portland Public School District: Has worked in a school where there was a release time program.

SEN. DUKES: The statute does not say this program is optional for the school.

TAPE 70, SIDE B

030 BRANNON: There is not a program at the school she is at right now. There are no volunteers available to coordinate the program. The religious release law allows parents to provide the religious training they feel is necessary for their children.

051 ANN CROZE, Portland Release-time Education Program: Is also a teacher and has worked as a liaison between schools and the coordinators of the release time. Teachers can have input about when the release is scheduled if they take the initiative. The children learn valuable skills in the instruction and she counsels the students who may be falling behind. Parents have the choice to allow their children to miss school for the program. Religious instruction can help children learn

social skills.

113 CRAIG DEMO, Oregon Association of Evangelicals: Presents written testimony in support of SB 1084 (EXHIBIT E). Views this as a religious issue and parents rights issue. Explains the history of religious release. The problem with having it outside of school hours is that it assumes that academic instruction is more important the spiritual instruction. Schools are not teaching the values that come in religious instruction. The parents should determine what is most important.

CHAIR GOLD: Must close the hearing soon, but anyone who does not have a chance to testify can leave written comments that will be put on the record. (The committee received testimony from Judy Allwander, Larry Allwander and Howard Walton (EXHIBIT F)).

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214 NITA STEWART, HillSB oro Elementary Education Association: Testifies in support of the bill and explains the disruption the religious release program causes. It is growing and children recruit others to join. The counseling and support is not there to help the children make up the missed work. Doesn't like to be torn between the children and parents over differences in instruction.

340 JANET JACKSON, HillSB oro Elemntary Education Association: Supports the value of religious education but it causes problems with regular class instruction. Accountability of teachers has been discussed in the legislature and this interferes with teacher's effectiveness. Met with PREP representatives and asked why it was so important that the program be done during the school day. Religious instruction is their number one priority. To teachers, however, it seems religion is only the top priority over academic instruction and not the 'fun' activities. Parents are not always involved in the instruction. Those who are, are already involved in the school. In some families one child goes to religious instruction and the other doesn't. Is offended to think that teachers are not building character or teaching values in the classroom.

454 STEPHEN ROSENFELD, Parent Association of Teachers: Is in favor of repealing the statute because does not want the disruption in the classroom. Explains the number of students that participate in the program at his school. Explains how the program is operated in his school. There is no consistency in the various programs.

TAPE 71, SIDE A

064 SEN. MCCOY: How long has this been in the statutes?

CHAIR GOLD: Not sure, but when she taught religious release occurred.

SEN. DUKES: Some version of religious release has been around for quite a while.

074 ELODIE WILLIAMS, PREP: Presents written testimony (EXHIBIT G). Has met with teachers in HillSB oro and tried to cooperate as much as possible.



SEN. TROW: What do you do in the hour of instruction?

WILLIAMS: Explains the process. The children are taught at First Baptist Church about a half mile away. The instruction includes singing and studying bible stories. Provides some homework for children to do for the following week. Does provide treats to the children but understands that was causing problems with teachers. Now children eat the treats before they return to school.

197 LAURIE BRECKEL, PREP: Explains PREP and the history of religious release program in Oregon. People involved in the PREP program are actively involved in the school. Presents a letter from Lawrence Ayers (EXHIBIT H) and Paul Coakley (EXHIBIT I). Has requirements for the student to maintain grades or they won't be allowed to continue the program. PREP is willing to work with the teachers and OEA and support public schools.

257 SEN. TROW: In Portland there is a variety of students with different ethnic and religious background. Is there a variety of programs available for children of different religions such as

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Jewish children?

BRECKEL: Yes, she is the liaison to help other religions start release time programs.

CHAIR GOLD: What about Buddhism with the Asian population? BRECKEL: There have been no requests for Buddhism. Mormons use it actively. 294 KRIS FRANZKE, Citizen: Presents written testimony (EXHIBIT J). Is a parent of children in the PREP program. Children are not reinstructed when they miss classes at school. Has more control over safety of child if the children are picked up at school and taken to the activity then if they walk after school to the program. Is active in the program with her child.

328 KRIS JOHNSON, Citizen: Is a parent with a child in the PREP program. Teaches release time and is president of the school's PTA. The release program is an opportunity for children to have positive role models. This shouldn't be taken out of the law.

384 SEN. TROW: It has been in the law since the 50s. If you take it out of the law it doesn't mean you can't do it. It just makes the program a local decision.

JOHNSON: The school board is not supportive of the program. With the law, they do not have the power to do away with it.

411 CHAIR GOLD: Adjourns the hearing at 5:40 p.m. Submitted by:  
Reviewed by: Angela Muniz Jan Barga Assistant  
Administrator

EXHIBIT LOG:

A - Amendments to SB 897 - Staff- 2 pages B - Amendments to SB 1025 -

Staff- 1 page C - Testimony on SB 1084 - Thomas Wiper - 2 pages D -  
Testimony on SB 1084 - Nancy McCullum - 2 pages E - Testimony on SB 1084  
- Craig DeMo - 1 page F - Testimony on SB 1084 - Judy Allwander - 2  
pages G - Testimony on SB 1084 - Elodie Williams - 7 pages H - Testimony  
on SB 1084 - Lawrence Ayers - 1 page I - Testimony on SB 1084 - Paul  
Coakley - 1 page J - Testimony on SB 1084 - Kris Franzke - 1 page

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