

SENATE COMMITTEE ON EDUCATION

May 28, 1991 Hearing Room 343 3:00 p.m. Tapes 88 - 90 MEMBERS
PRESENT: Sen. Shirley Gold, Chair Sen. Bill McCoy, Vice-Chair Sen.
Joan Dukes Sen. Peter Brockman Sen. Ron Grensky Sen. Paul Phillips Sen.
Cliff Trow STAFF PRESENT: Jan Barga, Committee Administrator Angela
Muniz, Committee Assistant MEASURES HEARD: HB 2421- Abolishes
Textbook Commission - PH HB 2574 - Home Schooled Children Participating
in Athletics - 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 88, SIDE A

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

HB 2421- ABOLISHES TEXTBOOK COMMISSION - PUBLIC HEARING: Witnesses:
Wilma Wells, Confederation of School Administrators (COSA) Evie Andrews,
State Textbook Commission Barbara Wolfe, Department of Education Ruth
Hewett, State Board of Education Greg McMurdo, Department of Education

035 WILMA WELLS, COSA: Presents written testimony in support of HB
2421 (EXHIBIT A).

064 SEN. PAUL PHILLIPS: Have any of the larger school districts had any
problems in selecting their own textbooks?

WELLS: Uses the Salem School District as an example, and points out it
has generally used state adopted textbooks. It would be to the advantage
of most small districts to take the textbooks the state has adopted
because they are in the depository and not as expensive.

078 SEN. PETER BROCKMAN: Why is it that the larger districts can select
their own textbooks? It seems there would be more interests in the
smaller districts to select their own textbooks.

WELLS: Oregon statute now provides that only larger districts can select
their own textbooks. This legislation will revise that statute.

098 EVIE ANDREWS, first grade teacher and vice-chair of the State
Textbook Commission: Presents written testimony explaining what the
commission does (EXHIBIT B) and urging the Senate Committee on Education
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Legislature to retain it. The testimony also responds to newspaper
editorials concerning the commission.

198 SEN. CLIFF TROW: We give larger districts the right to adopt
textbooks on their own. Smaller districts use the textbook commission's
recommendations. In your testimony, you say all school districts have
always had the option of purchasing textbooks that are not on the
adoption list. ANDREWS: They may use the independent adoption process
that the Department of Education monitors. SEN. TROW: Is that process
described in law or administrative rules? ANDREWS: It is in the revised
statutes of the commission. 224 SEN. JOAN DUKES: How often does the
commission recommend to the department a completely different book?
ANDREWS: The regular turnover is every six years. SEN. DUKES: Are you

saying you go to a new textbook or revised textbook every six years?

ANDREWS: Yes, that is correct. The list must have at least two books so the school district has a choice. Explains how one textbook can be substituted for another during an interim adoption period one year after the regular adoption period. A district can petition for an independent adoption any time. 336 SEN. TROW: What adverse effects would there be if we abolished the commission? ANDREWS: We will lose local representation from teachers. SEN. TROW: Couldn't the department involve the districts?. ANDREWS: The people who work on those committees wouldn't have any governance power. They would be advisory. SEN. TROW: Is the commission's way of selecting books any better than the other way? ANDREWS: I know of no other way. If something works well, why fix it. SEN. TROW: The big complaint may be that smaller districts want the ability to select their own books without the complicated process. If we don't abolish the commission, we need to at least address that problem. 379 SEN. PHILLIPS: The Tigard-Tualatin School District follows one set of rules and the Beaverton School District follows another. What is the justification for the discrepancy? ANDREWS: It was a legislative decision several years ago.

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SEN. PHILLIPS: There is no justification other than size.

420 BARBARA WOLFE, curriculum supervisor and textbook adoption supervisor, Department of Education: Currently ORS 137.120 requires school districts to select textbooks for every grade and subject field for which there is a multiple choice list. As a result, school districts may purchase materials they may not necessarily use. > The department fully intends to use teachers representing all the areas of the state.

TAPE 89, SIDE A

023 RUTH HEWETT, State Board of Education: The board asked for a study concerning textbook adoption for many of the reasons discussed here. It is the board's intent to follow through on the recommendations from the Textbook Study Committee Task Force. ~ The board requested an evaluation within the department to look at the process and make sure we are serving the school population in a better way.

SEN. TROW: Why did the superintendent suggest the commission be abolished before the task force reported it's recommendations? 048 GREGG McMURDO, Department of Education: The superintendent had reached her own conclusion before the study was made and presented to the state board, and she precession filed the bill. Meanwhile, the study continued and the state board came to the same conclusion as the superintendent.

SEN. TROW: The people making the study must have felt that the study was in vain. HEWETT: All the other recommendations except the one to maintain the commission are in the bill. One of the reasons for the study was the concern whether schools would be textbook driven.

SEN. TROW: This bill will probably make it through the process to abolish the commission. It does not appear the commission is so much a problem as the bureaucratic rules in the department. If that kind of bureaucratic red tape is continued with the new process, than it won't

be any better. Take a good look at the system you are creating.

HEWETT: I do believe the process needs to be simplified.

HB 2574 - HOME SCHOOL PARTICIPATION IN ATHLETICS - PUBLIC HEARING:
Witnesses: Dale Riddle, coach from Eugene Gary Lineburg, homeschool
parent from Eugene Brian Lineburg, homeschooler from Eugene Meagan
Rouston, homeschooler from Parkdale Serena Amaro, homeschooler Greg
Bradstreet, teacher & coach from Corvallis Jesse Scott-Hinkle,
homeschooler Sue Scott, homeschool parent Rev. Mark Purkey Darrall
Imhoff Dean Stepp, teacher and coach

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John Danielson, Oregon Education Association (OEA) Don Peterson, Oregon
School Activities Association (OSEA) Marv Evans, Confederation of School
Administrators (COSA) Richard Karman, Oregon Christian Education Assoc.
Network Milt Baum, from Salem

110 DALE RIDDLE, coach from Eugene: Lists the peoplewho will take part
in their presentation. > Explains why it is important to provide the
opportunity to participate in school activities to all students. >
Reviews the requirements in the bill. > There is no difference between
homeschooled children and public school children participating in
athletics.

SEN. TROW: Who administers the tests that homeschoolers must pass?

RIDDLE: They are normally administered by the ESD in the area.

SEN. TROW: The student may participate in activities while waiting for
the test results. What, if any language, was added to the bill allowing
for a waiting period no longer than two weeks? I wouldn't want a student
to be able to circumvent the test and still be able to play.

RIDDLE: Refers to the basic homeschool statute.

SEN. TROW: We have heard of some cases where students claim to be
homeschooled in order to participate in activities.

217 GARY LINEBURG, a homeschool parent from Eugene: I have two sons
being homeschooled. We are running into the Oregon School Activities
Association's (OSAA) rule that requires homeschoolers to attend 5
classes in the public high school in order to participate in their
sports activities. > The bill passed in the House 55-4. > Explains how
this legislation would not erode the public school system. > Washington
state already has this policy in place. ~ As a taxpayer, we pay just as
much to support the system as those who are using the system. We feel if
there is an avenue of participation we would like to be involved in, it
would be a normal expectation as long as - it does not weaken the public
system. > Private school students have access to the activities. > We
don't expect to see a sudden jump in the number of students in
homeschooling as a result of this legislation. > Provides a packet of
information in support of the bill (EXHIBIT C).

350 SEN. TROW: There are different activities connected with schools

aside from athletics. Some require a class connected with the activity such as orchestra or debate. Would you require that these classes be required for the student? LINEBURG: Refers to subsection 6 requiring students to meet all the requirements including class time. Subsection (h) lists the various OSAA activities that are included.

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RIDDLE: Plays a tape containing testimony before the House Education Committee from Dale Foley, principal of Battleground High School in Battleground, Washington.

TAPE 88, SIDE B

045 LINEBURG: The legislation does not add the burden of additional red tape. Everything is based on the regulation of homeschooling as it presently stands. It is the achievement test. We have raised the score to the 50th percentile. > Explains how the standard of academic demonstration should not be used as an objection.

080 BRIAN LINEBURG, homeschooler from Eugene: This year I attended South Eugene High School where I am allowed to take as many classes as I want along with homeschooling. This is called dual enrollment. > On the freshman and then varsity basketball teams. Not allowed to play in any of the games because he is homeschooled. Needs to take five classes at South in order to play sports but does not want to give up homeschooling.

098 MEAGAN ROUSTON, homeschooler from Parkdale: Presents written testimony describing her homeschool experience and her involvement with the cross country and track team at Hood River Valley High School (EXHIBIT D).

116 SERENA AMARO, homeschooler: Plays in the Garden Way Home School Band. Hopes the bill passes so homeschoolers can participate in public school activities.

125 GREG BRADSTREET, teacher and coach from Corvallis: Has three children that are homeschooled and wants his children to be able to participate in public school activities. 174 JESSE SCOTT-HINKLE, homeschooler: Presents testimony explaining how he is not allowed to compete in solo band contests (EXHIBIT E) because he is a homeschooler. SEN. GRENSKY: What is it about the sporting events you feel is important to your children's development? BRADSTREET: It is another aspect of life. There are things you learn in competition that you cannot teach. SEN. GRENSKY: Were you lead to believe, when you decided to homeschool your children, that they would be allowed to participate in sporting events at the school? BRADSTREET: No, we were not. We felt that strong about our ability to homeschool and realize our son would not be able to participate in school sports activities in our own community. SEN. GRENSKY: Would you continue to travel to other communities for sports activities if this bill doesn't pass?. BRADSTREET: Yes.

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240 SUE SCOTT, parent of homeschoolers: We feel torn between sending our son to high school so he can participate in a high school solo band contest or continue homeschooling. > Summarizes her written testimony and refers to the attached information (EXHIBIT F).

277 REV. MARK PURKEY: Talks about participating in sports and what he expects for his children. > Lists the advantages of participating in interscholastic activities. > Wants his children to have the same opportunities as public school children. > Plans to continue homeschooling his children regardless of the outcome of the bill.

327 DARRALL IMHOFF: Talks about the opportunities homeschoolers at the high school level are missing out on. Seems strange that private school students have access to OSAA activities and homeschoolers do not.

376 DEAN STEPP, school teacher and coach: Presents testimony supporting the bill (EXHIBIT G). Believes in after school activities. Does not understand how OSAA can say that homeschooling is not a legitimate form of alternative education when state law says it is.

SEN. GRENSKY: In high school, you have to maintain certain standards. If you are in homeschooling, how will you know if the child qualifies to participate in after school activities?

STEPP: In Washington state, the principle checks with the parents. In the Eugene School District, homeschooling is regulated by the ESD through their testing program in the summer. Some students are in dual enrollment.

TAPE 89, SIDE B

005 SEN. GRENSKY: What about the potential situation where a student doesn't go to school but shows up to play on a team? The outsider is not always accepted as part of the team.

STEPP: Most of these kids have played on community teams. Communication has to be made with the team that the person is eligible to play and will not be discriminated against.

IMHOFF: If the child can play or perform, the team or band will accept them. If the kid has a positive experience, they may want to attend more classes at the school.

037 JOHN DANIELSON, OEA: OEA did not oppose HB 2574 as it appeared in the House Education Committee. Since then our annual representative assembly by resolution decided they would oppose this bill. > Public school activities are for the individual as well as the group and institution. Is it fair for a homeschooler to replace a public school student on the school's basketball team? The standards expected of public school children cannot be imposed on students from outside sources. > You create a dual standard with the presence of this bill. > We are not denying the students from participating in the activities. We are just saying that they have made the choice of homeschooling. > We don't believe the bill is feasible. . These minutes contain materials which paraphrase and/or summarize statements made during this session.

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118 DON PETERSON, executive director, OSAA: Reads his written testimony in opposition to the bill (EXHIBIT H). SEN. GRENSKY: What is the difference between private school children being allowed to participate and homeschool children being allowed to participate?

PETERSON: A homeschool is not a school in the traditional meaning of the word.

SEN. GRENSKY: Private schools do not have state mandates. The qualifications for the teachers and students are not the same.

DANIELSON: The student responsibilities are identical between private and public. MARV EVANS, COSA: We are strongly opposed to this bill. Points out there are significant differences in homeschoolers. Some homeschoolers do not homeschool for very good reasons. This has a bearing on the eligibility question when relying on parent assessment. > Talks about the aspects of representing the school you play for.

277 SEN. BILL MCCOY: If a child participates in sports or band, he is representing the school he plays for.

EVANS: Talks about the interaction advantage public school students have. > Another concern is the child who is at the school part of the time bumping a student from the team who attends all the time. Some people see this as a threat to the program itself. 373 RICHARD KARMAN, Oregon Christian Education Association Network: We represent an estimated 2,000 families and 5,000 home educated children above the age of seven. I am a public school advocate but have chosen to homeschool my children. This is not a homeschool issue. It is a question of what is best for the children. I don't believe homeschool children should participate in public school activities if that participation is disruptive. > Responds to several concerns raised by the opponents of the bill. > We are not asking for preferential treatment of homeschoolers.

TAPE 90, SIDE A

020 SEN. GRENSKY: The bill doesn't appear to address the cost factor. How do you envision handling that? How will the cost per student be calculated for after school activities?

MILT BAUM, of Salem: School districts get 50 percent of basic school support for students enrolled in just one class. If students are enrolled in two or more classes, the school district gets the full basic school support amount. Some of the activities are supported by fees.

SEN. GRENSKY: Not all sports are paid by the fees. In Jackson County alone, there are 175 kids in homeschools. What would the impact be if half of those kids decided to participate in sports. KARMAN: This bill is only directed at high school age children. In any given county, over 70 percent of the homeschool students are below the age of 14. . . 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 tape. Senate Committee on Education May 28, 1991 - Page 8

073 CHAIR GOLD: When this bill is scheduled for a work session, some of you may want to address this issue. Written testimony supporting the bill was submitted by Thomas Hinkle and James Hoge (EXHIBIT 1). A memo from staff lists the people who have contacted the committee office in support of HB 2574 (EXHIBITJ). 082 CHAIR GOLD: Adjourns the meeting at 5:10. Transcribed by: _____ Reviewed by: Carolynn Gillson Jan
Bargen Assistant Administrator EXHIBIT LOG: A -
Testimony on HB 2421 - COSA - 1 page B - Testimony on HB 2421 - State
Textbook Commission - 7 pages C - Testimony on HB 2574 - Gary Lineburg -
15 pages D - Testimony on HB 2574 - Megan Routson - 1 page E - Testimony
on HB 2574 - Jesse Scott-Hinkle - 1 page F - Testimony on HB 2574 - Sue
Scott - 9 pages G - Testimony on HB 2574 - Dean Stepp - 1 page H -
Testimony on HB 2574 - OSAA - 1 page I - Testimony on HB 2574 - Thomas
Hinkle, et al - 3 pages J - Memo from staff concerning HB 2574 - 1 page

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