

SENATE COMMITTEE ON EDUCATION

June 6, 1991 Hearing Room 343 3:00 p.m.  
99 MEMBERS PRESENT: Sen. Shirley Gold, Chair Sen. Bill McCoy,  
Vice-Chair Sen. Joan Dukes Sen. Peter Brockman Sen. Ron Gensky Sen.  
Paul Phillips Sen. Cliff Trow

Tapes 96 -

VISITING MEMBER: Rep. Vera Katz

STAFF PRESENT: Jan Barga, Committee Administrator Angela Muniz,  
Committee Assistant MEASURES HEARD: HB 3565 - Oregon Education Act -  
PH HB 2096 - Distance Learning Programs - WS HB 2118 - Schools for Deaf  
& Blind - WS HB 2428 - Superintendent of Public Instruction authority -  
WS HB 2421 - Abolishes State Textbook Commission - WS HB 2572 -  
Education in detention facilities - WS HB 2108 - TSPC authorization - WS  
HB 2978 - Library boards of local governments - WS HB 3497 - Public  
library funding - WS HB 2422 - TAG programs for certain students - PH, WS

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 96, SIDE A

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

HB 3565 - OREGON EDUCATIONAL ACT - PUBLIC HEARING: Witnesses: Ron  
Herndon, Oregon Head Start Tom Klein, Oregon Head Start Association  
Marilynne Keyser, Governor's office Irv Fletcher, Oregon AFL-CIO Julie  
Brandis, Associated Oregon Industries (AOI) Gerry Fisher, Hewlett  
Packard Company Kip Crawford, Sylvan Learning Centers Pat Yoes, Sylvan  
Learning Center in Vancouver

022 RON HERNDON, Oregon Head Start: Our organization is in total  
support of the bill. Lists areas to strengthen in the bill: > Adding  
foreign language as an area students are proficient in; add language in  
the evaluation part of the bill to ensure that women and minorities are  
represented across all of the career paths that children choose after  
the 10th grade; and giving parents equal representation with teachers  
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on the school-based management committee. > Talks about the success of  
parental involvement in Head Start. . 090 SEN. PAUL PHILLIPS: Would the  
learning centers also be an appropriate place to require the involvement  
of parents?

HERNDON: Absolutely. You need to address what is happening in the home  
as well.

PHILLIPS: Some could argue that allowing the Wage and Hour Division of  
the Bureau of Labor to forbid employment of a minor with some exceptions  
could be viewed as discriminatory.

HERNDON: There has to be some way for children, who do drop out of  
school, to care for themselves and lead as productive a life as  
possible.

PHILLIPS: Refers to section 22 of the bill.

138 REP. VERA KATZ: The bill has come under a tremendous amount of  
criticism because of the tracking issue you raised.

HERNDON: Describes what is happening at Benson High School in Portland

right now that relates to what is proposed in HB 3565. There is a tie between the world of work and academics. It has not been a tracking system at Benson. > Explains how tracking can be avoided. > There needs to be a massive teacher retraining program in order to do what is in this bill.

229 TOM KLEIN, chairperson, Oregon's Head Start Association: Presents written testimony concerning the importance of parental involvement in the expansion of Head Start (EXHIBIT A). CHAIR GOLD: This committee has worked on some early childhood education legislation and sent it the Joint Ways and Means Committee. Maybe we should put that policy language into HB 3565. KLEIN: The answer is always performance standards to us. CHAIR GOLD: Do you have any comments on the testing and assessment language in HB 3565? 321 HERNDON: Favors assessment as long as the instrument used for assessment is fair.

SEN. PHILLIPS: Do you believe those instruments exist?

HERNDON: Some of them do. Will give information to the committee. > Explains why assessment is important.

377 MARILYNNE KEYSER, senior policy advisor on workforce development and education, Governor's office: Governor supports the bill. > HB 3133 creates the Workforce Quality Council which is referred to in section 23 of HB 3565. > Increasing the level of achievements of students and looking at new ways of developing - 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. Senate Committee on Education June 6, 1991 - Page 3

curriculum that prepares students for future job opportunities are consistent with direction of the Workforce Quality Council. > There needs to be a close connection between the reform of our public school system and other strategies for improving the preparation of Oregon workers. > Expresses support for the certificate of initial mastery (CIM) and the certificate of advanced mastery (CAM). > Committed to hooking together all the legislation concerning strengthening the Oregon workforce.

TAPE 97, SIDE A

020 CHAIR GOLD: HB 3474 appropriates \$8 million in lottery money and directs how the money will be spent. 042 IRV FLETCHER, president of the Oregon AFL-CIO: Reads from a statement from the first president of the AFL written in 1894 concerning what labor wants (a copy was not provided for the record). > Organized labor cares deeply about the relationship between education, learning, work, justice and opportunity. > Supports HB 3565 because it speaks to the need for change, the values of work and opportunity for all students to succeed. > The National AFL-CIO and other unions have endorsed America's Choice. > Work place and skills required have gone and will continue to go through radical change. Education has not adapted well to the change. It does not serve those students entering the work place except at the lowest level. > Our schools should be sending a message to all students that professional-technical skills are as valued as college degrees. > Reviews sections of the bill the AFL-CIO supports. 149 SEN. PHILLIPS: This bill would affect both producers (teachers) and products (students). If we are going to change the system, we will need to change the way the producers work. What changes do you see as a result of this bill? FLETCHER: I can't speak for teachers. If I were a teacher, I would find it an exciting challenge. We simply have to do business differently. SEN. PHILLIPS: What about minors not being allowed to work? FLETCHER: Suggests granting a work permit for a limited duration and

getting an education plan in return. SEN. PHILLIPS: For some students working is not a choice, it is a necessity. It would take the parent and teacher out of the picture and give authority to the Bureau of Labor. FLETCHER: There ought to be some type of regulation. CHAIR GOLD: I share the concern about young people who need to work but not giving exceptions to everyone. - . 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 contentr, of the proceedinys, please refer to the lopes. Senate Committee on Education June 6,1991- Page 4

245 JULIE BRANDIS, AOI: Presents written testimony outlining the parts of HB 356 5 the AOI supports (EXHIBIT B). > Explains why the AOI suggests deleting section 22 of the bill concerning the work force issue. SEN. PHILLIPS: Expresses concern that the school report card referred to in the bill would create more paperwork for teachers. BRANDIS: You are right. Maybe it can be worked out in an amendment. It is important to the public to know what is going on. 337GERRY FISHER, manager of public affairs, Hewllit Packard Company: Education is extremely important to the electronics industry. We are very concerned about the workforce for tomorrow. > Pleased with HB 3565. > Excellent opportunity to move forward with an educational plan that will put Oregon ahead nationally and internationally. SEN. PHILLIPS: Does HP have a process developed similar to the report card in section 10 of HB 3565 to report back to your senior management concerning the effectiveness of your work? FISHER: We have been applying total quality management to our processes for years. Every individual within my company receives a performance evaluation annually. We base our pay on merit. > Will review language in section 10 and offer any suggestions. 425 SEN. CLIFF TROW: This bill involves so much change that is dependent upon close cooperation between business and labor and the schools. It is going to taking a massive investment in the infrastructure to get this program underway. Do you see businesses helping school districts with this change?

TAPE 96, SIDE B

006 FISHER: Many of the more forward-looking industries are already doing many of the things which are included in this bill without additional resources. Business and industry has come to the realization they must take a stronger role. There is too much at stake here.

BRANDIS: Business can participate in technology training. It changes so fast that schools cannot keep up. We can also encourage businesses to have apprenticeships and training for students still in high school.

SEN. TROW: Do you think the state can provide quality jobs for these highly trained people?

BRANDIS: It will occur because we want to be economically competitive.

053 KIP CRAWFORD, Sylvan Learning Centers: Presents written testimony (EXHIBIT C) in support of HB 3565.

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118 PAT YOES, Sylvan Learning Center in Vancouver: Lists five reasons schools are having difficulties: poorly trained teachers, not enough accountability, low parental involvement, inadequate curriculum materials, and large class size.

CHAIR GOLD: Explains the committee's schedule for HB 3565.

HB 2096 - Teaching of distance learning programs - WORK SESSION:

228 JAN BARGEN, committee administrator: Reviews the TSPC distance learning regulation conflicts addressed in the bill. > HB 2096-9 amendment restores the language giving the department the authority to review the courses (EXHIBIT D need copy).

MOTION: Sen. McCoy moves to adopt the HB 2096-9 amendments. There are no objections.

MOTION: Sen. McCoy moves HB 2096 as amended to the Senate floor with a do pass recommendation.

VOTE: In a roll call vote, the motion carries with all members present voting AYE. Excused: Senators Brockman and Phillips Carrier: Sen. Brockman

HB 2118 - Oregon State Schools for Deaf and Blind - WORK SESSION:

314 BARGEN: The HB 2118-A3 (EXHIBIT E) makes a technical amendment in the bill. One section in the bill duplicates language that is already in statute. MOTION: Sen. McCoy moves to adopt the HB 2118-A3 amendments. There are no objections. MOTION: Sen. McCoy moves HB 2118 as amended to the Senate floor with a do pass recommendation. MOTION CARRIES: In a roll call vote, the motion passes with all members present voting AYE. Excused: Senators Brockman and Phillips Carrier: Sen. Brockman

HB 2428 - Superintendent of Public Instruction appointments - WORK SESSION:

348 BARGEN: Reviews what the bill does.

MOTION: Sen. Dukes moves HB 2428 to the Senate floor with a do pass recommendation.

VOTE: In a roll call vote, the motion carries with all members present voting AYE. Excused: Senators Brockman and Phillips Carrier: Sen. Grensky

HB 2421 - Abolishes State Textbook Commission - WORK SESSION:

370 BARGEN: Reviews what the bill does and refers to testimony opposing the bill from Evie Andrews (EXHIBIT F).

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CHAIR GOLD: Refers to information in their folders concerning the current adoption process and the proposed adoption process. > Concerned what kind of input process there would be.

440 BARBARA WOLFE, Department of Education: Reviews the changes the bill would bring about. We want to maintain a broad base of teachers who review the material and then report their evaluations directly to the State Board of Education rather than to a commission. This bill removes a layer in the decision-making process.

TAPE 97, SIDE B

010 SEN. PETER BROCKMAN: It was my understanding that by passing this bill there would be more local control over textbooks.

McMURDO: Yes, there will be more local control.

029 MOTION: Chair Gold moves to send HB 2421A to the Senate floor with a do pass recommendation. SEN. JOAN DUKES: Is the end result still going to be somebody decides what textbooks schools use except for schools in Portland? McMURDO: Some schools do not wish to adopt books on their own and they select from the state list. The whole purpose of the bill is to provide greater flexibility. WOLFE: The districts must use the state board's criteria in making their selections. CHAIR GOLD: There is a 1996 sunset on this bill in case it doesn't work. SEN. TROW: Does the sunset mean that the Textbook Commission comes back? SEN. BILL MCCOY: How much time do members on the present commission have before their terms are up? WOLFE: The current bill ends the terms of the commissioners 30 days from when the Governor signs the bill. CHAIR GOLD: In the current process, neither the school districts or the state board have an affect on what happens. I don't think that is right. VOTE: In a roll call vote, the motion carries with all members present voting AYE. Carrier: Sen. Phillips

HB 2572 - Education for children in detention facilities - WORK SESSION:

110 BARGEN: Reviews what the bill does. > A detention facility in Jackson county wanted an amendment to take care of their situation. Their objection is based on the bill conflicting with existing statute. Explains how the HB 25725

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amendment addresses their concern (EXHIBIT G Need copy).

187 ALAN THEDE, Multnomah county ESD superintendent: It looks to me like the -A5 amendment adds to the confusion.

SEN. TROW: Is there any reason we need the -AS amendment? - BARGEN: Refers to earlier testimony from Dr. Shelby Price from Jackson county (see EXHIBIT C, 5/21/91 minutes) concerning the -5 amendment.

214 SEN. RON GRENSKY: Reads the new language proposed in the -A5 amendment.

SEN. TROW: This addresses a problem that is statewide and not just in Multnomah county. We need to decide whether children in detention facilities get some education and if the school districts are responsible.

SEN. GRENSKY: The statute as written is subject to interpretation. Presently, the language requires juvenile detention facilities to provide for the education. The -AS amendment would require, in no uncertain terms, the detention facilities to provide an education after the five initial days.

CHAIR GOLD: If there is an interest in having an interpretation on record from Legislative Counsel, we can go on to another bill.

HB 2108 - TSPC authority to revoke privilege to apply for certificate - WORK SESSION':

300 BARGEN: Reviews the provisions of the original bill. > Refers to the HB 2108-7 amendments requested by TSPC (EXHIBIT H) which amends section 4 in the original bill.

364 DAVID MYTON, TSPC: Explains TSPC's request to delete section 4 and return to the current statute language. SEN. TROW: Does the current statute give you flexibility and latitude so you can revoke the certificate in some cases?

MYTON: The current statute requires us to show a connection between the crime and the fitness to teach. This was not an issue when the bill was in the House.

416 MOTION: Sen. Trow moves to adopt the -7 amendment. There are no objections.

BARGEN: Reviews the HB 2108-8 amendment concerning public information of TSPC hearings (EXHIBIT I).

MYTON: The original request would have maintained the information as confidential until a determination of guilt had been reached.

BARGEN: The point at which TSPC decides to pursue the complaint would be the more

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report the speaker's exact words. For complete contents of the proceedings, please refer to the tapes - Senate Committee on Education June 6, 1991 - Page 8 appropriate time for materials to become public. > A memo from the Department of Justice concerning confidentiality requirements is provided for the record (EXHIBIT J). TAPE 98, SIDE A

029 SEN. PHILLIPS: What is TSPC's current policy for disclosure?

MYTON: It is very similar to what is in the -8 amendment.

MOTION: Sen. Trow moves to adopt the -8 amendment to HB 2108. There are no objections.

BARGEN: Reviews the -5 amendments allowing for reimbursement of TSPC members (EXHIBIT K).

MOTION: Sen. Trow moves to adopt the -5 amendment. There are no objections.

BARGEN: Reviews the -6 amendments changing teacher certificates to licenses (EXHIBIT L).

MOTION: Chair Gold moves to adopt the HB 2108-6 amendment.

SEN. TROW: Will all the certificated teachers automatically be licensed teachers?

MYTON: They would be licensed at the next renewal and until then their certificate would remain in force.

091 SEN. TROW: Is there an agenda that comes with this change?

MYTON: A licensure exam would be part of the initial license. This is part of the broader overall reform of teacher licensure.

SEN. RON GRENSKY: Is the language new in section 11 of the -6 amendment?

MYTON: Section 11 is to encourage teachers to go beyond just a basic license and get a certificate. The certificate would not be required for employment.

169 SEN. PHILLIPS: Objects to the amendments because there is more than just a semantical difference between license and certificate.

CHAIR GOLD: This change is part of the work group proposals from last interim. A bill was considered on the House side and sent to Ways and Means. I decided to bring the part that did not need funding into this bill.

SEN. PHILLIPS: Expresses his discomfort with the change.

VOTE: In a roll call vote, the motion carries, with Sen. Phillips voting NAY. Senators Dukes and McCoy are excused.

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227 MOTION: Sen. Trow moves HB 2108 as amended to the Senate floor with a do pass recommendation. VOTE: In a roll call vote, the motion carries with all members present voting AYE. Senators Dukes and McCoy are excused. Carrier: Sen. Gold

HB 2S72 - Education for children in detention centers - WORK SESSION:

258 KATHLEEN BEAUFIT, Legislative Counsel: The bill was originally introduced to clarify the responsibility of school districts to provide the education for children in detention facilities. The -5 amendment (see EXHIBIT G) is to ORS 169.740 which appears to leave the responsibility for education in the county operating the juvenile detention facility. If you want school districts to be responsible, this other section needs to be changed. The intention of using the language "cause education to be provided" is to make sure the juvenile detention facilities would allow access to the education people providing services to the children. SEN. GRENSKY: I don't think this will alleviate the problem presented by the superintendent from Jackson county. He felt the original language could be interpreted to say the detention center would bear the cost of the education. This amendment deals with the access question. BEAUFIT: The whole intention of section 1 of the Act is to place the responsibility on the school districts. There may be a better way to express this. SEN. GRENSKY: It is important to clarify for legislative history that the intent of the amendment is to require the school district to be responsible for providing education at the detention facility. 344 BEAUFIT: The subsection (g) would read as follows: "and shall cause access to the juvenile held in excess of 5 judicial days to education pursuant to section 1 of this 1991 Act." CHAIR GOLD: So we are still saying that schools are responsible for the education and the detention facility provides access to it. We are not taking care of the concerns in Jackson county. SEN. MCCOY: Are judicial days defined in the statutes? BEAUFIT: Yes.

375 MOTION: Sen. Phillips moves to conceptually amend the HB 2572-5 amendments according to language given on the record by Legislative Counsel. There are no objections. BARGEN: Who is responsible for the education during the flve judicial days? BEAUFIT: Explains why it may not be possible to provide an educational program during the first five judicial days. 407 MOTION: Sen. Trow moves HB 2572A as amended to the Senate floor with a do pass recommendation. \_ , , These

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VOTE: In a roll call vote, the motion carries, with Senator Gensky voting NAY, and Senator Dukes excused. Carrier: Sen. Trow

HB 2978 - Increases maximum number of members on local library boards - WORK SESSION:

436 BARGEN: Reviews what the bill does.

MOTION: Sen. Phillips moves HB 2978 to the Senate floor with a do pass recommendation. . VOTE: In a roll call vote, the motion carries with all members present voting AYE. Senators Dukes and Trow are excused. Carrier: Sen. Brockman

HB 3497 - Public library funding - WORK SESSION:

020 STEVE RHODES, city manager, City of Tualatin: I believe there is agreement on the HB 3497A-4 language you have before you in a hand-dug copy of the bill (EXHIBIT M).

MOTION: Sen. Phillips moves HB 3497A as amended to the Senate floor with a do pass recommendation.

VOTE: In a roll call vote, the motion carries with all members present voting AYE. Senators Dukes and Trow are excused. Carrier: Sen. Phillips

TAPE 99, SIDE A

HB 2422 - Talented and Gifted Programs - PUBLIC HEARING:

Witnesses: Greg McMurdo, Department of Education Judy Hammerstad, former legislator Sandy Hough, State Advisory Committee for Talented and Gifted John Donovan, Oregon Association of Talented and Gifted (OATAG) Alan Tressider, Oregon School Boards Association (OSB A) Wilma Wells, Confederation of School Administrators (COSA)

044 GREG McMURDO, Department of Education: Reviews what the bill does concerning talented and gifted education programs. 058 JUDY HAMMERSTAD: Testifies as a former legislator who was involved in the initial talented and gifted legislation. The intent was to identify and provide services for intellectually and academically gifted and talented students. CHAIR GOLD: The concern of the school district is that under current statute they might be held liable for more than they are expected to be. 080 SANDY HOUGH, State Advisory Committee for Talented and Gifted: Because of subsequent interpretations of past legislation, we found it did not just apply to those students who are intellectually and academically talented. . 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. Senate Committee on Education June 6, 1991- Page 11

HAMMERSTAD: Talks about the students who ~may~ be served and those that "shall" be served in the legislation.

103 JOHN DONOVAN, Oregon Association of Talented and Gifted: We support this bill.



108 ALAN TRESSIDER, OSB A: OSB A supports the bill.

111 WILMA WELLS, COSA: COSA also supports this bill.

HB 2422 - Talented and Gifted education programs - WORK SESSION

115 MOTION: Sen. McCoy moves HB 2422 to the Senate floor with a do pass recommendation.

VOTE: In a roll call vote, the motion carries with all members present voting AYE. Senators Dukes, Gensky and Trow are excused. Carrier: Sen. Gold

CHAIR GOLD: Adjourns the meeting at 5:50 p.m.

Transcribed by:                      Reviewed by: Carolyn Gillson                      Jan Borgen  
Assistant Administrator

EXHIBIT LOG: A - Testimony on HB 3565 - Oregon Head Start Directors Assn. - 1 page B - Testimony on HB 3565 - Associated Oregon Industries - 3 pages C - Testimony on HB 3565 - Sylvan Learning Centers - 4 pages D - HB 2096-9 amendment - committee staff- ? pages E - HB 2118-A3 amendment - committee staff- 1 page F - Testimony on HB 2421 - Evie Andrews - 6 pages G - HB 2572-5 amendment - committee staff- ? pages H - HB 2108-7 amendment - TSPC - 1 page I - HB 2108-8 amendment - committee staff- 1 page J - Testimony on HB 2108 - Department of Justice - 1 page K - HB 2108-5 amendment - committee staff- 1 page L - HB 2108-6 amendment - committee staff- ? page M - HB 3497-A4 amendment - City of Tualatin - 3 pages

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