

Chairman Hass, members of the Senate Committee on Education and Workforce Development:

My name is Brian Darby. I am submitting this written testimony on behalf of myself as an individual and do not represent my employer or any organization.

I am writing to you to express my support for promoting tuition equity in Oregon. For the past 7 years I have been working as a middle school teacher in the Reynolds School District in Fairview, Oregon, teaching English as a Second Language (ESL). Many of the students who are in my classes today, and many of the students who I have had the privilege and honor to work with in the past who now are students in high school, are directly impacted by this important issue. You may think that due to my job it is predictable I would be a champion of this issue and other immigration issues.

I think my history tells a different story, though. I did not go to college with the purpose of entering into education. I drifted into the field several years after college. Becoming a teacher, let alone an ESL teacher, was never in my conscience. I was on the verge of enrolling into law school when I decided to pursue teaching instead.

I share this because I wish to illustrate how this issue has touched the life of an individual who never intended to become a part of it, wasn't aware of it, never planned or wished to become personally involved, but has become deeply affected by it; to the point, even, of being compelled to speak out publicly in support of it. This is the first time I have ever given testimony to any governmental body. Until this past December, I had never even written to an elected representative expressing my concerns about an issue.

Many of my colleagues describe teaching as their calling, but this wasn't present in my professional origins. I considered teaching because I was bored and dissatisfied with everything else I tried. I entered into the job market as a member of the hiring class of 2002. It was a very grim situation in Oregon due to the post-9/11 recession. Hiring for teachers practically dried up across the state. I didn't know it at the time but I was at the beginning of a humbling, 5-year career as a substitute teacher that would span 3 states and over 100 different schools at all levels. Along the way I added additional endorsements to my teaching license in order to make myself marketable enough just to get an interview. The last endorsement I added was my ESL endorsement. It was because of professional survival, and not altruistic purposes, that I ended up teaching in the subject area I teach in today.

I am so grateful that I do get to teach in an ESL classroom, though. I look forward to going to work everyday because of the students I teach and the school I teach in. I struggle to imagine anyone, even the most obstinate opponent of this issue, feeling otherwise when given the opportunity to be around the enormously gifted, determined, courageous, and grateful students I work with in my classes.

I am not speaking out to you as a crusader. I'm speaking to you as someone who did not speak out for many years, even though my professional situation placed me inside the

heart of the issue. I have been aware of the enormous financial obstacles standing in the way of undocumented students and their ambitions to go to college, but I didn't view it as my problem. I sympathized with their hopelessness when I read features about it on the front page of the Oregonian, but merely processed it as unfortunate and continued doing my job.

As the years have gone by, pretending I can do my job in good faith and not be impacted by this, or hoping that others will take care of the problem, became impossible to do. My conscience tells me I'm participating in a fraud; a hypocrite who misleads students, who is dedicated to providing meaningful instruction that engages students, to further their education, to equip them with the abilities they will need to go on to the next stage, to push and to inspire them to take their education as far as they possibly can, to dream big, and to always set high standards for themselves, even when I know that for most of them there is a finite amount of time they will be able to pursue their education due to the unrealistic chance they will be able to afford to pay for furthering their education beyond high school. It is an ending marked by the impossible and immensely disproportionate financial barrier they face accessing higher education as a consequence of the nature of their birth. I am guilty of doing my best to push students to do their best, of getting them to believe they can all go on to become doctors or lawyers or teachers or whatever they want. Yet, I know that for a specific demographic of my students, the ones who are undocumented, their education will be constrained by the limited distance our concept of residency status allows them to go, despite the fact that they may have been in the Reynolds school system since kindergarten. For them, the end of their educational journey is most likely marked by their high school graduation date.

Many of my students come to conferences by bus with their extended families in tow. Or, they walk long distances. They have to because the family doesn't own a car. In November of 2012 the Oregonian reported that the percentage of homeless students in the Reynolds School District was 8.9%¹. In 2010, Reynolds had the third highest poverty rate among large Oregon school districts. Approximately one in three children in the district lived in poverty during 2010, and this was approximately 5% higher than it was in 2009².

According to our district liaison for homeless students and their families, the percentage of homeless students in my building can hover at 10% at certain times of the year. This equates to 100 students out of an approximate student population of 1000. However, our liaison suspects that the actual number of homeless students in my building is much higher, though, due to many cases that are not reported.

What hope can students like these, students who may be on honor roll, active in school activities, speak multiple languages, and are student leaders, reasonably have, then, of

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(http://www.oregonlive.com/portland/index.ssf/2012/11/portlands_homeless_student_po_p.html)

² Ibid

being able to pay 3 to 4 times as much for their tuition to a public university or college in Oregon than a student sitting next to them, (who they may have gone to school with since kindergarten or first grade) has, but who happens to be a citizen?

There are many reasons these students feel hopeless. It is a bitter and disappointing reality they will learn. For a teacher, there are also consequences. Not only is there a loss of trust between you and the student who believed in you when you encouraged them to succeed, and they responded by trying their best because they trusted your instruction, but there is the daily cost of knowing you are misleading the individuals you have built a partnership with, a partnership designed to better their lives. This awareness constantly eats at you.

To illustrate this, consider the following example. The school where I teach is an AVID school. AVID is a nationally recognized program designed to inspire, motivate, and prepare students to go on to college. The word AVID is an acronym stands for "Advancement Through Individual Determination". I am not a teacher in the program, but many of the techniques and initiatives being taught in these classes filter out to the rest of the school, across all grade levels and subject areas. Many of the students in my classes are AVID students and remain in the program when they move up to the high school. They are very proud of this and it shows in the work they do. These are the faces and fortunes of tuition equity. It is about their dreams, their potential, and their journey.

Last week the teachers in the building were asked by the AVID teachers to create a poster to go outside our classroom doors that features the school name, mascot, and location of the college or university we (the teachers) attended. The thought is that by surrounding the students in a culture of college and higher education we will be promoting it and getting the students to want to pursue higher education as an important step in their future. Bulletin boards around the school, walls in the library, and several classrooms model this theme.

As I'm making my poster I'm struck again by the misleading nature of my actions. Realistically, under Oregon's tuition policies as they currently stand, a large segment of my students (including many that I know are undocumented because they have shared that information) stand very little chance of going on to a college or university despite the hard work and determination they have already invested in themselves towards this end in the belief that they shall reap the rewards of their efforts—a belief that we the teachers are strategically cultivating within them.

I know my actions are misleading, but I don't know for certain to what degree, if any, the students know. Judging by their eagerness and desire, my impression is that they are largely unaware of the situation they will run into when it comes to paying for their education after high school. I get concerned when I wonder what they will think of me and the things I've told them when they eventually learn this truth.

The knowledge of this has a corrosive effect on the morale and spirit of a teacher. The frustration, hopelessness, and disappointment expressed by students who are denied their

goal, even when they were playing by all rules, is mirrored by the demoralizing impact it has on teachers. This strikes at the very core and spirit of what teaching is all about: getting students to successfully reach their potential. What is left of this spirit when that potential is being capped at the 12th grade?

I do not know for certain how many of my students are undocumented and fall within the scope of tuition equity. Since the Supreme Court's decision *Plyler v. Doe* it has been the mission of public schools to serve students regardless of their citizenship status. I'm careful not to ask my students questions that could be construed as asking for information about their immigration status. I wish to respect their privacy and the journey they have undertaken so far. However, many of them share their stories voluntarily. Regardless of where they were born or how they came to Oregon, or what their immigration status is, I do know this: they try just as hard, have just as much potential, and have every bit as much determination, if not more so, than any other population of students I have worked with in education and I have worked with many.

Being in the situation that I am, I participate in the lives of these students on a daily basis and witness what they have to offer. My testimony is that they are every bit as deserving to qualify as residents as the students they sit next to in class who happen to have been born in the United States. They are an integral part of the lives of their classmates, the lives of their teachers, and the life of the community. They represent a demographic with special gifts that Oregon will benefit from in the future as populations, values, and needs change, which historically they do.

In the school setting these are present in every fundamental experience of the lives of their classmates who are citizens. They throw blocks for these students on the football field and make passes to them on the basketball court. They sit next to these students on the bus. They eat lunch with these students. They borrow pencils from and lend pencils to these students. They dance with these students. They honor these students by standing and applauding their successes at school assemblies. They share secrets and memories with these students. They fondly sign the yearbooks of these students. They are Valedictorians, prom Kings and Queens, class clowns, athletes, and friends.

Why should they not be allowed the same reasonable hope of pursuing their own happiness? What good does it serve Oregon to exclude this population from higher education, when they have such enormous potential and unique gifts to offer? I ask you to please bring tuition equity to Oregon as soon as possible, not only for the students who will benefit from it that are currently in school, but for those who have already graduated and for those yet to come.

Thank you for the opportunity to submit testimony to you today.

Sincerely,
Brian Darby