



To: Senate Committee on Education  
From: Richard Donovan, Legislative Services Specialist  
Re: Senate Bill 732  
Date: March 17, 2021

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Chair Dembrow, Vice-Chairs Thomsen, and members of the committee:

On behalf of OSBA membership, including 197 school districts and 19 Education Service Districts throughout the state of Oregon, thank you for the opportunity to register questions with SB 732.

SB 732 would require every school district to establish an educational equity advisory committee. This committee would have some influence over school district spending, including local budget processes and continuous improvement plans. It would also require school districts to draft and disseminate equity plans, report these plans to the Oregon Department of Education, and also intervene in certain hypothetical student-specific events.

OSBA is guided by member-adopted legislative priorities and principles. SB 732 would seemingly put two major legislative priorities at odds with each other: the priority to Support Local Governance and Oppose Mandates vs. the priority to Close the Opportunity Gap.

It seems that SB 732 is clearly aimed closing the opportunity gap for Oregon students. Some school districts already have educational equity committees in place. The Oregon Department of Education undertakes an equity analysis as part of its policy work. Mandating these committees could increase community input, advance equity, and otherwise do the crucial equity-based work necessary to improve outcomes for Oregon students.

However, the bill also clearly represents a mandate for school districts. Requiring local school districts and communities to undertake a new procedural function without any funding, support, or direction could be a challenge.

There are some specific concerns that we would ask the committee to consider.

First, the bill would direct certain responsibilities to the educational equity committee, including but not limited to advise to administration “about the educational equity impacts of policy decisions.” This could, depending upon a circumstance, run into student-specific data that is protected by federal or state privacy

law. School districts would likely prioritize the rights of the student over the advice to the administration.

Second, this bill would add a new layer to local elected school district board, continuous improvement plan, and local budget committee processes. This is deliberate, but these processes are already time consuming. This new lawyer of mandated process could further-increase the amount of time and, thereby, limit the responsiveness of a school district.

Third, some school districts, notably very small districts, may have periods of time wherein they are actually unable to meet the requirements of the bill. Many districts in Oregon serve less than 100 students, and some serve less than 10. It may simply not be possible, due to the relatively low population in the district, for schools to empanel a committee that meets the requirements of the bill. Or it may be impossible to find enough willing volunteers to undertake this responsibility. What happens in that circumstance? There is no provision in the bill to allow for exemptions in this circumstance.

Finally, some of the language of the bill would have school districts potentially making race- and gender-based decisions that are, to put it mildly, unusual. The bill requires the committees to represent “the diversity of the student population for the school district.” If the district has no “diversity,” then are people of certain racial characteristics barred from participating? If a district has a gender imbalance, such as a 60:40 ratio of female-identified students to male-identified students, then must a five-person committee be comprised of at least three female-identified members of the community? How does someone of, e.g., a non-binary gender identification, become a member of this committee?

Equity, inclusivity, and representation are genuine concerns, and the nature of the bill raises more questions than answers for school districts. If the committee would like to move forward with SB 732, then we ask to work with the committee to draft amendments that would address the concerns raised herein.