



## OSBA SB 580/ Class Size as Mandatory Subject of Bargaining Quick-Sheet

Every year since 2017, OSBA has opposed bills brought chiefly by OEA that would make “class size” and certain other related workload ratios a mandatory subject of bargaining. Enacting this policy into law would be bad for many reasons.

### Current Law

- Class size is a permissive subject of bargaining currently.
  - In labor relations, there are three tiers of bargaining- prohibited, permissive, and mandatory. Permissive means that school districts and employees may choose to add class size language into the bargained contract for each district, but that neither side can require it be included in the contract/contract negotiations.
- Many districts have class size-style language in contracts currently, including two of the largest:
  - Portland Public Schools, which has an overage pay structure where educators receive stipends for class sizes above a certain threshold (depending on grade/specialty); and,
  - Beaverton School District, which has a committee model which incorporates management and labor representation to address class size concerns.

### Policy Concerns: class size investments

- Class size, while something that resonates with parents and voters as important, is among the least cost-effective investments.
  - The limited research on the topic indicates that the value of smaller class sizes is gained at ratios that are, unfortunately, not practical for Oregon. E.g.: Lowering some classes from an average to 24 into the 17-18 range.
  - Prioritizing smaller class sizes at lower grade levels is most important, which most districts in Oregon already do.
  - There are dozens of other education investments (including investments in increased learning time, targeted equity investments, and others) that are more impactful to student outcomes.
  - There are practical limitations on any district’s ability to lower class sizes, including lack of facilities/space, and lack of educators available in the labor market.
    - These constraints are often exacerbated in our small and rural districts.

### Policy concern: “class size bargaining” is more about bargaining than reducing class size

- Elevating class size to “mandatory” will give another lever for employees to push against school districts in bargaining, where they already have many tools, including status-quo bargaining, etc.
- Making class size mandatory means that, if there is no resolution, then employees may strike.
  - Strikes are among the worst possible outcomes for student learning.
  - Recent examples outside of Oregon, including a strike in Washington as part of the *McLeary* decision, indicate strikes are a tool that will be used.
- The overage-style contract language, where stipends would go to educators based upon a threshold of certain class sizes, is the predominant language that has been presented in most school district negotiations where the topic has come up recently.
  - This is the PPS example.



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- The evidence indicates that this moves money to educators.
- There is no evidence it results in actual smaller classes.

### **Major policy concern: the evidence in Oregon indicates class size bargaining is anti-equity.**

- In 2018, PPS bargained the overage structure into their contract. Since that time money has moved to the educators teaching in the traditionally best-served schools in the district.
  - PPS has spent \$2.5M on the provision. In that time:
    - ~\$1.8M went to teachers in the top-25% historically best-served schools.
    - ~\$11,000 went to teachers in the bottom-25% historically best-served schools.
- The Oregonian covered this in-depth: <https://bit.ly/2RTgWwN>
- Oregon has achieved major gains student achievement and completion in recent years, indicated by broad jumps in graduation rates for students of color over the past 6+ years. Colt Gill, ODE Director, has attributed this to equity investments directly.
- The PPS example shows this policy moves money in an anti-equity fashion.

### **Major policy concern: full education funding (SSF \$9.6B 2021-23) and the Student Success Act are the best ways to lower class sizes**

- Lowering class size is an allowable use under the SSA.
- Most communities have prioritized targeted equity investments over class size reduction.

### **Major policy concern: OSBA has tried to negotiate for targeted, equity-focused changes to SB 580**

- OSBA has tried to work with bill proponents to target class size language with an equity-focused lens. Suggested changes include:
  - Targeting Title 1 schools (a federal designation based on poverty)
  - Targeting “diverse” teachers or teachers with less than 5 years experience
  - Requiring a discussion that is not about class size, but rather about the workload of employees more broadly, including a committee-style proposal.
- These discussions began before the 2021 session. None of these proposals are in the bill.

### **Conclusion**

- The evidence in Oregon indicates this policy would push money to educators teaching in the traditionally best-served schools.
- This is contrary to policy of focus equity investments that have been successful in Oregon
- Broadly, there is no reason to expect that class size bargaining will actually lower class sizes. Instead, it will likely move money to educators or lead to strikes/other labor strife.
- Broadly, there is no reason to believe that class-size reduction investments are the best use of money to drive student achievement.

OSBA testimony with more complete information has been presented on the record at:

<https://olis.oregonlegislature.gov/liz/2021R1/Downloads/PublicTestimonyDocument/10734>