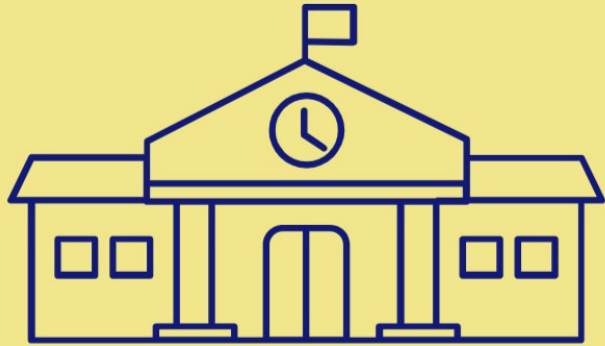


OREGON
ASSOCIATION
of SCHOLARS

NATIONAL
ASSOCIATION
of SCHOLARS

Issue Brief #10 (April 2023)

***Who's Afraid of
Transparency
for Oregon
Public Schools?***



Oregon [Senate Bill 409](#) passed the Oregon Senate by a 27-2 vote on April 11, 2023 and was sent to the Oregon House of Representatives Committee on Education for consideration. The bill, initiated by Senator Kim Thatcher (R., Keizer) and Representative Lily Morgan (R., Grants Pass), makes it easier for parents of children in Oregon public schools to access approved state-level textbooks, instructional materials, and academic content standards for public schools. It does this by requiring that the 197 school districts provide a link to the webpage of the state Department of Education (ODE) that shows that information.

While the bill is a positive symbolic step that recognizes the rights of parents, taxpayers, and other stakeholders to know what is taught in public schools, by itself it will do nothing to ensure this. That is because under pressure from the state teacher union, Senate Democrats gutted the bill of provisions requiring transparency at the district and school level.

The hope of transparency advocates, as Senator Thatcher [has stated](#), is that the bill will encourage school districts and schools to *voluntarily* post their own textbooks, instructional materials, and curricula, which often deviate widely from state standards: "It is not what I wanted, but it is a start, and the reason I say that is that school districts can still choose curriculum other than what is approved by the Oregon Department of Education, which may or may not be a good thing, but that is what parents need to know

is what's happening in their kid's school and their school district." Further action, whether voluntary or legislative, would be required, she [noted](#): "It is my hope that school districts will voluntarily post their own specific curriculum on their websites."

[In floor speeches](#), Republican Senators called the bill a wake-up call for the teacher unions and educational bureaucrats who treat parental concerns with contempt and derision. "The professionals from the Department [of Education] and from some school boards are dismissing the concerns of parents," said Senator Tim Knopp (R., Bend). Added Senator Daniel Bonham (R., The Dalles): "Too many parents have stopped trusting schools and it appears to them that schools are hiding their agendas...Hopefully school districts are listening and hopefully they will move forward with just voluntarily posting their districts' curriculum."

Some Oregon school districts, responding to parental input, have already voluntarily posted their curricular materials. Noting the positive example of the Bend-Lapine School District [posting](#) its materials, the *Bend Bulletin* [editorialized](#): "We hope the Legislature passes Senate Bill 409. Bend-La Pine's policy is a level better." However, the majority of school districts provide only partial information, and some are overtly hostile to the practice. The Portland Public Schools system [tab](#) for parents entitled "What You Need to Know" includes no information on what students are being taught. PPS district-level "core academics" pages provide only general overviews, while curricular materials are shown as "Staff Only."

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PK-5 Core Academics

Early Learners (Pre-K and K)

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PK-5 Core Academics

Now more than ever, we are at a pivotal point where we must rise up to change the status quo for our Black, Brown and Native students. They deserve this, they need this. We are educators committed to interrupting the existing educational inequities and focusing on dismantling the status quo. We strive to meet our promise of the graduate portrait for our Black, Brown, and Native students. As we rethink what it looks like to support student success, we make decisions that are reflective of our PPS Theory of Action focused on Black and Native students.

Early Learners Department
Pre-K and Kindergarten Programs

OTL Central Office School Support
STAFF ONLY

K-5 Teacher Curricular Resources
STAFF ONLY

Nation-Wide Movement for Transparency

Oregon Senate Bill 409 reflects a bi-partisan national trend that seeks to restore trust and support for public education by giving parents, taxpayers, the media, legislators, and advocacy groups more information about the content of teaching in public schools. Such efforts are needed because of the sharp decline in public trust following the COVID pandemic. In Oregon, about 30,000 students [exited](#) the public school system during COVID, about 5% of the public school body. During [public testimony](#) on the original version of Senate Bill 409, 106 statements of support were received from everyday Oregonians, compared to only two statements of opposition from organized interests.

From the standpoint of a free and open society where decisions about the use of public resources gain their legitimacy through public justification, curricular transparency should be welcomed. By removing secrecy, such measures eliminate rumors and misinformation that often fuel public distrust. More broadly, parental rights to be informed about the content being taught to children is central to democratic citizenship.

In its original form, Senate Bill 409 was aligned with the [Model Academic Transparency Act](#) of the Civics Alliance of which the National Association of Scholars is a founding member. By creating information, such transparency bills seek to defuse misinformation that can often cause opposition to arise that is ill-informed. The bills also allow educators an opportunity to share with parents the reasoning and purposes of classroom instruction in order to make parents full partners in their children's education. More broadly, such transparency laws encourage a broader embrace of a shared ideal of American citizenship at a time of political polarization. "Why can't we get access at least to the information and why does it seem to be kept a secret, which does make people trust whoever's keeping it secret a little bit less?" Senator Thatcher [questioned](#).

Some critics [point out](#) that transparency bills are ineffective because surveys show that less than 50% of K-12 teachers actually follow the officially prescribed curriculum even of their district. But rejecting transparency is to compound one error with another. The solution to teachers adopting low quality or unapproved teaching materials is a separate issue requiring separate action. Indeed, the first step to this second challenge is to allow parents to know what is prescribed in the first place.

While some educators may harbor concerns about their teaching being caught in partisan debates, one must ask whether the remedy for this is greater secrecy or greater openness. As one Kansas education policy analyst [argued](#), such laws would empower and protect teachers by shielding them from concerns that are rightly directed at school districts or state education departments.

Curriculum transparency laws also ensure greater equality of teaching across the system irrespective of zip code. As one educational specialist [explains](#): "Using a central curriculum platform can provide better access to tools and best practices that support

high-quality instruction across the district and a more equitable education for all district students.”

Oregon’s Gutted Legislation

Unfortunately, Oregon’s new legislation was gutted by the Democratic majority in Senate committee. The Model Academic Transparency Act calls on each public school to make public “training materials, learning materials, course syllabi, a general description of the subject matter of each class, books and articles required or recommended, course assessments, and course assignments.” This focus on school-level transparency reflects the fact that what is taught in any given public school often bears only the faintest resemblance to officially adopted curriculum, textbooks, and teaching materials at the district-level. The district-level curricula, meanwhile, are often at variance with the recommended state-level standards.

The gutting of these central provisions means that Senate Bill 409 is only a symbolic statement of support for curricular transparency in the K-12 system. It does nothing to require school districts to abide by the state curriculum of the Oregon Department of Education or to be transparent about what is being taught in district schools. As such, the bill threatens to make transparency worse rather than better through the deceptive posting of material that may be largely irrelevant to what students are being taught in a given public school.

Indeed, Senate Democrats have been open that their support of the bill was contingent on the fact that it would obscure to parents what their children are being taught. As Senator Janeen Sollman (D., Hillsboro) clarified from the Senate floor before casting her vote with remarkable candor: “Each school district has the ability to look at those standards...and they have the ability to adopt their own curriculum.. and they wouldn’t have to adopt that of which ODE is recommending.”

Oregon’s Teacher Unions and Bureaucrats Love Secrecy

The policy process leading to the passage of the gutted Senate Bill 409 suggests that secrecy, not transparency, remains the top priority for Oregon public schools. In its submission on the bill, the state teacher’s union, the Oregon Education Association, weighed in against the original bill, and pledged only “neutrality” on the gutted one (See Appendix I). Their statement equates parental concerns with “attacks” and calls differing opinions on socially contentious issues “bigotry and hate.”

Creating public access to detailed curriculum does not bridge the gap between educators and parents, it would only serve to make educators more vulnerable to unsafe, targeted attacks. Classrooms have been politicized in recent years in an effort to intimidate and scare teachers from teaching subjects they have been teaching for decades. What was once just a history class has now become fodder for bigotry and hate, overshadowing parents’ rights and eclipsing the critical thinking being taught in schools.

The intention behind SB 409 does not seem to be parent's rights, but further efforts to politicize and scapegoat educators in an increasingly unsafe and high stress profession.

Despite the clear support for the bill from Oregon parents, opponents of the bill also mobilized “artificial turf” interest groups claiming to speak for non-white students. In a shambolic and semi-literate submission opposing the bill, a group calling itself Alianz Poder wrote (see Appendix II): “SB 409 does not fulfill any of our students’ needs, furthermore, it created additional administrative burden for school districts, it empowers the anglo majority to bully racial minorities in Oregon by ongoing objecting to our history, present and future.”

In a Senate floor speech opposing the bill, Senator James Manning, Jr. (D., Eugene) called it part of “a movement to dictate what students can learn and cannot learn that is being outside influenced.”

As a major contributor to state Democrats, the Oregon Education Association’s stated “neutrality” on even the gutted version of the bill shows that any further movement in the direction of K-12 transparency will be fought by the union. This is no surprise since the OEA is a core organization promoting politically and socially charged “critical thinking” in state schools. For instance, it [advocates](#) the teaching of social studies based on a [“resource”](#) on Critical Race Theory whose premise is: “The United States society/government is racist and people of color are discriminated against in every institution.” No such standard or curriculum has ever been endorsed by the state Department of Education. The OEA also encourages its teachers to draw from a list of textbooks, [Social Justice Literature for Youth](#), without any reference to ODE approved books.

From this, it is a reasonable assumption that Senate Bill 409 passed the Oregon Senate because the state teacher’s union and state educational bureaucrats saw it as an effective way to demobilize the K-12 transparency movement through a symbolic and empty gesture that will in effect provide them greater, not less cover, for their pursuit of educational practices that amount to debilitating indoctrination and a suspension of the sacred rights of parents to guide their children’s upbringing.

The Oregon Way

Introducing Senate Bill 409, Senator Suzanne Weber (R., Tillamook) said: “This was an example of what we used to call the Oregon Way.” The bill, she continued, “is a step in a right direction in involving our parents in our classrooms...It is a good bipartisan compromise bill.”

However, while the bill has bi-partisan support, it is not a bi-partisan bill. Without strong legislative and administrative follow-up, SB 409 will be a substantive defeat for the parents of Oregon public school students. The long-term impact will be a continued deterioration

of the quality and equal opportunity of the Oregon public school system. Oregon Democrats have sacrificed the needs of Oregon students, especially disadvantaged ones, for the narrow and selfish interests of education bureaucrats and teacher unions.

The bill does little more than draw attention to information that is already widely accessible. As such, it speaks more for what will remain hidden from Oregon parents. Except through cumbersome processes of public information requests and on-site appointments, the curriculum, textbooks, and instructional materials being used in a given district or school will remain hidden, which is what the Oregon Education Association desires.

Recommended Actions

- Despite the flaws of Senate Bill 409, House Republicans should support the bill because of its symbolic support for curricular transparency in Oregon.
- Parental advocacy groups and legislators should use the bill to draw attention to the substantive unwillingness of the Oregon Education Association and its allies in the Department of Education to provide substantive transparency on curricular matters.
- Parents and advocacy groups should renew their efforts at the school and district-levels to promote voluntary transparency.

About

The Oregon Association of Scholars is the Oregon affiliate of the National Association of Scholars, a network of scholars and citizens united by a commitment to academic freedom, disinterested scholarship, and excellence in American higher education. Membership in NAS is open to all who share a commitment to these broad principles. NAS publishes a journal and has state and regional affiliates. Visit NAS at www.nas.org, and OAS at www.oregonscholars.org. Contact: Dr. Bruce Gilley, OAS President, info@oregonscholars.org

Appendix 1: Submitted Testimony of Oregon Education Association



March 30, 2023

Chair Dembrow, Vice Chair Weber, Members of the Committee:

My name is Kyndall Mason, I am a public affairs consultant for the Oregon Education Association. We represent more than 41,000 educators, classified staff, and specialists in Oregon's public K-12 and Community College systems. This testimony is regarding SB 409.

The Oregon Education Association supports broad and consistent communication with parents in regard to student success. We also understand there is a broader national movement stating parents' rights and the need to access classroom curriculum. SB 409 seeks to make this material available to the general public, regardless of parental status. Creating public access to detailed curriculum does not bridge the gap between educators and parents, it would only serve to make educators more vulnerable to unsafe, targeted attacks.

Classrooms have been politicized in recent years in an effort to intimidate and scare teachers from teaching subjects they have been teaching for decades. What was once just a history class has now become fodder for bigotry and hate, overshadowing parents' rights and eclipsing the critical thinking being taught in schools. The intention behind SB 409 does not seem to be parent's rights, but further efforts to politicize and scapegoat educators in an increasingly unsafe and high stress profession.

For these reasons, we cannot support SB 409 as written, but can be neutral on the -6 amendment, requesting that districts have a link to the Oregon Department of Education curriculum standards that all public schools must meet. There are established avenues for communication between parents and educators, we urge parents to use them. Parent teacher conferences, back to school nights, and regular email communication, are just a few of the opportunities parents have to communicate with their child's teachers. If direct communication proves too difficult, the Oregon Department of Education should be an appropriate resource for understanding what is being taught in our classrooms.

Thank you for your time today.

Sincerely,
Kyndall Mason
Public Affairs Consultant, Oregon Education Association

Appendix 2: Submitted Testimony of Alianza Poder



ALIANZA PODER

A NETWORK OF SISTER ORGANIZATIONS

Date: March 23, 2023

To: Chair Senator Michael Dembrow, Vice-Chair Senator Suzanne Weber, and members of the Senate Committee On Education

From: Joanne Mina
Alianza Poder Network Coordinator
356 Young St, Woodburn, OR 97071

RE: Letter in opposition to SB 409

Dear members of the Senate Committee On Education

We, the directors of Alianza Poder, write on behalf of the Alianza Poder Network to express our wholehearted concern and opposition to SB 409 which seeks to ensure that the following information is made available to the public on the school district's website: The title of, or other descriptive information for, any textbooks and instructional materials used for the course and, when available, a link for the textbook or instructional materials; A syllabus for, or written summary of, the course; and when applicable, identification of the state academic content standards that are being satisfied by the course. Additionally, the district school board shall ensure that any changes get posted on the school district's website within 30 days after the change. Alianza Poder knows first hand about the needs of underserved parents and students and SB 409 does not align with our values of racial equity, dignity and respect for the Latine/a/o/x community and all.

Alianza Poder is a collaborative of sister organizations, which are serving, organizing, and building the leadership of our comunidades Latinas, Indigenas, y Afro-descendientes in Oregon to improve the quality of life for all, especially working families. Among the Alianza Poder (AP) organizations is Latinos Unidos Siempre (LUS) which is a POC youth-led-grassroots-social justice organization committed to educate, organize & mobilize within our own community.

LUS calls on our school districts to establish and invest permanently into resources that support the well-being and mental health of students. Students need permanent investments into: Culturally and gender affirming in-school as well as physical and mental health services, Inclusion of students with behavioral and physical disabilities, Hiring more staff and educators of color, Ethnic studies/culturally and gender affirming programs for middle school and high

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ALIANZA PODER

A NETWORK OF SISTER ORGANIZATIONS

schools, Arts and music education in predominantly Black and Brown schools, Culturally and gender affirming after school activities, creation of programs and partnerships with community-led organizations led by Black, Indigenous, People of color, Culturally and gender affirming mentoring and tutoring programs for predominantly low-income schools, expansion of college prep programs for predominantly Black and Brown schools, and restorative justice models and systems within our schools. SB 409 does not fulfill any of our students' needs, furthermore, it created additional administrative burden for school districts, it empowers the anglo majority to bully racial minorities in Oregon by ongoing objecting to our history, present and future and it's a less effective way of communication with families about academic matters than the current system already used by many school district which is ParentVue and StudentVue.

Alianza Poder sister organizations: Pinos y Campesino Unidos del Noroeste (PCUN), Farmworker Housing Development Corporation, Mano a Mano Family Center, Latinos Unidos Siempre, Centro de Servicios Para Campesinos, Mujeres Luchadoras Progresistas, Salem-Keizer Coalition for Equality, Radio Poder 98.3, EVOLVE Workforce & Multifamily Housing Services and Capaces Leadership Institute urge you to stand firmly for the rights of historically oppressed peoples in Oregon and vote NO on SB 409 to protect Oregonians negatively impacted by our current education policies.

Sincerely,

Sandra Hernandez - Lomeli
Latinos Unidos Siempre (LUS)
Executive Director

Ana Gomez
Evolve Workforce & Multifamily Services
Operations Manager

Maria Elena Guerra
Farmworker Housing Development
Corporation (FHDC)
Executive Director

Reyna Lopez
Pinos y Campesinos Unidos del Noroeste
(PCUN)
Executive Director

Levi Herrera-Lopez
Mano a Mano Family Center (MaM)
Executive Director

Jaime Arredondo
CAPACES Leadership Institute (CLI)
Executive Director

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