

2021 Legislative Recap

Rafael Otto: This is the Early Link Podcast. I'm Rafael Otto. Thanks for tuning in. You can catch us on the airwaves on 99.1 FM in Portland on Sunday at 4:30 PM or subscribe and listen wherever you find your podcasts.

Today, I'm speaking with three guests about the latest legislative session here in Oregon for 2021. We'll be talking about highs and lows. What passed, what didn't and in the interest of keeping it in the interest of children and families. We'll also talk about what it was like to move through session virtually; hopefully the only time we'll have to do it that way. I'll be talking with Amanda Manjarrez from Foundations for a Better Oregon, Anthony Castaneda from Latino Network, and Dana Hepper from Children's Institute.

Hi everyone. Thanks for joining me today on the podcast.

Anthony Castaneda: Hi there.

Dana Hepper: Thank you.

Amanda Manjarrez: Thank you.

Rafael Otto: First of all, let's just kind of check in. Is there a sigh of relief now that the session has passed us? And that work is over and we're just a little bit of a pause. What's the mood?

Anthony, do you want to start?

Anthony Castaneda: Sure. I think, at least for me, the dust is still settling. I'm beginning to understand what really has happened. What are some of the changes and, what were some of the successes and what were some of the failures for us.

Rafael Otto: Amanda, Dana, how're you feeling?

Amanda Manjarrez: I think that captures it pretty well. There's a lot of dust. I think a lot happened in the final week of the session, even for folks who were tracking it or have been tracking it pretty closely for the last five months. And so I would say in terms of how I'm feeling? Um, hopeful and exhausted.

Rafael Otto: Dana, what do you think?

Dana Hepper: Yeah, I would have to agree there. Exhausted is a great descriptor of what us and including legislators are all feeling right now. In fact, the speaker of the house kind of wrapped up the session saying, "Hey, I want you all to take a break in July. Don't do any work." So I think that all speaks to how we're feeling.

We know what bills passed and didn't pass but we're still trying to uncover why.

Rafael Otto: I want to talk about some of the specific bills and talk about what those highlights are. But I know it was a strange session for advocates for a lot of reasons, because it was virtual. It just made the work of advocacy, I think a lot more difficult.

Amanda, do you have thoughts on that? What was it like for you?

Amanda Manjarrez: Yeah. So it was an interesting session for many reasons. As you mentioned, it was all virtual because of the pandemic, but also, 2020 has been a little crazy. And so I think heading into session, while many of us are navigating the pandemic and trying to think about how we can continue to move Oregon forward, there was a lot of banding together to figure out how we could work collectively to advance some of the longstanding and complex educational challenges that we're facing. So we actually worked closely with the coalition called the Oregon Partners for Education Justice. I think I've mentioned that previously in this podcast.

Rafael Otto: Yeah.

Amanda Manjarrez: Yeah. A cross cultural network of dozens of community organizations, culturally specific groups, education, advocates etc, who are championing racially just policies. It was... I think on the positive side, more accessible than it's ever been. I would say I would give the legislative session a mixed bag because in terms of accessibility and inclusivity, we had communities from across Oregon who were actually able to engage in the way that they had never had before.

Folks didn't have to travel to Salem to testify, especially for our partners out in Eastern Oregon. That's a long journey. A better online platform emerged, I think by necessity. And to a certain extent, lobbyists and members of the public were actually navigating some of the same online information.

So it did level access in a way for folks who don't spend their time in Salem. And so I know that many of our partners within the coalition, myself, others, spent countless hours tracking legislation online, meeting with policy makers virtually, wordsmithing, bill submitting, letters, etc. And you could actually see the growing influence of that community engagement, and culturally specific partners being able to show up and share their experience through the process.

That said in terms of transparency, I do think, to Dana's point, same old. Decisions are often made behind closed doors, and you know, it's a little more challenging when you can't go to a legislator's office, talk to their staff, have a conversation about what's going on with some of these budgets.

And oftentimes items are posted without much time for review. So you'll get documents that, you know, a hundred plus pages that are posted a few hours before a public hearing begins. And in some cases, especially towards the end, the public hearings go away. So I do think we have a lot of work to do in terms of transparency. But I do hope that there are parts of this virtual session that sustain moving forward, because I do think it made it accessible for folks who hadn't been part of it in the past.

Rafael Otto: Dana, Anthony, do you have additions to that?

Dana Hepper: This is Dana. I just really agree. I think being able to meet with legislators from home or from work, being able to testify at hearings remotely, was really important for people from all across Oregon, to be able to participate in the process in that way. And I hope we hold on to that more inclusive approach even as the Capitol building reopens to the public. But yeah, Amanda rightly named a really big con, which was, if the only way to contact a legislator is to call them or email them or text them, and they don't necessarily call you or email you or text you back, you're just kind of stuck. Whereas when, you know, Amanda, Anthony, I, people who are professional advocates can be in the building, we can usually find someone within a day or so and try to get the answers that we need. Why is the bill being killed or what is the controversy? This time it was just so much harder to get that information, even for us who do this for a living. And that makes it harder for us to communicate that back to the communities across Oregon that we work with.

Anthony Castaneda: The only thing I'll add is, while there are pros, I think one con is the digital divide. As Amanda mentioned, you know, our partners in eastern Oregon are able to engage. But at the same time, I think the digital divide is still very real and a challenge that the legislature needs to bridge if they really want to engage community.

So, bring Salem to the rest of the state. So to say,

Rafael Otto: I love that. Yeah. I love that sentiment. Thank you. What are some highlights from session? I know we're going to talk a little bit about bills and maybe there's a bill that you say, "That's the highlight from session." But is there like, what's a success that came out of 2021 this year?

Amanda Manjarrez: As I mentioned, we worked closely with this coalition of partners and moved to a proactive agenda in 2021, and were very successful. We passed 15 out of the 20 priorities that we advocated for the session. So we're feeling pretty good, and we're very excited to see the legislature commit to fully funding and strengthening the Student Success Act, which was, you know, a \$2 billion investment in our education system back in 2019. I think that's important to mention because, in 2020, as we're projected to see revenue shortfalls, the legislature actually made cuts to portions of the Student Success Act, including the student investment account, which was cut back to about a third of its original funding. So going into session, fully funding the Student Success Act, and some of the equity initiatives that are included, was a huge priority. And we actually saw those priorities either fully funded or expanded in the final budget. So we were excited to see that. That was a huge highlight for us.

Ultimately I think for us watching some of our community partners and community members, really being able to share their stories virtually and remotely was ... it was incredible. You know, having folks talk about the importance of allowing tribal regalia to be worn or why linguistic inclusion is important. Advocating for diversifying the educated workforce and emphasizing the need for reviewing our graduation requirements to make sure they're more equitable and rigorous was really important.

Again, I think it goes back to the remote nature of the session, but to us, there's the outcomes. Which policies passed and recognizing that we can't solve all of our challenges in one session. So I do think we have a stronger foundation moving forward, and it's exciting to see the build of community engagement and folks really showing up to advocate.

Rafael Otto: Great. Great. Anthony, what would you say?

Anthony Castaneda: Sure. I agree with a lot of what Amanda just said, and really emphasize that one policy isn't going to solve the issues especially when it comes to early learning. More specifically, I think that we need to advocate for a package of policies that are going to address the multifaceted nature of the challenges that families or children face in the early learning system.

For example, the Oregon legislature ultimately secured an additional \$70 million for early learning to expand headstart preschool as well as the equity fund, which supports culturally specific, early learning education. At the same time, we were also successful in passing SB236 and house bill 2166. The first puts a ban on the suspension and expulsion of three and four year olds and the second, supports the creation of a program to prevent suspension, expulsion. So I think we're doing things at the same time. We can expand the system, but also put policies in place that ensure that children and families have access to those new slots that are created with those new investments.

Rafael Otto: Anthony, you mentioned a couple of key bills. Dana, what are your thoughts on some highlights from session around early childhood?

Dana Hepper: Yeah, actually, I was just gonna say that I'm working on Senate bill 236 and House bill 2166, both addressing suspension and expulsion in early childhood, were the highlights of my session. Not only because, you know, I think what's put forward there is really good public policy to make sure that as we grow an early care and education system, that we're actually including children and not excluding them from that system.

But also because we got a chance to work in really close partnership with Black Child Development PDX and community leaders who are parents, who are childcare providers, who are childcare coaches. They really identified suspension and expulsion as a huge challenge facing black children. And they said they wanted to work on this with the Oregon legislature.

And we were able to work in deep partnership with them to really understand why suspension and expulsion is happening, why it's disproportionately impacting Black kids, native kids, kids with disabilities, and what needs to be put in place to address the problem; and to watch the Black Child Development PDX leaders really become credible subject matter experts and advocates in the eyes of the Oregon legislature, and watch them have the confidence to speak up in legislative meetings to point out when something was going sideways that they didn't support. To push back on legislators to ask hard questions was just a really important part. And it speaks to the long-term change which we need to make, which is not just one policy or one

bill. But which is really a more inclusive public process for making policy and bills, so that the folks who are most directly impacted have an opportunity to really influence what happens.

Rafael Otto: Amanda, you mentioned 15 of the 20 bills that you were working on passed. Maybe we don't need to list all 15 of them, but what are some of the ones that you want us to know about? What are you feeling good about that passed the session?

Amanda Manjarrez: Yeah. As I mentioned, so many of our priorities were included in Senate Bill 5513, which is the... like this is so nerdy, but the grants-in-aid budget, which includes a lot of the programs that are included in the Student Success Act. We also saw the passage of Senate Bill 744, which would basically require a comprehensive review of our graduation requirements, and make sure that that review was inclusive of communities most impacted across the state.

So we're excited to continue working on that. Tribal regalia passed and in that. I mean, some of these policies seem pretty common sense. But allowing students to wear tribal regalia at graduation ceremonies was one priority. And then there were other priorities that would get rid of English only requirements that were included in some of our standards.

So those are some of the bills that we were, um, excited about. We also were excited to see expanded funding for some of the statewide equity plans. That includes the Black African-American student success plan, Native American student success plan, etc. Because those are mechanisms for bringing more communities to the table, to come up with strategies in partnership with the state, to actually support students of color across the state.

So we felt like those were pretty important.

Rafael Otto: Not everything passed, not everything was successful this session. Dana what's on your radar, things you wish would have gotten through for 2020?

Dana Hepper: Yeah, so first I do want to just name one more big thing that we did get passed this session, which was house Bill 3073. This is a massive improvement to Oregon's childcare system. Both in terms of how we govern childcare to make sure it aligns with our other early childhood programs. But also, in terms of building a childcare program that works better for families where families have smaller copays to be able to access childcare. Where more families are eligible for help paying for childcare, which very few families can afford on their own.

So I didn't want to miss the chance to talk about that success. Along with that...

Rafael Otto: Yeah, thank you for that.

Dana Hepper: The 75 million Anthony mentioned, the suspension expulsion bills that we already talked about. In terms of what didn't pass, I was really disappointed that we weren't successful in getting some protection to childcare providers who are operating out of rental homes.

We heard from many childcare providers across the state that if for ever reason, they, whatever reason they got a new landlord or they had to move, it was basically impossible to find another home that would allow them to operate their small childcare out of that home. And we worked on a bill with the landlords associations.

They were all neutral or supportive. We moved it through the House committee, we moved it through the House floor, we moved it through the Senate committee, and then it never was put up for a Senate floor vote. So we really want to understand what happened to that bill and how we can move it forward in the future.

We were really hoping to make some progress on good data about who has access to our early childhood system by race, ethnicity, by language, by geography. We were calling it an equity and access report. And we didn't pursue that this legislative session, but we hope to bring life back into that concept in the future.

And then I want to let Anthony, of course, talk about Senate Joint Memorial 1.

Rafael Otto: Yeah, Anthony, please go ahead.

Anthony Castaneda: Yes, so SJM1 is a call on Congress to codify sensitive location policy. And this bill or this resolution really came out of an incident that happened here in Oregon in 2020 last March, where ICE agents had targeted and arrested a father who was dropping off his children at a school bus stop.

So sensitive location policy actually clarifies some language about when and where ICE agents can conduct enforcement actions. We had a lot of momentum going into the session. We were able to pass it through the Senate. However, once it got to the house, that's where we lost a lot of steam.

The one thing, while it wasn't successful in the end, I think the success of it was raising awareness about the issue. When I was going around presenting it to other coalitions or to work groups, I tend to see, or virtually I saw, eyebrows raised because they didn't know that this was happening, and the insidious ways that ICE has been performing enforcement actions here in the state.

I think while it was ultimately unsuccessful, I think there is some wins there with raising the awareness about the issue.

Rafael Otto: Just thinking about the way things went during session, where would you point to leadership in the legislature? Who were some of the people that were champions for the bills that you were trying to pass this year? Anthony, do you want to just keep going? Do you... is there someone that you want to recognize as a champion, as a leader for 2021?

Anthony Castaneda: I would like to recognize the advocates who are relentless and continue to push on the policies that we believe would make this state a better place to live, a better place to raise a family. There's coalitions that were advocating on all fronts. The Early

Childhood Coalition, Our Children Oregon, Oregon Partners for Education Justice, Re-Imagine Oregon, Fair Shot, Black Child Development PDX.

I think we continue to put pressure on legislators. And this was very evident when there's some economic uncertainty here in the state. Legislators began to pull back, begin to question whether the funding asks were too high or too large. And I think just continuing to put the pressure on was, I think something that was very successful at the end.

And so I'd like to recognize all the advocates.

Rafael Otto: Appreciate that. And there are a lot of people involved, a lot of coalitions in the mix. Amanda, how about you?

Amanda Manjarrez: Yeah, I want to double down on that, and really give a shout out to the leadership of the community partners across Oregon who brought wisdom, expertise, and power to this process. The policy agenda that we had advocated for in partnership with the Oregon Partners for Education Justice Coalition was actually closely aligned with the governor's recommended budget.

And that was due to incredible advocacy leading up to the legislative session. So I would actually be remiss if I didn't elevate some of the partnership and leadership within the governor's office, and with the department of education's legislative team who were really lockstep with us on a lot of these issues.

And also our new education committee chairs. As I'm sort of untangling, or I guess navigating through the dust of the final week, I realized that Representative Alonso Leon, who is a new Education Committee chair on the House side, and Senator Dembrow, who is the new education chair on the Senate side, were incredible champions who carried most of the equity priorities that we introduced.

And that means that they're presenting them during hearings. They're showing up, we're working with them on amendments, etc. And they did a good job of coordinating with each other to make the process more accessible for the public by making sure that folks knew what was coming up by putting agendas out ahead of time, etc.

I want to speak to that leadership, and even going back to the previous question. I wanted to mention this as I was hearing Dana talk about some of those missed opportunities, because I do think it's important on the K-12 side, and it's something that I haven't gotten over over the last week yet.

But there are a couple of policies that didn't pass that are disappointing because I think they speak to a larger issue. One is the legislature didn't pass funding for ethnic studies implementation, or I'm sorry, professional development, which was Senate bill 227. And Oregon was the first state to pass a statewide ethnic study standard, and this bill would have provided resources to train educators on how to implement that standard. And so I think this is a clear example of where it's important that if and when we do pass these racial justice priorities that

are community led and community identified, that we see them through. And so I think that's critical to name because that standard is in place and we're going to have to keep working towards that.

We also can't fulfill our commitment to providing an inclusive curricula and more welcoming learning environments without investing and meaningful implementation. And so I just wanted to lift that up and, speaking to the partnership piece, we also partnered closely with folks at Reimagine Oregon who were working leaders from the Black community here in Portland who are doing incredible work, elevating issues, affecting students, and they were advocating for disaggregated data on suspension expulsion.

So while we were successful in getting a ban on the early childhood side, on the K-12 side, we weren't able to get the data funded for that. And we know that those issues disproportionately impact BIPOC students. So in order to make progress on restorative justice models, we're going to need that desegregated information and want to continue to support our partners who are working to dismantle the school to prison pipeline that we know starts too early in the state.

Rafael Otto: I have a general follow-up question for you on that. But before I ask it, I want to just go to Dana really briefly on the leadership question in 2021. What are you seeing, Dana? Anyone you want to recognize?

Dana Hepper: Yeah, I definitely want to call out some leadership that came from the BIPOC caucus of Oregon legislators. On the early childhood pieces specifically, I know representative Bynum did a lot of behind the scenes work to make sure some of these bills that had some controversy, that weren't easy slam dunks, made it through.

And representative Valderrama wins the freshman award, my heart. I mean, she came on, appointed mid-session, into a virtual session. I can't think of a harder way to start being a legislator. And she really was using her voice in this newly appointed role to help move priorities through representative Tawna Sanchez.

What a champ, every time we have constituents with her, they just leave feeling heard and supported. Senator Frederick did some important behind the scenes work on some early childhood priorities. So anyway, I'm sure I'm missing people. I hate to do that. And then we had legislators who are carriers of bills that move forward.

And I also just need to recognize Representative Power, Representative Zika, Senator Dembrow, Representative Neron for being the chief sponsors and leading carriers for some of the big priorities we moved this time.

Anthony Castaneda: I also wanted to add that we're at a historic moment, um, with the appointment of Rep. Valderrama. For the first time in the state's history, a majority of members of the House of Representatives are women. And so I think that reflects some of those policies that were passed this last legislative session.

Rafael Otto: Thanks for that addition. The question that I wanted to ask is just sort of this, uh... I think you've all talked a little bit about, there's been progress in certain areas, we've made progress on education, early childhood, and even racial justice in some ways, and at times also not enough.

So I'm just... Can you talk about the big picture question? How did the legislature do on racial justice? Let's start with that. Amanda, do you want to start there?

Amanda Manjarrez: Sure. Again, I think the decision to invest fully in the \$2 billion Student Success Act is a strong start. It's the largest equity investment, our legislature, our state has ever made in our education system. And those investments go towards early childhood priorities and K-12 core priorities.

And as an example on that, the student investment account, as I mentioned, was funded at \$892 billion. That's well and great, but we have to keep in mind that the Student Success Act is still set up, particularly the student investment account, is still set up sort of an incentive for districts to do the right thing.

So I think that, we have this \$2 billion fund, and those are significant investment. It's something to build from. It does still pale in comparison to funds like the state school fund, which was funded at \$9.3 billion, which is used to fund most of Oregon's school districts. Another point I'll make is that many of the equity policies that did pass were passed with very small amounts attached to them, or one time dollars.

And so I do think that when we're making investments in racial justice to make sure that we're doing them in a sustainable way, and in a way that is getting at the core of how we invest in our education system.

Rafael Otto: Anthony, what are your thoughts on the racial justice question?

Anthony Castaneda: I agree with Amanda. I think that the investments need to be integrated into the core of the system, centered around equity. I think there's some temptation when equity work is put on the backburner or put into separate budgets. I think there's a temptation to backfill budgets when it comes to education. So I think equity work needs to be, um, front and center of the sort of programs and services that we fund, rather than being passive and being available when that economic forecast is good for the state.

Rafael Otto: All right. Dana, over to you.

Dana Hepper: Yeah, I think in addition to the real, like, policy and structural changes Amanda and Anthony are talking about, I'm also like, parallel track, really interested in the legislative process. How do we really reflect on hearings, meetings with legislators, and really design them to be welcoming, safe spaces. Accessible to folks that are much more directly impacted by policy and budget decisions than legislators, or than we as more professional advocates are. Um, for example, the norm in the legislature, in the legislature is to let a legislator speak first on a bill and then advocates for the bill speak next. But that makes it hard to know when your bill will

be heard. It depends on the other legislators' schedule and their ability to come out of committee. So if you're a parent who's affected by this issue, and you're taking time off work or adjusting your lunch break to be able to testify at a hearing, but that hearing is not happening at the time you thought because of a legislative schedule, then you may miss an opportunity to weigh in.

So we have legislators who I think are trying to think about how to make hearings and legislative meetings more accessible, more welcoming. We heard some content in a couple of these legislative meetings where there was questioning, "Does this issue of suspension expulsion even have anything to do with race?" And then kind of crickets from legislators in response. Whereas you had some other really good legislative pushback when there was a challenge of like, basically trying to defend being able to suspend, expel kids with disabilities. You saw legislators really push back on that, which was really awesome to see. So how can we make sure our legislators are there being vocal advocates for racial justice, disability justice, gender justice.

And how can we make sure that they are setting up hearings to be as accessible as possible to try to make them work for working parents, for parents who are moving their lunch break, for parents who are directly impacted by issues? That's what I'd love to see the legislature working in partnership with advocates on that moving forward.

Rafael Otto: Well folks, we're going to have to end it there. We've had a few difficulties getting this segment recorded from a technical standpoint, and we don't have time for a proper goodbye. But I do want to say thanks to my guests today, Amanda, Anthony and Dana. If you want to learn more about their work and what's happening legislatively and policy updates, you can go to their websites at Latino Network, Foundations for a Better Oregon, or Children's Institute.

You can find them online and take a look at some of the coalition work that they are working on. And of course, stay tuned for what will be happening in 2022 as some of the bills that did not pass in the most recent legislative session will be moving on to the short session in 2022. Again, thanks for tuning in today and we'll catch you next time.